Rule Summary and Fiscal Analysis (Part A)

Department of Aging
Agency Name

                                               Tom Simmons
Division   Contact

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173-40-01   # AMENDMENT
Rule Number   TYPE of rule filing

Rule Title/Tag Line   **Introduction and definitions.**

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: **173.02, uncodified section 213.20 of Am. Sub. H. B. No. 119 (127th G. A.)**

5. Statute(s) the rule, as filed, amplifies or implements: **Uncodified section 213.20 of Am. Sub. H. B. No. 119 (127th G. A.)**

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

    ODA is proposing to amend this rule as part of a larger effort to use a more uniform terminology and style from one introduction-and-definitions rule to the next.

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:

This rule introduces the non-Medicaid funded PASSPORT program and defines terms used throughout Chapter 173-40 of the Administrative Code. ODA is not proposing any programmatic changes. Instead, ODA is proposing to amend this rule to:

1. Delete the definition of "PSA" because the term is not used in the chapter.

2. Replace "As used in Chapter 173-40 of the Administrative Code:" with "Definitions for this chapter:"

3. Replace "The purpose of rules under this chapter of the Administrative Code is to establish..." with "Introduction: This chapter establishes...."

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:

On March 25, 2009, ODA revised this proposed amended rule to:

1. Replace "the enrollee's" in paragraph (B)(2) with "his/her."

2. Replace "the individual" in paragraph (B)(3) with "he/she."

3. Remove one of the two spaces between the second and third sentences and one of the two spaces between the third and fourth sentences in paragraph (B)(8) of th rule.

4. Replace "enrollee-specific" in paragraph (B)(9) of the rule with "consumer-specific."

5. "Replace "an enrollee's" in paragraph (B)(10) of the rule with "a consumer's."

6. Replace "and/or" in paragraph (B)(10) of the rule with "or."

7. Replace "the enrollee or his" in paragraph (B)(10) of the rule with ""the consumer or his/her."

8. Replace "the enrollee's" in paragraph (B)(10) of the rule with "his/her."

9. Revise this RSFA.

12. 119.032 Rule Review Date: 2/18/2009

(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

ODA does not estimate that the adoption of this proposed amended rule would have any impact upon the biennial budget that the General Assembly established for ODA.

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

GRF-490-403 PASSPORT.

4J4-490-610 PASSPORT/Residential State Supplement.

4U9-490-602 PASSPORT Fund.

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:

Because this rule merely introduces the chapter and defines terms, ODA does not estimate that there is any cost of compliance to any directly-affected person associated with the adoption of this proposed amended rule.

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**