

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 **Phone:** 614-995-4934

Email: hfischer@nursing.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 10/15/2020
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 provides requirements for APRNs to assess youth concussions and clear youths for return to sport.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule provides requirements for APRNs to assess youth concussions and clear youths for return to sport. • Rule 8-11(B)(4): Revised to refer to current version of

referenced form. The APRN Committee also recommended changing paragraph (B)(1) to refer to "specialty" instead of "practice" as a more accurate term.

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 a referenced form is available to the public at <http://www.nursing.ohio.gov/forms.htm>.

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

An APRN license is required to practice as an APRN in the state of Ohio.

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

The rule establishes requirements for APRNs to assess youth concussions and clear youths to return to sport, and grounds for disciplinary action if standards are not met. Sanctions for violation of Chapter 4723., ORC or Chapter 4723-8, OAC may include fines, license restrictions, suspension or revocation.

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

The APRN must utilize the medical clearance return to play after suspected concussion form created by the Ohio Department of Health.

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

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