

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4723-14-09

Rule Type: No Change

Rule Title/Tagline: Process to obtain initial approval as an OBN approver.

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 and 10/05/2027
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, 4723.79
5. **What statute(s) does the rule implement or amplify?** 4723.24
6. **What are the reasons for proposing the rule?**

This rule is proposed as part of the five year review process.

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

The rule establishes the process to obtain initial approval as a Board approver of continuing education and addresses the availability of the application for approval on the Board's website.

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. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

The material referenced is a form that is readily available on a public website. 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. In addition, some forms referenced are representative samples, as the forms used by individuals are mailed to them directly and contain secure passwords to access and file the form in the Ohio eLicense Center electronic database, and it is infeasible to attach forms containing personal identifiers to public rule filings.

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.

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Not applicable.

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

Staff time to complete the application process and payment of statutorily established fees established in Section 4723-.08(A)(11), (12), (13).

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

Board approval is necessary to become and OBN approver of CE.

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

Board approval is necessary to become and OBN approver of CE. The rule requires certain background or education in adult education and documented knowledge of the continuing education process.

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

Payment of statutorily established fees established in Section 4723-.08(A) (11), (12), (13). The rule requires certain documented knowledge of the continuing education process and attestation to the validity of the required documentation.

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? Yes

The rule requires staff time for completion of the application process and payment of statutorily established fees established in Section 4723-.08(A)(11), (12), (13).