

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4723-8-11

Rule Type: Amendment

Rule Title/Tagline: Youth concussion assessment and clearance.

Agency Name: Board of Nursing

Division:

Address: 17 South High Street Suite 660 Columbus OH 43215-7410

Contact: Holly R. Fischer

Email: hfischer@nursing.ohio.gov **Phone:** 614-995-4934

I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 9/17/2020
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?** 3313.539, 3707.511, 3707.521, 4723.07
5. **What statute(s) does the rule implement or amplify?** 3313.539, 3707.511, 3707.521, 4723.43
6. **What are the reasons for proposing the rule?**

The rule is required by Section 3707.521, ORC for the concussion assessment/clearance to return to sport for youth sport participants.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule addresses youth sport concussion and clearance to return to sport. The change is to update a reference to the most current version of the Consensus Statement on Concussion in Sport.

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.**
No 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. **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.

0

No 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**

In order to assess for concussion and clear a youth to return to sport, a person must hold a license to practice as an advanced practice registered nurse - clinical nurse specialist or certified nurse practitioner.

- 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 meet the requirements set forth in the rule may result in disciplinary action by the Board of Nursing according to Section 4723.28(B)(16), ORC.

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

The advanced practice registered nurse must obtain the education and training specified in the rule in order to assess concussions and return a youth to sport.