

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

Agency Name

Division

Cynthia Snyder

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4723-27-04

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Certification as a medication aide.**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? **Yes**

Bill Number: **HB66**General Assembly: **126**Sponsor: **Rep. Calvert**

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: **4723.69**

5. Statute(s) the rule, as filed, amplifies or implements: **4723.61 to 4723.69**

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

This rule sets forth the qualifications and process for certification as a medication aide.

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:

The rule restates the statutory qualifications for certification as a medication aide

[Revised Code section 4723.651]. It also creates a certification for purposes of the pilot program (May 1, 2006 through June 30, 2007), and an interim certification for the period from July 1, 2007 through April 30, 2008. Beginning on May 1, 2008 the Board will issue two year medication aide certificates that are valid (unless revoked, suspended, or made inactive) for two years. Generally, the two year certification will be effective from May 1st of even numbered years until April 30th of the next even numbered year. The rule discusses the manner in which certification will be evidenced on the Board of Nursing website, and through issuance of a card. The rule also provides that individuals who qualify to be certified medication aides, but who are not state tested nurses aides, will be authorized to function as a certified medication aide only in residential care facilities.

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.

\$158,500 per year

The Board estimates that it will cost approximately \$158,500 per year to certify medication aides and to establish and operate the Medication Aide Pilot Program. Costs of this program will be offset by program fees and revenues.

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

4K9 884-609 Operating Expenses

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:

Individuals seeking certification as a medication aide may incur costs associated with completing a required medication aide training program, and taking a Board-approved examination. There is also a cost of \$50 for certification as a medication aide, and applicants are required to provide a criminal background check.

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**