

**Rule Summary and Fiscal Analysis (Part A)****Board of Executives of Long-Term Services and Supports**

Agency Name

Division

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**4751-1-08**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Registration of educational institutions and continuing  
education training agencies; approval of courses of study and  
programs of instruction.****RULE SUMMARY**

1. Is the rule being filed for five year review (FYR)? **No**
2. Are you proposing this rule as a result of recent legislation? **No**
3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**
4. Statute(s) authorizing agency to adopt the rule: **4751.04; Section 1902(c)(1) of the Social Security Act, 42 U.S.C. 1396g; 42 C.F.R. 431.707 (October, 2014 edition)**
5. Statute(s) the rule, as filed, amplifies or implements: **4751.04; Section 1902(c)(2) of the Social Security Act, 42 U.S.C. 1396g; 42 C.F.R. 431.707, 431.714 (October, 2014 edition)**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

The Board is proposing to adopt this new rule as part of a larger rule package that gives a five-year rule review to rules 4751-1-02, 4751-1-03, 4751-1-05, 4751-1-09, and 4751-1-13 of the Administrative Code. The Board appreciates feedback on this rule.

To comply with section 4.3.1 of the Legislative Service Commission's Rule Drafting Manual, the Board is proposing to adopt this new rule rather than amend the current rule of the same number.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; if the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The proposed new rule would regulate the registration of educational institutions and training agencies.

Compared to the rule of the same number that the proposed new rule would replace, the new rule would contain streamlined and clarified language that should be simpler for educational institutions and training agencies to follow.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

The rule requires the following 3 forms: (1) Form E-1, (2) Form E-2, and (3) 60-Day Waiver Request Form. The Board is filing the 3 forms with JCARR as part of this rule filing.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

The Board is filing 3 forms with JCARR as part of this rule filing.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

*Not Applicable.*

12. Five Year Review (FYR) Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

The rule proposal would have no impact upon the biennial budget that the General Assembly established for the Board.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

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15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Compared to the rule that the Board is simultaneously proposing to rescind, the proposed new rule would not make any new requirements for becoming a licensed nursing home administrator or on remaining a licensed nursing home administrator.

Compared to the rule that the Board is simultaneously proposing to rescind, the proposed new rule would not make any new requirements for educational institutions or training agencies.

Please review the business impact analysis for further information.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

**S.B. 2 (129th General Assembly) Questions**

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

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

The proposed new rule would establish the requirements for an educational institution or training agency to teach courses to nursing home administrators.

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 rule requires completing forms.