

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4751-1-04  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Board meetings.  
**Agency Name:** Board of Executives of Long-Term Services and Supports  
**Division:**  
**Address:** 246 N. High St. 1st floor Columbus OH 43215-2406  
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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? 1/18/2018**
2. **Is this rule the result of recent legislation? Yes**
  - A. **If so, what is the bill number, General Assembly and Sponsor? HB 49 - 132 - Smith**
3. **What statute is this rule being promulgated under? 119.03**
4. **What statute(s) grant rule writing authority? 4751.04**
5. **What statute(s) does the rule implement or amplify? 4751.03**
6. **What are the reasons for proposing the rule?**

The Board proposes to amend this rule as part of a larger rule package to update its rules, which ORC§106.03 requires the Board to do no less often than every 5 years. Additionally, HB49 changed the composition of the Board's voting and non-voting members, the latter of which the Act says "serve in an advisory capacity only." This requires a corresponding rule change.

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

This rule regulates Board meetings concerning quorum, simple majority, parliamentary procedure, quarterly meetings, special meetings, meeting notices, and meeting minutes.

The Board proposes to amend the rule to indicate that a majority of "voting members" (vs. "members") are required to establish a quorum, simple majority, and other actions.

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.**

The rule cites "Roberts Rules of Order" [Dewey decimal number 060.042 R641rb] as the parliamentary procedure the Board meetings must follow. "Roberts Rules of Order" (2011 edition) is generally available to the public (1) at local libraries, (2) at the State Library of Ohio through OhioLink, or (3) from [www.robertsrules.com](http://www.robertsrules.com).

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 rescission of this rule will have no impact upon the biennial budget that the General Assembly established for the Board.

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

The rule regulates Board meetings (notices, minutes, etc.). It regulates no other person, with one exception.

If a person wants to obtain advance written notification of board meeting agendas, the person must write or email the Board before the Board would be able to do so.

For more information, please review the Board's responses to questions #14 and #15 in the business impact analysis.

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
  - 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