

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4751-1-05

**Rule Type:** Amendment

**Rule Title/Tagline:** Pre-examination requirements; conditions precedent to application for admission to examination.

**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:** 614-202-7971

**Email:** tsimmons@age.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 8/29/2022
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; 42 C.F.R. 431.707, 431.708
5. What statute(s) does the rule implement or amplify? 4751.15; 42 U.S.C. 1396g; 42 C.F.R. 431.707, 431.708
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
  - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

R.C. §106.03 requires the Board to review this rule before its five-year deadline.

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

This rule exists to establish the qualifications for admission to the examination to be a licensed nursing home administrator (LNHA).

The Board proposes to amend this rule to achieve the following:

1. No longer require certifying applications.
2. Indicate that direct college applicants must provide a letter verifying program completion from their college.
3. Define abandonment of an application.
4. Indicate that an applicant who fails the examination 4 times must reapply as a new applicant.

**9. Does the rule incorporate material by reference? No**

**10. 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*

**11. 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**

**12. 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 adoption of the proposed amendments to this rule will have no impact upon the biennial budget that the Ohio General Assembly established for the Board in H.B. 110 (134th G.A.).

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

This rule establishes the qualifications for admission to the examination to be a licensed nursing home administrator (LNHA). If an applicant abandons their application, the applicant must begin the process again from the beginning and possibly undergo a new administrator-in-training internship. If an applicant fails the examination 4 times, the applicant must apply again as a new applicant.

Please review the BIA for more information.

**14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

**15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

**16. 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**

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

**18. 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**

Please review the BIA for more information.

**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? Yes**

The Board proposes to amend this rule to amend the definition/conditions for abandonment of an application. If someone abandons their application, they will have to begin the process again from the beginning, and possibly do a new administrator-in-training internship. Please review the BIA for more information. The Board proposes to amend this rule to require direct college applicants to provide a letter verifying program completion from their college.

- 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

**IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

- A. How many new regulatory restrictions do you propose adding to this rule?

Not Applicable

- B. How many existing regulatory restrictions do you propose removing from this rule?

Not Applicable

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

Not Applicable

- D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable