

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4723-1-03

**Rule Type:** Amendment

**Rule Title/Tagline:** Board records and documents.

**Agency Name:** Board of Nursing

**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? 10/5/2022**
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? 4723.07**
5. **What statute(s) does the rule implement or amplify? 4723.06**
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No**
  - A. **If so, what is the citation to the federal law or rule? Not Applicable**
7. **What are the reasons for proposing the rule?**

The Rule governs Board records and documents.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The Rule governs board records and documents. The Rule is revised to update form references for titles and dates of forms/applications located on the Board's website.

9. **Does the rule incorporate material by reference? Yes**
10. **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.**

Paragraph (G) of Rule 4723-1-03 references applications and/or forms that are available to the public at <http://www.nursing.ohio.gov/forms.htm>. The materials are digital applications into which data is entered to fill out a form or its equivalent, and the form or application merely collects information and does not establish principles of law or policy. Additionally, forms contain data (e.g., calendar dates, references to statutes) that are updated from time to time, and it is infeasible, and not a good use of state resources, to file new rules and hold public rule hearings, each time changes are made to forms. The forms referenced are representative samples located on the Board's website, as the actual forms used by individuals are accessed using secure passwords necessary to file the form on the Ohio eLicense Center electronic database, and it is infeasible to attach forms containing security passwords and personal identifiers to public rule filings.

11. **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**

12. **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.

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Not applicable.

13. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not applicable.

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
16. 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**

17. Was this rule filed with the Common Sense Initiative Office? Yes
18. 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 forms/applications referenced in the Rule require the report of information related to licensing or licensing renewal.
  - 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 Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

19. 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 to this rule?

Not Applicable

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

Not Applicable

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable