

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

Agency Name

Division

Tom Simmons

Contact

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173-6-05

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Provider participation.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**
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, 173.06**
5. Statute(s) the rule, as filed, amplifies or implements: **173.06**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

ODA has reviewed rule 173-6-05 of the Administrative Code in accordance with Sub. H. B. No. 473 (121st G. A.) and section 119.032 of the Revised Code, which require a state agency to review each rule every five years to determine whether to continue without change, to amend, or to rescind a rule. Because ODA decided to amend the language to a significant degree, the amended language would account for more than fifty percent of the total language if ODA filed this rule as a proposed amended rule. Therefore, in accordance with the "fifty per cent guideline" in the Fourth Edition of the LSC Rule Drafting Manual (May, 2006), ODA is now filing this proposed new rule to replace rule 173-6-05 of the Administrative Code.

This rule was posted on the ODA web site for a public comment period on April 11, 2007 and received no opposition to the filing of this rule.

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 proposed new rule would:

- [1] Outline the procedures a provider must take if that provider wishes to become a participating provider in the Golden Buckeye program. Compared to the language in rule 173-6-05 of the Administrative Code that this proposed new rules replaces, this proposed new rule allows the provider to apply online;
- [2] State the terms to which a provider must agree when the provider agrees to participate in the Golden Buckeye program;
- [3] Outline the enrollment procedures to be taken by ODA or an administrator designated by ODA once it receives an application from a provider;
- [4] Declare that a participating provider may discontinue participating in the program at any time for any reason;
- [5] Declare that a participating provider may contact ODA or an administrator designated by ODA to revise any information submitted to ODA in the application process (e.g., type of discount offered); and,
- [6] Declare that ODA may cancel the participation of a provider in the Golden Buckeye program at any time and for any reason.

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:

(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 anticipates that this proposed new rule will have no impact upon the budget of ODA established by the Ohio General Assembly.

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

GRF-490-405 Golden Buckeye Card

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:

COST OF COMPLIANCE TO A PROVIDER: Any entity wishing to be participating provider in the Golden Buckeye program may do so voluntarily. For the provider that becomes a participating provider in the Golden Buckeye program, the cost of compliance will be whatever benefit or discount a business agrees that it will provide cardholders when it applies to become a participating provider. Additionally, it may take a few minutes of administrative time for an employee of the provider to complete the application and additional time if the provider has multiple sites that are also part of the application.

BENEFIT FOR A PROVIDER: Offering exclusive benefits and discounts to the approximately 2,000,000 Ohioans that have a Golden Buckeye Card may increase the sales to those cardholders who may choose to do business with that provider over one who does not offer a discount to cardholders.

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**