

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 173-60-04

Rule Type: New

Rule Title/Tagline: Nursing home quality initiative: online publication of approved quality improvement projects.

Agency Name: Department of Aging

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?**
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, 173.60
5. **What statute(s) does the rule implement or amplify?** 173.60
6. **What are the reasons for proposing the rule?**

ODA adopted Chapter 173-60 to implement the nursing home quality initiative (NHQI) and adopted this rule to require the NHQI website to list (A) each ODA-approved quality-improvement project and (B) a description of the evidence that participating nursing homes must provide to the Ohio Dept. of Health's (ODH's) surveyors to demonstrate compliance with R.C. §3721.072.

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

This proposed new rule would require the NHQI website to list (A) each ODA-approved quality-improvement project and (B) a description of the evidence that participating nursing homes must provide to the Ohio Dept. of Health's (ODH's) surveyors to demonstrate compliance with R.C. §3721.072.

Compared to the current rule, which this new rule would replace, the new rule would replace the following:

1. "Quality improvement projects: online publication of approved projects" with "Nursing home quality initiative: online publication of approved quality improvement projects."
2. "'Ohio Long-Term Care Quality Initiative' website" with "'Nursing Home Quality Initiative' website."
3. "Each quality improvement project that it has approved" with "each approved quality improvement project."
4. "The Ohio department of health" with "ODH." (See proposed new definition of "ODH" in 173-60-01.)
5. "To demonstrate compliance" with "to demonstrate the nursing home's compliance with section 3721.072 of the Revised Code."

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. 121.75 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. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

ODA's proposal to adopt this new rule will not affect the biennial budget the Ohio General Assembly established for ODA in H.B. 166 (133rd G.A.), especially because ODA simultaneously proposes to rescind a substantially-similar rule of the same number.

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

This rule only makes requirements upon ODA's website and not upon any Ohio business.

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

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. 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

The rule merely requires ODA to publish information on its website. This rule does not make any requirements of an 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

The rule merely requires ODA to publish information on its website. This rule does not make any requirements of an Ohio business.

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

The rule merely requires ODA to publish information on its website. This rule does not make any requirements of an Ohio business.

- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

The rule merely requires ODA to publish information on its website. This rule does not make any requirements of an Ohio business.