

Rule Summary and Fiscal Analysis (Part A)**Department Of Aging**

Agency Name

Reports, Investigations, And Hearings

Division

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Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Administrative hearings.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **173.011, 173.02**

5. Statute(s) the rule, as filed, amplifies or implements: **119.03, 173.011**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed in an effort to comply with the five-year rule review requirements found in RC 119.032 and to amend a typographical error.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The rule is being filed to amend the term "franklin county" to read "Franklin county".

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date: **10/14/2004**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase /**

decrease either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0.00

This rule is not expected to have any impact upon the Department of Aging's budget in the current biennium.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

All costs incurred by the Department to dedesignate an area agency on aging are paid for from the following line items: 490-321 (Operating expenses); 490-411 (Senior Community Service Block Grant); 3M3 490-611 (Federal Aging Nutrition); 3M4 490-612 (Federal Independence Services); 322 490-618 (Federal Aging Grants).

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Persons most likely to be directly affected by this rule include area agencies on aging that have been proposed for sanctions (including dedesignation) by the Department. Those entities that desire to appeal the decision to sanction or dedesignate the area agency on aging could incur any number of costs that range anywhere from postage and handling charges incurred to notify the Department of the desire to appeal the Department's proposal, to legal fees incurred to oppose the Department's decision. These costs would necessarily vary from one agency to the next, depending upon its circumstances. As such, they cannot be estimated to any degree of certainty by the Department.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**