

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4731-11-01  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Definitions.  
**Agency Name:** State Medical Board  
**Division:**  
**Address:** 30 East Broad Street 3rd floor Columbus OH 43215-6127  
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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?** 1/31/2020
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?** 4731.052, 4731.05, 4730.39, 3719.062
5. **What statute(s) does the rule implement or amplify?** 3719.062, 4731.74, 4731.052, 4730.39

6. **What are the reasons for proposing the rule?**

The rule defines terms that are used in rules within Chapter 4731-11 of the Administrative Code. The rule is applicable to physician assistants pursuant to Section 4730.21 of the Revised Code and Rule 4730-2-07 of the Administrative Code.

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

The rule defines such terms as "cross-coverage," "BMI, "acute pain," and "morphine equivalent daily dose." It is amended by a clarification to the definition of "acute

pain," and the addition of definitions of "medication therapy management," "subacute pain," and "chronic pain." The additional terms are used in new rule 4731-11-14. Moreover, "chronic pain," was formerly defined in rule 4731-21-01 of the Administrative Code.

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.**

The rule refers to several portions of the Ohio Revised Code and the Ohio Administrative Code that are available at public libraries and via an internet search, including the Medical Board's website.

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

The rule is being re-filed with revision of paragraph (V) and addition of paragraph (W) to reflect comments received at the public hearing. Paragraph (V) is revised by adding the last sentence, to conform with Section 4731.052 of the Revised Code. Paragraph (W) is added to define "board certification in hospice and palliative care."

*08/28/2018 The rule is revised at paragraph (L) by adding the language that clarifies that acute pain does not last more than six weeks in duration. This phrase was inadvertently omitted from the rule body that was originally filed.*

## **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.

0.00

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