

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:

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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. 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 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 regulates the approval of training agencies for continuing education.

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

(1) Language added to reflect that Board approval only applies to continuing education programs conducted/sponsored solely by the organization named in the application.

(2) Language added to reflect that providers shall not submit courses for other organizations or persons that are not providers of BELTSS, and that organizations or persons wanting to put on continuing education programs for nursing home administrators must seek provider status from the Board. Preferred providers shall not submit courses for certified providers to gain preferred status for the provider/course.

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. 121.71 to 121.76, 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. **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's proposed amendments to the rule would prohibit organizations certified to provide continuing education from using other uncertified organizations to provide

the training. This may create a loss in revenue for certified organizations who may have been offering their certification to uncertified organizations for a fee.

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 requires agencies wanting to provide continuing education courses to licensed nursing home administrators in Ohio to be certified by the Board.

- 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

This rule requires training agencies to submit an application if they want to be certified by the Board to provide continuing education courses to licensed nursing home administrators in Ohio.