

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4723-9-08

Rule Type: Amendment

Rule Title/Tagline: Safety standards for personally furnishing drugs and therapeutic devices.

Agency Name: Board of Nursing

Division:

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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? 4723.07
5. What statute(s) does the rule implement or amplify? 4723.481
6. What are the reasons for proposing the rule?

The rule sets forth safety standards for personally furnishing drugs and therapeutic devices.

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

The rule sets forth safety standards for personally furnishing drugs and therapeutic devices. The amendments are to globally modify language consistent with Section 4723.42, ORC and the eLicense system: "An advanced practice registered nurse with

a current, valid license designated as", to reflect the licensing credential subtypes (designations). Paragraph (A)(1) is revised to reference the Formulary set forth in Rule 4723-9-10 (rather than online). Other changes are made to update cross references to Pharmacy Board rules.

8. Does the rule incorporate material by reference? No
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.

Not 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. 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

A license as an advanced practice registered nurse designated as a CNS, CNP, or CNM is required to personally furnish drugs or therapeutic devices.

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

A licensed advanced practice registered nurse designated as a CNS, CNP, or CNM who does not comply with the requirements for personally furnishing drugs or therapeutic devices may be subject to disciplinary action including sanctions and/or fines according to Section 4723.28, ORC.

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

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