

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4751-1-08.1  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Training agency approval.  
**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?** 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. 431.707
5. **What statute(s) does the rule implement or amplify?** 4751.04; 42 U.S.C. 1396g(c); 42 C.F.R. 431.707, 431.708
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 ORCS106.03 requires the Board to do no less often than every 5 years.

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

This rule establishes the Board's requirements for approving continuing education training agencies.

The Board proposes to implement Board policy and practice into the rule regarding self-study courses.

The Board proposes to amend the rule to exempt live webinars where attendance and participation can be monitored from the post-test requirement.

The Board proposes to amend this rule to disallow continuing education credits for courses consisting of reading a book or articles, then taking an exam.

The Board also proposes to amend this rule so it clearly says continuing-education approval is given only to the provider and not to an individual licensee.

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.**  
This rule requires the completion of BELTSS Form E-1 (rev., July, 2015) which the Board makes readily available to the general public, free of charge, on <https://www.beltss.ohio.gov/forms/default.html>.
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 its proposed amendments to this rule will not impact the biennial budget 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?**

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?** Yes
  - A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business?** Yes

This rule establishes the requirements for training agencies to become Board-approved continuing education training agencies for licensed nursing home administrators in Ohio.
  - 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