Rule Summary and Fiscal Analysis (Part A)

Department of Health
Agency Name

Kaye Norton
Division   Contact

246 North High Street Columbus OH 43215-0000   **614-644-8184**
Agency Mailing Address (Plus Zip)   Phone   Fax

Kaye.Norton@odh.ohio.gov
Email

3701-18-14
Rule Number

AMENDMENT
TYPE of rule filing

Rule Title/Tag Line   **Application requirements for initial train-the-trainer program approval.**

RULE SUMMARY

1. Is the rule being filed for five year review (FYR)? **Yes**

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: **3721.30, 3721.31**

5. Statute(s) the rule, as filed, amplifies or implements: **3721.28, 3721.29**

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

   ODH is proposing this rule as part of the five year rule review required by section 119.04 of the Revised Code.

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 sets forth the requirements pertaining to the application requirements for initial train-the-trainer program approval including a curriculum plan and a non-refundable fee. Revisions are being made for clarity and to include veteran#s preference language.

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 rule references the Ohio Administrative Code. The O.A.C. is generally available in libraries and on the internet 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. 121.76, copies of the cited O.A.C. rules are exempt from inclusion in this filing.

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 If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation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. If applicable, indicate each specific paragraph of the rule that has been modified:

3/7/2017 - This rule is revise filed to correct a typo on the fiscal analysis form. The original filing incorrectly stated the cost was $300 dollars, instead of the correct $600.

12. Five Year Review (FYR) Date: **2/27/2017**

(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

> 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:

> Fee of $600 and application for reapproval with information regarding the program.

> Filing of initial/renewal license applications with ODH may require eight (8) to twelve (12) hours of work by a registered nurse.*

> *Registered Nurse: An average of $30.04 per hour. Figure from United States Department of Labor, Bureau of Labor Statistics, Occupational Employment and Wages for the State of Ohio, May, 2014, using the code for Registered Nurse (29-1111) because the program director is generally a registered nurse.

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**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **Yes**

> Chapter 3701-18 of the Administrative Code requires nurse aide training and competency evaluation programs and train-the-trainer programs to be approved by the Department of Health.

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? **Yes**

> Application fee of $600 and an application containing information about the program.