

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 145-4-28

**Rule Type:** No Change

**Rule Title/Tagline:** Health care plan provisions regarding the Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

**Agency Name:** Public Employees Retirement System

**Division:**

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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 10/10/2018 and 09/29/2023
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 145.09, 145.58
5. **What statute(s) does the rule implement or amplify?** 145.58, 145.584

6. **What are the reasons for proposing the rule?**

This rule is being filed as part of the 5 year rule review.

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

This rule describes OPERS health care plans' compliance with HIPPA.

8. **Does the rule incorporate material by reference?** Yes

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.**

This rule references sections of the Ohio Revised Code, Ohio Administrative Code, the Code of Federal Regulations and/or United States Code. The ORC, OAC, USC, and CFR are generally available in libraries and on the internet. Ohio Revised Code 121.76 exempts agencies from filing copies of the codes cited in the text of a rule.

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.

Not Applicable

Not Applicable

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

Not Applicable

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? No**

16. **Does this rule have an adverse impact on business? No**

- 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?** No