

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4723-8-04

Rule Type: Amendment

Rule Title/Tagline: Standard care arrangement for a certified nurse-midwife, certified nurse practitioner, and clinical nurse specialist.

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?** 10/15/2025
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** SB 331 - 133
- Sen. Roegner
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?** 4723.431
6. **What are the reasons for proposing the rule?**

The Rule establishes requirements for standard care arrangements, which are required by law.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The Rule establishes requirements for standard care arrangements, which are required by law. The Rule is revised to reference consult agreements, which will be addressed in new proposed Rules 4723-8-12 and 4723-8-13.

- 8. **Does the rule incorporate material by reference? No**
- 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.**

Not Applicable

- 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.**

Not applicable.

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

APRN nurse midwives, nurse practitioners, and clinical nurse specialists are required to practice in accordance with a standard care arrangement with a collaborating physician (ORC 4723.431).

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

Failure to practice in accordance with a standard care arrangement is grounds for disciplinary action.

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

The standard care arrangement is required to include certain information as set forth in ORC 4723.431 and this Rule.

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 APRN may incur an expense if an attorney is hired to prepare a standard care arrangement.

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