

Ohio Attorney General

Proposed Rules for Charitable Groups, Including Nonprofit Health Care Organizations

The Attorney General's office is charged with regulating charitable organizations. Charitable organizations must be accountable to the public they serve, and the most effective means to increase this accountability and strengthen our charitable institutions is to increase public access to information on the operation of charities and to encourage best practices in the management of these charities. To this end, Attorney General Jim Petro plans to issue rules under the authority granted the Attorney General by Ohio's Charitable Trust Act that will strengthen oversight and shed light on the business practices of charitable organizations operating in Ohio.

The rules will clarify that, with fewer exceptions, charitable organizations in Ohio will be required to register with the Attorney General and disclose details of their operations. Charities will be requested to file the Attorney General's annual financial report form instead of the charity's IRS 990 form to fulfill their annual filing requirement. Charities that comply with these rules will find that they improve public and donor confidence. Charities with problems will receive assistance to improve their operations. The rules are designed to foster transparency and best practices, without being harsh or burdensome.

Before these rules are submitted for filing on August 1, 2006 with the Joint Committee on Agency Rule Review ("JCARR"), a public comment period will run from June 30 to July 28, 2006. Links to copies of these rules, policies, and revised annual report forms can be found below.

Written comments should be submitted no later than July 28, 2006 to the attention of:

Brian Cook

Chief Deputy Attorney General
Public Protection Division
30 E. Broad St., 17th Floor
Columbus, OH 43215-3400.

Your comments and suggestions will be taken into consideration before rules are filed with JCARR. Additionally, the JCARR process provides an additional review period after rules are filed.

The following documents are available at the Ohio Attorney General's website,

www.ag.state.oh.us/spotlight/cgrules.asp

- [Summary of Proposed Charitable Trust Rules](#)
- [Full Text of Proposed Charitable Trust Rules](#)
- [Full Text of Proposed Charitable Trust Rules Showing Changes from Current Rules](#)

- Fact Sheet about Proposed Rules for Charities and Hospitals
- 109:1-1-01 Construction and purpose of rules; severability; definitions
- 109:1-1-02 Registration and exemptions
- 109:1-1-03 Group or consolidated registration
- 109:1-1-04 Annual report
- 109:1-1-05 Place of filing
- 109:1-1-06 Determination letters
- 109:1-1-08 Notice of revocation of 501(c)(3) exemption
- 109:1-1-09 Notice of dissolution of a charitable trust
- 109:1-1-10 Conflict of interest policy
- 109:1-1-11 Executive compensation and expense reimbursement policy
- 109:1-1-12 Community benefit annual report by charitable organizations
- 109:1-1-13 Fair billing and collection practices policy
- 109:1-1-14 Waiver
- Compensation Expense Policy
- Conflict of Interest Policy
- Fair Billing Collection Policy

The following are examples of Annual Reports based on Proposed Rules:

- Annual Report- Charitable Trust
- Annual Report- Charitable Organization under \$100,000
- Annual Report- Charitable Organization over \$100,000
- Annual Report- Charitable Hospital or Nursing Homes
- Annual Report- Charitable Healthcare Organizations other than Hospitals and Nursing Homes