

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4751-1-02

Rule Type: Amendment

Rule Title/Tagline: Definitions for this chapter.

Agency Name: Board of Executives of Long-Term Services and Supports

Division:

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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 11/30/2018
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?** 4751.04; 42 U.S.C. 1396g(c)(1); 42 C.F.R. 430.707(a)
5. **What statute(s) does the rule implement or amplify?** R.C. Chapter 4751; 42 U.S.C. 1396g; 42 C.F.R. 431.701
6. **What are the reasons for proposing the rule?**

The Board proposes to amend this rule as part of a review which R.C. §106.03 requires the Board to conduct before this rule's five-year deadline.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule defines terms used in Chapter 4751-1.

The Board proposes to amend the rule in the following ways:

(1) Language changed to include colleges/universities accredited by an accrediting body that is accredited by the U.S. Dept. of Education.

(2) Language added to define "veteran," "active duty," "armed forces," "merchant marines," and "service member."

- 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.**
In this rule, the Board refers to the United States Code, which is readily available to the general public free of charge on <http://uscode.house.gov/> and <https://www.law.cornell.edu/uscode/text>.
- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

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

The Board estimates that the proposed amendment of this rule will have no impact upon the biennial budget established for the Board in H.B. 49 (132nd G.A.).

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

The Board estimates that this rule creates no cost of compliance to any directly-affected person, especially because it only defines terms used throughout this chapter.

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**

This rule merely defines terms used in Chapter 4751-1. It does not make any requirements (i.e., does not contain the word "shall").

- 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**

This rule merely defines terms used in Chapter 4751-1. It does not make any requirements (i.e., does not contain the word "shall").

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

This rule merely defines terms used in Chapter 4751-1. It does not make any requirements (i.e., does not contain the word "shall").