

Rule Summary and Fiscal Analysis (Part A)**State Medical Board**

Agency Name

Division

Sallie Debolt

Contact

**30 East Broad Street 3rd floor Columbus OH
43215-6127**

Agency Mailing Address (Plus Zip)

614-644-7021

Phone

Fax

sallie.debolt@med.ohio.gov

Email

4731-11-01

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Definitions.**RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **No**2. Are you proposing this rule as a result of recent legislation? **Yes**Bill Number: **SB319**General Assembly: **131**Sponsor: **Manning**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: **3719.062, 4731.05**5. Statute(s) the rule, as filed, amplifies or implements: **3719.062, 4731.22, 4731.74**

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

The rule defines terms and phrases that are used in the substantive rules in Chapter 4731-11 of the Administrative Code.

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 is amended to add terms and phrases used in new rule 4731-11-13 as well as terms that are used in other rules in the chapter but that have not been defined in the past. The definition of "Board certified addictionologist or addiction psychiatrist" is amended by adding the name of a new certification board. This addition reflects a comment received during the CSI comment period.

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:

The rule references statutes in the Revised Code and rules in the Administrative Code. They are readily available from a public library or through an internet search, including via the Medical Board's website.

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:

Not applicable.

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:

Paragraph (J)(4) of the rule is revised to state the correct type of certification required from the American Board of Preventive Medicine for the holder to be regarded as a "board certified addictionologist." The basic certification in preventive medicine is not adequate as it does not require specialized education and training in addiction medicine. The physician must hold subspecialty certification in addiction medicine. The subspecialty certification builds on the holder's original

specialty board certification and requires additional training and expertise specifically in addiction medicine.

12. Five Year Review (FYR) Date: **1/31/2020**

(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.

0.00

None

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:

There is no cost of compliance with the rule as it is merely defines terms and phrases.

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**

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