

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4747-1-17

**Rule Type:** Amendment

**Rule Title/Tagline:** Licensee responsibilities.

**Agency Name:** Ohio Speech and Hearing Professionals Board

**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?** 3/15/2022
2. **Is this rule the result of recent legislation?** Yes
  - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 420 - 132  
- Reps. Sykes and Boyd
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4744.28, 4747.04
5. **What statute(s) does the rule implement or amplify?** 4747.02, 4747.12
6. **What are the reasons for proposing the rule?**

This rule is being proposed as a result of the board consolidation which created the Ohio Speech and Hearing Professionals Board on January 21, 2018 and a clean-up statute under HB 420 which streamlined licensure requirements.

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

This rule requires licensees to utilize appropriate hearing test procedures and maintain them on file for two years. The rule also requires licensees to notify the Board of any change to their contact information. The public purpose of this rule is consumer protection by ensuring licensees utilize appropriate test procedure on consumers to whom the licensed dealer or fitter sells or fits a hearing aid for, and to ensure the Board can communicate with licensees.

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.**

The RSFA #16 was updated to reflect "yes" since there is a reporting requirement.

## **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?**

The nature of the adverse impact from this rule will be the time and costs to licensees and employers associated with providing appropriate hearing tests to consumers and maintaining those records for two years. The adverse impact also includes the time for licensees to comply with the requirement to inform the Board of a change to their contact information within thirty days.

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**

The nature of the adverse impact from this rule will be the time and costs to licensees and employers associated with providing appropriate hearing tests to consumers and maintaining those records for two years. The adverse impact also includes the time for licensees to comply with the requirement to inform the Board of a change to their contact information within thirty days.

- 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**

Individuals who do not comply with this rule are subject to disciplinary action by the Board, which may include reprimand, suspension, revocation, probation, etc.

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

This rule requires a licensed hearing aid dealer or fitter to report in writing any felony or misdemeanor conviction other than minor violations to the Board within 30 days from the date of conviction.