

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3701-17-52.1

**Rule Type:** Rescission

**Rule Title/Tagline:** Expedited initial licensure inspections.

**Agency Name:** Department of Health

**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? 10/19/2017
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? 3721.04
5. What statute(s) does the rule implement or amplify? 3721.02, 3721.072
6. What are the reasons for proposing the rule?

ODH is rescinding this rule as part of the five-year rule review process. This rule is being replaced by rule 3701-16-03.1.

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

The rule sets forth the requirements for submitting a request for an expedited initial survey to ODH, which includes:

- a completed application;
- the licensure fee (based on number of beds);

- the expedited initial licensure survey fee (proposed to be \$2,250.00); and
- a notice of readiness.

The rule further requires the Department of Health, upon receipt of all the required documentation and fees, to then conduct a survey of the facility within ten days of the request.

Finally, in accordance with the statute, the rule states the expedited initial licensure survey is only for new residential care facilities and does not apply to existing facilities.

8. **Does the rule incorporate material by reference? Yes**
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.**
- This rule references the Ohio Revised and Administrative Codes. The O.R.C. and O.A.C. are exempt from inclusion in this filing pursuant to O.R.C. 121.76(A)(1) and 121.76(A)(3).
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

Not applicable.

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

Not applicable.

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? Yes

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