

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

Agency Name

Division

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4723-8-04

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

**Standard care arrangement for a certified nurse-midwife,
certified nurse practitioner, and clinical nurse specialist.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

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: **4723.07**

5. Statute(s) the rule, as filed, amplifies or implements: **4723.431**

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

Five year review

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 following changes are proposed to this rule:

The addition of clarifying language for the documentation of the required annual review of a standard care arrangement; clarification of the fact that a clinical nurse specialist who does not hold a certificate to prescribe and whose nursing specialty is mental health or psychiatric mental health does not need to enter into a standard care arrangement [RC 4723.431(D)]; provides that a regular review of referrals made to other health care professionals by a certified nurse midwife, certified nurse practitioner, or clinical nurse specialist be based upon a "representative" sample of the clients seen by that nurse; provides that a timely direct, personal evaluation of a client by a collaborating physician be undertaken when indicated; clarifies the use of drugs approved by the Food and Drug Administration and reviewed by the Committee on Prescriptive Governance (CPG) for new indications and when the review by the CPG occurs after the date of the standard care arrangement; clarifies the review by the nurse and the collaborating physician of a representative sample of the prescriptions written by the nurse; and provides that a clinical nurse specialist whose nursing specialty is mental health or psychiatric mental health must enter into a standard care arrangement if that nurse holds a certificate to prescribe.

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:

Language in paragraph (C)(5)(a) is revised so that it is active, rather than passive, voice.

12. 119.032 Rule Review Date: **10/14/2005**

(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 have no impact on revenues or expenditures.

\$0

Not applicable

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

Not applicable

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:

Not applicable

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