

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4717-9-03

Rule Type: Amendment

Rule Title/Tagline: Continuing education audit requirements.

Agency Name: Board of Embalmers and Funeral Directors

Division:

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I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date? 1/10/2024
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? 4717.04 (A)(6)
5. What statute(s) does the rule implement or amplify? 4717.09
6. What are the reasons for proposing the rule?

The proposed amendment to the administrative rule seeks to allow the Board to conduct its continuing education audit in a more effective manner.

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

Specifies the period in which the board may conduct an audit of the continuing education records of licensees and requirements for licensees to comply to the audit. The rule is amended to specify the period.

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?

The cost of compliance with the rule may include the licensee to pay a fine and pay a continuing education program provider to participate in a continuing education course.

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? Yes**

An embalmer or funeral director license is required to engage in the practice of embalming or funeral directing.

- 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? Yes**

The Board determined that its proposed amendments may have an adverse impact on embalmers and funeral directors licensed under Chapter 4717 by imposing a sanction or creating a cause of action for failure to comply with its terms. The expected adverse impact may be minimal in that the Board may require a licensee to pay a minimum forfeiture amount or require the licensee to take corrective action courses to become compliant with the Board's rule. In contrast, absence of effort from the licensee to come into compliance may result in suspension or revocation of a license.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

The cost of compliance with the rule may include the licensee to pay a fine and pay a continuing education program provider to participate in a continuing education course.

- 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? No

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

Not Applicable

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

Not Applicable