

**Rule Summary and Fiscal Analysis (Part A)****Hearing Aid Dealers and Fitters Licensing Board**

Agency Name

Division

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**4747-1-17**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Licensee responsibilities.****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: **4747.04**
5. Statute(s) the rule, as filed, amplifies or implements: **4747.02, 4747.12**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:  

The Hearing Aid Dealers and Fitters Licensing Board is filing this rule change to satisfy five-year rule review requirements.
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:

This rule sets forth the responsibilities of a licensed hearing aid dealer or fitter. This

includes utilizing the results of appropriate test procedures on individuals sold or fitted with hearing aids. The rule also sets notification requirements and timelines for changes in business contact information; for notification of any felony or misdemeanor, and to provide information required by the board. The rule is amended to 1) expand possible licensees to include firms, partnerships, associations or corporations and 2) to add methods of notification to include "mail, fax, e-mail, or Ohio eLicense system.

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 rule references an Ohio Administrative Code rule. The O.A.C. is generally available in libraries and on the internet to persons who reasonably can be expected to be affected by the rule.

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:

Pursuant to R.C. 121.76, a copy of the cited O.R.C. rule is exempt from inclusion in this filing.

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: **3/27/2017**

(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

Not applicable

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 are minimal to no costs of compliance.

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? **Yes**

This rule is meant for licensees who have completed an educational program set forth in O.A.C. 4747-01-19

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**

The board may revoke or suspend a license if the licensee does not comply with requirements of this rule.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **Yes**

The rule sets notification requirements and timelines for changes in business contact information; for notification of any felony or misdemeanor, and to provide any information requested by the board.