

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4723-7-06

**Rule Type:** Amendment

**Rule Title/Tagline:** Practical nurse licensure by endorsement.

**Agency Name:** Board of Nursing

**Division:**

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#### I. Rule Summary

1. **Is this a five year rule review?** No
  - A. **What is the rule's five year review date?** 12/19/2021
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?** ORC 4723.07
5. **What statute(s) does the rule implement or amplify?** ORC 4723.06, 4723.09
6. **What are the reasons for proposing the rule?**

ORC 4723.07 requires the Board to adopt rules regulating nursing licensure. The rule provides requirements for practical nursing licensure by endorsement

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule provides requirements for practical nursing licensure by endorsement. The change would expedite the licensing process by eliminating additional document requirements. The applicant would have already been licensed by examination in another state which had reviewed the educational preparation of the applicant.

8. **Does the rule incorporate material by reference? Yes**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

The rule states that information regarding the availability of materials referenced in the rule is located in Rule 4723-1-03(G), OAC, which provides the public a website link to all the materials, <http://www.nursing.ohio.gov/forms.htm>.

The material referenced is a form that is readily available on a public website. Forms contain data (e.g., calendar dates, references to statutes) that are updated from time to time, and it is infeasible, and not a good use of state resources, to file new rules and hold public rule hearings, each time changes are made to forms. In addition, some forms referenced are representative samples, as the forms used by individuals are mailed to them directly and contain secure passwords to access and file the form on the Ohio eLicense Center electronic database, and it is infeasible to attach forms containing personal identifiers to public rule filings.

10. **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**

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

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Not applicable.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not applicable.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

### **III. Common Sense Initiative (CSI) Questions**

15. **Was this rule filed with the Common Sense Initiative Office? Yes**
16. **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 nursing license is required to practice nursing in the state of Ohio.

- 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**

ORC 4723.99 provides criminal penalties for the unlicensed practice of nursing.

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

ORC 4723.08 requires an application fee for a nursing license.