

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

Agency Name

Division

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3701-45-03

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Eligibility requirements for financial assistance through the Ohio hearing aid assistance program.**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: **HB59**General Assembly: **130**Sponsor: **Schuring**

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: **Am. Sub. H.B. 59 of the 130th G.A.**

5. Statute(s) the rule, as filed, amplifies or implements: **Am. Sub. H.B. 59 of the 130th G.A.**

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

Proposed new O.A.C. Chapter 3701-45 will implement an earmarked program for assisting low income families with the purchase of hearing aids funded by the Ohio Legislature in Section 285.20 of Amended Substitute House Bill 59 (Am. Sub. HB

59) of the 130th General Assembly.

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:

Rule 3701-40-03 outlines the eligibility requirements for families to apply for assistance for their children under this program and describes the application process.

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 an Ohio Revised Code Chapter; the O.R.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:

Exempt pursuant to O.R.C. 121.76.

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:

Not Applicable.

12. 119.032 Rule Review Date:

(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 increase expenditures.

\$1,250.00

Although \$200,000 has been set-aside for this program for each year of the current biennium, the only cost to the agency will be an estimated \$1,250 for development of an RFP, preparation of a contract, and contract oversight. The earmarked funds (\$200,000) will be used to provide services to families, publicity for the program, and contractor oversight of applications, hearing aid purchases, and reports of expenditures to the Department of Health. There will be no additional cost to the agency.

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

Line Item 440416

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:

This program will require completion of an application by the family and proof of income. With an average time of 30 minutes to complete the application and another 15 minutes to procure a copy of the verification of income, cost per family application would be \$18.75 (45/60 X \$25).

The fees set for providers within this program should cover their basic costs for processing the application, making ear molds, and fitting the hearing aids to the child so the net impact on them in terms of cost to provider should be zero.

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**

Providers of hearing aid assistance to children under this program must be licensed as audiologists (R.C. Section 4753.07) or as hearing aid dealers and fitters (R.C. Section 4774.04).

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**

Families must provide proof of annual income below 400 per cent of the applicable Federal Poverty Level in order to be eligible for the program.