

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 122:5-3-02

**Rule Type:** Amendment

**Rule Title/Tagline:** Criteria for customer eligibility.

**Agency Name:** Development Services Agency

**Division:**

**Address:** 77 South High St. Columbus OH 43215

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#### I. Rule Summary

1. **Is this a five year rule review?** No
  - A. **What is the rule's five year review date?** 2/15/2020
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4928.53
5. **What statute(s) does the rule implement or amplify?** 4928.51 through 4928.57
6. **What are the reasons for proposing the rule?**

To update income requirements.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Currently OAC 122:5-3-02 (b) (1) states "a customer will be considered to meet the income eligibility requirement if either (a) the customer's household income for the three months prior to enrollment, if annualized, is one hundred fifty per cent or less than federal poverty guideline for the corresponding household size, or (b) the customer's actual household income for the twelve months prior to enrollment is one

hundred fifty per cent or less than the federal poverty guideline for the corresponding household size.

ODSA proposes revising this language to state: A customer will be considered to meet the income eligibility requirement if the customer's documented household income for the thirty days prior to enrollment, if annualized, is one hundred fifty per cent or less than the federal poverty guideline for the corresponding household size, provided, however, if the customer's actual household income for the thirty days prior to enrollment is not reflective of their annual income, documentation of their annual household income is required. The customer will be considered to meet the income eligibility requirement if the documented annual household income is one hundred fifty per cent or less than the federal poverty guideline for the corresponding household size.

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

*Not Applicable*

## **II. Fiscal Analysis**

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

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Not Applicable

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

The costs of compliance associated with this rule relate to the local provider's administration of the requirements. The amendment will likely decrease compliance costs.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B).** No
14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C).** No

### **III. Common Sense Initiative (CSI) Questions**

15. **Was this rule filed with the Common Sense Initiative Office?** Yes
16. **Does this rule have an adverse impact on business?** Yes
  - A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business?** No
  - B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms?** No
  - C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes

This rule imposes administrative costs for compliance.