

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 3701-8-07

Rule Type: Amendment

Rule Title/Tagline: Data and maintenance of records.

Agency Name: Department of Health

Division:

Address: 246 North High St Columbus OH 43215

Contact: Alicyn Carrel **Phone:** 614-752-8451

Email: alicyn.carrel@odh.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 7/1/2023
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?** 3701.61
5. **What statute(s) does the rule implement or amplify?** 3701.61
6. **What are the reasons for proposing the rule?**

To streamline access to the statewide data base system used by home visiting providers to record family information and data.

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

The rule requirements surrounding naming a data systems administrator and maintaining a roster for employees with access to confidential information are being removed. The requirement for program supervisors to take action on home visitor

progress within a specified timeframe is being added, which will allow for timely processing of reimbursement for services delivered.

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

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. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

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**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? Yes

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? Yes

The rule requires that data regarding the family receiving services be entered in the statewide data system.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding? 1

3701-8-07 (A)(2) - Adding that home visiting supervisors must process progress notes within 15 days of submission by home visitor.

Removing - 3701-8-07(A) - removing two within A

B. How many existing regulatory restrictions do you propose removing? 7

3701-8-07 (A) - Removing requirement that providers must designate an individual as the data system administrator

3701-8-07 (A) - Removing requirement that providers create, review, and update annually a data quality assurance plan.

3701-8-07 (A)(6) – Removed requirement that providers must have a roster of individuals who have access to personally identifiable information that must be maintained and updated as needed.

former 3701-8-07 (A)(6) – Removed requirement that the roster be made available to the department upon request

former 3701-8-07 (A)(6) – Removed requirement that the roster include information on whether or not an individual has access to paper records, electronic records, or both

former 3701-8-07 (A)(6) – Removed requirement that the roster include the date that access was first granted.

former 3701-8-07 (D) – Removed requirement that providers must ensure and document that the individual designated as data systems administrator has undergone both a criminal background check with Ohio bureau of criminal identification and investigation, as well as a background check with the Ohio central registry on child abuse and neglect.