

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4723-9-08

**Rule Type:** New

**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?** No
  - A. **What is the rule's five year review date?**
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?** 4723.07
5. **What statute(s) does the rule implement or amplify?** 4723.481
6. **What are the reasons for proposing the rule?**

The changes to 4723-9-08 were substantial enough to warrant a new rule.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule establishes safety standards for personally furnishing drugs and therapeutic devices. The new rule references language changes made following HB 216.. HB

216 removed some of the restrictive language regarding personally furnishing drugs. Changes proposed reflect the HB 216 changes, and references to the source of various legal requirements are added for clarity.

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. 121.71 to 121.76, 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.**

JCARR recommended that the response to Question #16 be amended due to information provided in response to a subpart to 16.

## **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.

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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**

## **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**

An advanced practice registered nurse license is required to prescribe drugs.

**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 comply with safety standards may be grounds for discipline.

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