

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 173-39-03.4

Rule Type: New

Rule Title/Tagline: ODA provider certification: applying to be certified in additional regions or to certify additional business sites.

Agency Name: Department of Aging

Division:

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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. **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?** 173.01, 173.02, 173.391, 173.52, 173.522
5. **What statute(s) does the rule implement or amplify?** 173.522; 42 C.F.R. 441.352, 173.39, 173.391, 173.52
6. **What are the reasons for proposing the rule?**

As part of a 5-year rule review, ODA proposes to adopt this new rule to replace the portion of 173-39-03 regarding applying for certification to provide a service for which ODA already certified the provider in an additional region of Ohio.

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

This proposed new rule will regulate the process for ODA-certified providers when applying to be certified to provide the service ODA already certified it to provide in an additional Ohio region.

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.

\$0.00

ODA estimates that the proposed adoption of this new rule will have no impact upon the biennial budget the Ohio General Assembly established for ODA in H.B. 95 (132nd G.A.), especially because it will replace substantially-similar requirements found in the current version of 173-39-03, which ODA proposes to rescind.

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

The application process requires providers to submit information to ODA and its designees.

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? Yes

The proposed new rule requires ODA-certified providers wanting to be certified in an additional Ohio region to apply for that certification.

- 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

The application process requires providers to submit information to ODA and its designees.