Rule Summary and Fiscal Analysis
<u>Part A</u> - General Questions

Rule Number: 173-13-05

Rule Type: Rescission

Rule Title/Tagline: Restricting and logging access to confidential personal information in computerized personal information systems.

Agency Name: Department of Aging

Division:

Address: 246 N. High St. 1st floor Columbus OH 43215-2046

Contact: Tom Simmons   **Phone:**   614-728-2548

Email: tsimmons@age.ohio.gov

I.   <u>Rule Summary</u>

1.   **Is this a five year rule review?** Yes

   A.   **What is the rule's five year review date?** 2/14/2020

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?** 121.07, 173.01, 173.02, 1347.15

5.   **What statute(s) does the rule implement or amplify?** 1347.15

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

   ODA adopted Chapter 173-13 of the Administrative Code to comply with R.C. §1347.15, which requires each state agency to adopt rules to regulate employee handling of confidential personal information (CPI). ODA reviewed this rule as part of its 5-year review of Chapter 173-13 of the Administrative Code and proposes to rescind it and to replace it with a proposed new rule of the same number.

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

This rule establishes the requirements for restricting and logging access to CPI.

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. 121.75, 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. <u>Fiscal Analysis</u>

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.

    $0.00

    ODA's proposed rescission of this rule will not affect the biennial budget that the Ohio General Assembly established for ODA in H.B. 166 (133rd G.A.), especially because ODA proposes to simultaneously adopt a substantially-similar new rule of the same number.

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

    Not applicable: This rule regulates ODA and its employees.

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: This rule does not impose a fee.

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

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable