

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4723-14-14

Rule Type: Amendment

Rule Title/Tagline: Approval of a continuing education provider or approved provider unit.

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?**

This rule is proposed as pursuant to the five year rule review process and to clarify two items.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule establishes that a Board approver of continuing education that has been approved by the Board may approve a continuing education provider unit or may approve the entire continuing education system and under what terms. As recommended by the Advisory Group on Continuing Education and the Advisory Group on Rules, the amended rule clarifies that CE may be in the form of an enduring activity and clarifies requirements for marketing materials.

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 in complying with the requirements of the rule.

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 continuing education provider or provider unit must comply with OAC Chapter 4723-16 in order to provide approved continuing education to licensees.

- 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 denial of approver status.

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

The rule requires reporting of certain information to the Board and requires inclusion of certain information in marketing materials.

- 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