



Ohio Administrative Code

Rule 3772-15-02 Compliance investigation of an independent testing laboratory.

Effective: July 5, 2022

An independent testing laboratory must undergo a compliance investigation at least once every five years, as determined by the executive director, to verify compliance with Chapter 3772. of the Revised Code and the rules adopted thereunder.

(A) All information, documents and materials required by the executive director, must be provided at the independent testing laboratory's sole expense and cost, and the independent testing laboratory must bear the cost of the investigation.

(B) An independent testing laboratory should clearly identify those portions of the information submitted that it deems to be confidential, proprietary commercial information or trade secrets. Information provided as part of the certification process are open to public inspection to the extent permitted by Ohio's Public Records Act and section 3772.16 of the Revised Code.

(C) The compliance investigation may include, but is not limited to, a review of the independent testing laboratory's:

- (1) Business structure including, but not limited to, its ownership and controlling interests;
- (2) Policies and procedures to determine if they prevent conflicts of interest, provide for segregation of duties, detect and prevent fraud, and ensure impartiality;
- (3) Staff experience and expertise to conduct all required tests;
- (4) Staff and equipment to determine if they are sufficient to conduct all required testing;
- (5) Financial viability to conduct all required testing; and
- (6) Compliance with the requirements of certification as established by Chapter 3772. of the



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Revised Code and the rules adopted thereunder.
