Rule Summary and Fiscal Analysis
<u>Part A</u> - General Questions

Rule Number: 4751-1-03

Rule Type: Amendment

Rule Title/Tagline: Board officers, board secretary, and board members.

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

Division:

Address: 246 N. High St. 1st floor Columbus OH 43215-2406

Contact: Tom Simmons   **Phone:** 614-728-2548

Email: tsimmons@age.ohio.gov

I.   <u>Rule Summary</u>

1. **Is this a five year rule review?** Yes

    A.   **What is the rule's five year review date?** 10/15/2019

2. **Is this rule the result of recent legislation?** Yes

    A.   **If so, what is the bill number, General Assembly and Sponsor?** HB 166 - 133 - Oeslager

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. 431.707

5. **What statute(s) does the rule implement or amplify?** 4751.02; 42 U.S.C. 1396g(c)

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

    As part of a larger rule package, the Board is filing this rule after reviewing the rules of Chapter 4751-1 of the Administrative Code to implement amendments to Chapter 4751. of the Revised Code by H.B. 166 (133rd G.A.) and to conduct a 5-year review of those rules.

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

    The board proposes to delete (B)(2)(I), which requires the Board's secretary to receive all monies payable to the board and to deposit those monies with the treasurer of state.

    Additionally, the Board proposes to update the "rule amplifies" section of this rule to correspond to the renumbering of R.C. Chapter 4751. of the Revised Code by H.B. 166 (133rd G.A.).

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. 121.75 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.**

    Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

    This will have no impact on revenues or expenditures.

    $0.00

    The Board estimates that amending this rule will have no impact upon its biennial budget which the Ohio General Assembly established in H.B. 166 (133rd G.A.), which is the same bill in which the Ohio General Assembly sought to reform the Board by amending and renumbering R.C. Chapter 4751. The amendments to rules of this chapter reflect those amendments and renumberings.

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

The Board estimates that its proposed amendment to this rule will create no cost of compliance to any directly affected person or organization.

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

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

    Not applicable.

III. Common Sense Initiative (CSI) Questions

16. **Was this rule filed with the Common Sense Initiative Office?** Yes

17. **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

    D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies?** No