

**Rule Summary and Fiscal Analysis (Part A)****Board of Nursing**

Agency Name

Division

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**4723-14-03**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Continuing education requirement for licensed nurses.****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? **No**

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: **4723.07**

5. Statute(s) the rule, as filed, amplifies or implements: **4723.24**

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

This new rule is proposed to provide greater clarification to board licensees and certificate holders, regarding their continuing education requirement.

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:

This rule contains the continuing education requirement (24 hours every two years) for licensed nurses. It requires that one hour of the continuing education relate to

Ohio nursing law and rules, and sets forth a pro rata requirement for nurses who have received an Ohio license by endorsement from another state. It also speaks to the continuing education requirements for reactivating an inactive license and reinstating a lapsed license. Included in these provisions is a new requirement that applies to individuals reactivating or reinstating a license that has been inactive or lapsed for more than five years. These individuals will be required to complete twenty four contact hours of continuing education in subject areas specified in the rule. This is designed to ensure that nurses returning to practice following a hiatus of more than five years have current knowledge in areas determined necessary for safe nursing practice.

The rule also addresses the consequences of failure to comply with continuing education requirements, and provides that excess hours of continuing education may not be carried forward to apply for the next renewal period. Paragraphs (I) and (J) discuss the one time waiver for the continuing education requirement. These provisions are all contained in the current continuing education rules.

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 response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

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:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

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:

*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.

nominal

The board currently audits a certain number of renewing licensees and certificate holders to determine their compliance with the continuing education requirements. The new requirement for nurses reactivating or reinstating after more than five years without a current, valid license, may require slightly more staff time to review.

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

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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 rule will not increase costs for licensees or certificate holders.

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**