Rule Summary and Fiscal Analysis (Part A)

Board of Nursing
Agency Name

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4723-9-02
Rule Number

AMENDMENT
TYPE of rule filing

Rule Title/Tag Line   **Requirements for a course of study in advanced pharmacology.**

RULE SUMMARY

1. Is the rule being filed for five year review (FYR)? **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: **4723.50**

5. Statute(s) the rule, as filed, amplifies or implements: **4723.482**

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

   This rule is being filed pursuant to the five-year rule review process required by Ohio Revised Code (ORC) Section 119.032.

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 rule summarizes requirements for a course of study in advanced pharmacology. Rule 9-02(A): Requirements and references in (2)(b), (c), and (d) that applicants obtain six hours of instruction in specific areas and six hours of instruction specific to schedule II controlled substances have been deleted. The law (4723.482(B), ORC) requires instruction in fiscal and ethical considerations, and schedule II controlled substances, as part of the 45-hour course in advanced pharmacology, but does not impose minimum hours in these topics. The six-hour minimum was added when SB 83 (129th GA) authorized CTP holders to prescribe schedule II controlled substances (SB 83 required all CTP holders to take six hours in schedule II instruction as a condition of certificate renewal). Language is added in (A)(2)(e) to clarify that the schedule II content area can be presented in an integrated manner with the other areas of instruction.

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. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. Five Year Review (FYR) Date: **10/15/2015**

(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

> No impact

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:

> The cost of compliance with this rule is the cost of completing the advanced pharmacology course of study that is required by statute for APRN prescriptive authority. The rule requirements should not increase the cost of the course of study for education providers or licensees.

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**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

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**

> Failure to meet the required course of study requirements precludes acceptance of the course of study by the Board.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **No**