

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 173-39-03

Rule Type: Amendment

Rule Title/Tagline: ODA provider certification: applying for certification.

Agency Name: Department of Aging

Division:

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

Contact: Tom Simmons

Email: tsimmons@age.ohio.gov

Phone: 614-728-2548

I. Rule Summary

1. Is this a five year rule review? Yes

A. What is the rule's five year review date? 7/24/2019

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, 173.54, 173.543

5. What statute(s) does the rule implement or amplify? 173.39, 173.391, 173.52, 173.522, 173.54, 173.543; 42 C.F.R. 441.352

6. What are the reasons for proposing the rule?

ODA proposes to correct 4 cross-references in this rule.

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

This rule details the process for applying for provider certification from ODA.

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.

ODA made a revised filing of this rule to revise ODA's response to question #16C of this RSFA. ODA did revise the text of this rule.

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 amendment to this rule will have no impact upon the biennial budget the Ohio General Assembly established for ODA

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

To become certified by ODA, the rule requires the provider to apply for the certification according to the rule. Please review the BIA for more information.

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? 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? Yes

This rule requires rejecting incomplete applications and denying applications that make false representations, statements, information, or altered documents, are from a disqualified provider, or do not comply with 173-39-02. ODA may also deny an application according to other requirements of state or federal law.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

This rule requires a provider who seeks to become certified to apply to ODA for certification.