

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4723-8-08

Rule Type: Amendment

Rule Title/Tagline: Advanced practice registered nurse license 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?** ORC 4723.07
5. **What statute(s) does the rule implement or amplify?** ORC 4723.24, 4723.47, 4723.42
6. **What are the reasons for proposing the rule?**

ORC 4723.24 requires renewal of the APRN license biennially. The rule provides the requirements for APRNs to renew a license. The amendment is to update the name of the new application for renewal and delete obsolete language. Both amendments are related to HB 216 (131st), which created a new APRN license in Ohio in place of a previous certificate of authority. 2019 was the first renewal period for the new APRN license and this required the agency to develop the new renewal application.

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

ORC 4723.24 requires renewal of the APRN license biennially. The rule provides the requirements for APRNs to renew a license. The amendment is to update the name of the new application for renewal and delete obsolete language. Both amendments are related to HB 216 (131st), which created a new APRN license in Ohio in place of a previous certificate of authority. 2019 was the first renewal period for the new APRN license and this required the agency to develop the new renewal application.

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 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.**

The Ohio State Association of Nurse Anesthetists requested an edit to paragraph (A) (1) to insert the word "Registered" in the title of a renewal application form.

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.**

ORC 4723.24 requires biennial renewal of the APRN license and ORC 4723.08 sets for the fees for renewal. The rule references the statutory fees. The agency's appropriated budget for staff and its payments to the Ohio eLicense system to process applications is derived solely from application fees.

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**

ORC 4723.24 requires biennial renewal of the APRN license. The rule provides for the license renewal process.

- 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**

ORC 4723.24 requires biennial renewal of the APRN license and ORC 4723.08 sets for the fees for renewal. The rule references the statutory fees.

- 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? No**