

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4723-14-12

Rule Type: Amendment

Rule Title/Tagline: OBN approver processes and statements.

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, 4723.69, 4723.79
5. **What statute(s) does the rule implement or amplify?** 4723.24, 4723.651, 4723.77
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 is proposed as part of the Board's five-year rule review.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule sets forth processes by which the Board implements and enforces Board approval processes and statements. To implement changes recommended by the Advisory Group on Continuing Education, and recommended by the Board's Advisory Group on Rules, the rule is amended in (A)(5) (9) and (11) to conform language to that utilized by national CE organizations, and to delete (C) to streamline the content and format of information that an approver is required to report to the Board (which is further addressed in 4723-14-13).

9. **Does the rule incorporate material by reference? No**
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.**

Not Applicable

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?**

Staff time for compliance with processes.

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? Yes

A Board approver of continuing education must be approved by the Board.

- 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

Failure to comply with the terms of this Rule may result in the denial of the approver status.

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

The rule sets forth documentation required to be established and maintained by the approver. Section 4723.08(A)(11), (12), and (13), require CE approvers to pay a fee to become a CE approver and a fee to renew CE approver status. The fees themselves, which range from \$150 to \$1,000, are established by Section 4723.08(A)(11), (12), and (13).

- 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

The rule does not but Section 4723.08(A)(11), (12), and (13), require CE approvers to pay a fee to become a CE approver and a fee to renew CE approver status. The fees themselves, which range from \$150 to \$1,000, are established by Section 4723.08(A)(11), (12), and (13).

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