

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4751-1-10.1

Rule Type: Amendment

Rule Title/Tagline: Timely renewal of certificate of registration.

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?** 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 ORCÂ§106.03 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 regulates the timely renewal of certificates of registration.

The Board proposes to eliminate "limited" provider status (cf., proposed changes to OAC 4751-1-08) and to add language referring to online renewal and payment.

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 references a form which the Board makes readily available to the general public, free of charge, by publishing it 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.**

On March 2, 2018, the Board refiled the rule to further amend the rule. In doing so, the Board added a sentence to the end of paragraph (D). The new sentence would allow up to 10 CEUs to be from self-study, distance learning, or webinar for both annual renewal and penalty CEUs combined. The Board also inserted "(CEUs)" after the first use of "continuing education units," then replaced subsequent usage with "CEUs."

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

The rule establishes the requirements for renewing certificates of registration 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? Yes

Untimely renewals have penalties of 5 additional continuing education units per quarter.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

The rule requires licensees to renew via the myBELTSS system, which is accessible on <https://www.beltss.ohio.gov/>.