

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

Agency Name

Division

**Mike Laubert**

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**173-6-05**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Merchant and service 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? **Yes**Bill Number: **SB261**General Assembly: **124**Sponsor: **Senator Carnes**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**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:

This rule is being proposed for adoption in an effort to implement the prescription drug discount program component of the Golden Buckeye program.

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 describes the application process for merchants and service providers

wishing to participate in the Golden Buckeye program. The rule, however, does not apply to those pharmacists or pharmacies that participate in the program through a contract with any administrator(s) chosen to administer the prescription drug discount component of the card on behalf of the Department of Aging. The rule requires merchants and service providers to agree to certain terms and conditions in order to participate in the program; makes participation in the program subject to approval by the Department of Aging; and authorizes either a merchant/ service provider or the Department to cancel the merchant's/service provider's participation in the program at any time and for any reason by providing the other party with written notice.

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:

In the first line of paragraph (A)(2), the term "Th" was amended to read "The".

In the third line of paragraph (B)(5), the words "usage of the" were deleted.

## 12. 119.032 Rule Review Date:

(If 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: At 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

This proposed rule will not change the Agency's projected budget during the current biennium.

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

Item: All expenditures of the Golden Buckeye program that are incurred by the Department of Aging are expected to be paid for with funds from line items 490-405 (Golden Buckeye Card) and 490-419 (Prescription Drug Discount Card)  
Expenditure: The Department does not expect to incur any new expenses as a result of its adoption of this rule.

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:

Merchants and service providers will incur costs associated with completing the application for participation in the program and submitting it to the Department. These costs will vary from merchant to merchant and cannot be estimated with any degree of accuracy by the Department. The cost, however, are expected to be minimal, and it should probably also be noted that the Department does not require any merchant or service provider to participate in the Golden Buckeye program.

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**