

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

Agency Name

Division

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4723-27-05

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Renewal of a medication aide certificate.**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 establishes the process for renewal of a medication aide certificate.

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 establishes the process and requirements for renewal of a two year medication aide certificate once the certification process has been fully phased in.

The renewal requirements will apply initially in 2010, for two year certificates issued in 2008. The Board is required to mail renewal applications to those holding current, valid medication aide certificates unless the Board is aware that a certificate holder may not be eligible for renewal. A certificate holder must submit to the Board a renewal application with the required renewal fee, and must satisfy the continuing education requirements set forth in OAC 4723-27-06 (proposed). The rule also establishes a process by which a certificate holder may place the certificate on inactive status, and establishes requirements for reactivating an inactive certificate and reinstating a lapsed certificate.

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:

Revisions are made in the language of paragraphs (F)(2) and (G)(2). The change clarifies the fact that the fee for reactivation or reinstatement of a medication aide certificate is determined by reference to rule 4723-27-10.

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 \$158,500 per year to certify medication aides and to establish and operate the Medication Aide Pilot Program. The costs of the 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:

Certified medication aides seeking to renew their certificates beginning in 2010, and in even numbered years thereafter, will be required to pay a \$50 fee if the renewal application is submitted on or before March first. The cost for renewal is \$100 if the renewal application is submitted after March first and before May first. Reinstatement of a lapsed certificate (not renewed prior to May first) will cost \$150, while reactivation of an inactive certificate will cost \$50. The amount of the fees for renewal, reactivation, and reinstatement are addressed in rule 4723-27-10, rather than this rule.

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**