

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4723-8-08

**Rule Type:** Amendment

**Rule Title/Tagline:** Certificate of authority renewal; notification of national recertification.

**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?** 10/15/2020
2. **Is this rule the result of recent legislation?** Yes
  - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 216 - 131  
- Rep. Pelanda
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?** 4723.24, 4723.47, 4723.42
6. **What are the reasons for proposing the rule?**

The rule is proposed to make terminology changes in accordance with recently passed HB 216 of the 131st General Assembly.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule establishes criteria for renewal of an advanced practice registered nurse (APRN) license and notification of national re-certification. The revised rule adds a paragraph to reference additional continuing education requirements for APRNs.

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 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.**

JCARR has recommended that the response to Question #16 be amended due to information provided in response to a subpart to 16.

## 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**

The rule is based on the premise that to renew a license, the person has previously obtained that authority.

- 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 comply with the requirements of renewal or reactivation of a license may result in non-renewal of the license.

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

Those persons renewing a license or reactivating an inactive or lapsed license must report certain information to obtain the license.