

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 173-42-06

Rule Type: Rescission

Rule Title/Tagline: PASSPORT program (medicaid-funded component): service options for consumers and responsibilities for consumers, case managers, and ODA's designees.

Agency Name: Department of Aging

Division:

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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 10/11/2019
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, 173.52
5. **What statute(s) does the rule implement or amplify?** 173.52; 42 C.F.R. 431.51
6. **What are the reasons for proposing the rule?**

This rule filing is the result of a 5-year review of rules 173-40-06 and 173-42-06.

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

This rule establishes the choices and responsibilities of individuals enrolled in the Medicaid-funded component of the PASSPORT Program.

ODA proposes to rescind this rule and simultaneously replace it with a proposed new rule of the same number.

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

Rescinding this rule will have no impact upon the biennial budget the Ohio General Assembly established for ODA in H.B. 166 (133rd G.A), especially because ODA simultaneously proposes to adopt a similar new rule in its place.

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

ODA's proposed rescission of this rule will create no cost of compliance to any person or organization directly-affected by this rule, especially because ODA simultaneously proposes to adopt a similar new rule in its place.

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? No

16. 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

This rule does not regulate any Ohio business.

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

This rule does not regulate any Ohio business.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

This rule does not regulate any Ohio business.