

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

Agency Name

Division

Jodi Govern

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3701-15-03

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

**Tuberculosis standards for the purposes of section 3701.14 of
the Revised Code.****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: **SB173**General Assembly: **123**Sponsor: **Sen. Drake,
Kearns, Spada, Prentiss,
Hagan**

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: **3701.14(B)(6)**

5. Statute(s) the rule, as filed, amplifies or implements: **3701.14**

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

Pursuant to R.C. 119.032, five-year rule review. To make the Ohio Administrative Code consistent with TB legislation passed in October, 2000 and to reflect the current Centers for Disease Control and Prevention standards of care for tuberculosis case management.

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:

Establishes standards of care for tuberculosis case management as required by the updated TB legislation passed in October, 2000.

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:

The rule incorporates reference to sections of the Ohio Administrative Code and Ohio Revised Code which are the accepted law of the State of Ohio and readily accessible to affected persons. The rule also references several CDC documents. The rule details how to obtain a copy of CDC's "Core Curriculum on Tuberculosis: What Every Clinician Should Know". This document and the other CDC documents: "Treatment of Tuberculosis", "Targeted Tuberculin Testing and Treatment of Latent Tuberculosis Infection", and "Guidelines for Preventing the Transmission of Mycobacterium Tuberculosis in Health Care Facilities, 1994", are generally accepted industry standards that are readily available to persons who reasonably can be expected to be affected by the rule.

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:

Pursuant to R.C. 121.71 to 121.75, material is exempt (See #8)

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 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.

Not applicable

Not applicable

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

Not applicable.

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:

No change in cost of compliance to affected persons. The cost varies between agencies because the 88 counties currently provide varying degrees of services for T.B. patients. Cuyahoga and Franklin Counties (the highest morbidity counties in the state) already provide complete services. Some counties who choose to operate a TB program rather than contract the services out have varying degrees of cost incurred depending upon what services they provide to operate an acceptable 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**