

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3701-62-12

**Rule Type:** Amendment

**Rule Title/Tagline:** Effect of DNR identification or order on insurance.

**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? 1/14/2019
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? 2133.25
5. What statute(s) does the rule implement or amplify? 2133.24
6. What are the reasons for proposing the rule?

The five-year review of Chapter 3701-62 of the Administrative Code is due May 14, 2019. The rule is being filed with amendments.

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

The rule sets forth the prohibition for insurance, health benefit plans, and other providers from denying, modifying, or canceling insurance coverage or care plans as a result of a person obtaining a DNR Order. The rule further states that a provider cannot require a person to rescind a DNR Order to obtain treatment. The rule is being revised

to replace the terms CNP and CNS with APRN and clarify that policies in effect on or after July 9, 1998 shall not be impacted by an individual's choice to have a DNR.

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.

Ohio Revised Code exempted

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**