

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4723-7-08

Rule Type: Rescission

Rule Title/Tagline: Replacement of wall certificate.

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?** 10/14/2021
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?** 4723.07
5. **What statute(s) does the rule implement or amplify?** 4723.06, 4723.08, 4723.271
6. **What are the reasons for proposing the rule?**

The Rule addresses requirements for filing a form for replacement of a wall certificate.

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

The Rule addresses requirements for filing a form and paying a fee for replacement of a wall certificate. The Rule is proposed to be rescinded as it is obsolete. Applicants and licensees are required to establish a secure, password protected account in the Ohio eLicense database in order to apply for or renew licenses issued by the Board under Chapter 4723., ORC. Innovations within the eLicense system now allow licensees and

applicants to self-service by printing a wall certificate suitable for framing that depicts their name and credentials. It is not necessary to submit a form and pay a fee to the Board in order to accomplish this.

- 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. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

The rule states that information regarding the availability and effective date of the materials incorporated by reference in the rule can be found in paragraph (G) of Rule 4723-1-03. Rule 4723-1-03 states that the materials are available to the public at <http://www.nursing.ohio.gov/forms.htm>. The material is a digital application into which data is entered to fill out a form or its equivalent, and the form or application merely collects information and does not establish principles of law or policy. Additionally, 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.

- 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. 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.

- 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**
15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

The law states the Board may charge a fee of \$25.00 for a replacement wall certificate as reflected in this Rule (see 4723.08 ORC). All Board of Nursing operations (licensing, investigations, disciplinary actions) are funded solely by license/license renewal fees. The Board is proposing to eliminate this Rule as licensees can now print wall certificates at no cost through a secure website (eLicense system). This option has been available for several years and the Board does not anticipate a loss of revenue related to elimination of this Rule in the current fiscal period.

III. Common Sense Initiative (CSI) Questions

16. **Was this rule filed with the Common Sense Initiative Office? Yes**
17. **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 license is required to practice nursing.
 - 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? No**
 - C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

The Rule requires payment of a fee and filing a form to obtain a replacement wall certificate.
 - 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? Yes**

The Rule requires payment of a fee to obtain a replacement wall certificate (\$25.00) (see 4723.08 ORC).

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. 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?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable