

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

Agency Name

Division

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Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

**Standards for approval of the total continuing education
program of a provider unit.****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, 4723.69, 4723.79**

5. Statute(s) the rule, as filed, amplifies or implements: **4723.24, 4723.651, 4723.77**

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

This rule is being revised to provide greater clarification to board licensees and certificate holders, as well as to continuing education approvers and providers.

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 establishes the process for an OBN approver to approve the continuing education system of a provider unit. Language in the rule is changed so that "requirements" is substituted for "standards." In paragraph (A), current sub-paragraph (3) is reconfigured so that (3)(a) becomes part of the stem of (3), and (3)(b) is elevated to a new sub-paragraph (4). New sub-paragraph (4) clarifies the requirement that a provider unit utilize a peer review process when planning continuing education activities within its system. A new paragraph (C) is added to allow the OBN approver to make site visits as it determines necessary to review the provider unit during the course of its three year approval period. New language is also proposed in paragraph (D) requiring that an OBN approver review and appropriately document its review when a complaint is received about a provider unit or provider unit system. The substance of new paragraph (E) is in paragraph (C) of the current rule.

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: **10/16/2007**

(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 have no impact on revenues or expenditures.

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None

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

None

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:

OBN providers and provider units may incur some additional costs in response to the new language about site visits and review of complaints. These costs will vary and are not possible to identify.

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**

