

## 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?** 9/29/2023 and 09/28/2028
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?**

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

The rule outlines the provisions of the Health Insurance Portability and Accountability Act of 1996," known as "HIPPA," applicable to the OPERS health care program.
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. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates one or more references to the Ohio Revised Code (ORC). This question is not applicable to any incorporation by reference to the ORC due to an exemption specified in ORC 121.75(A). The ORC is generally available in libraries and on the internet.

This rule incorporates one or more references to the United States Code and the Code of Federal Regulations. This question is not applicable to any incorporation by reference to the USC or CFR due to an exemption specified in ORC 121.75(A). The USC and CFR are generally available in libraries and on the internet.

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. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

None.

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**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable.

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

**16. Was this rule filed with the Common Sense Initiative Office? No**

**17. 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**
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**