

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4751-1-10.2

**Rule Type:** New

**Rule Title/Tagline:** Health services executive license.

**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? No
  - A. What is the rule's five year review date?
2. Is this rule the result of recent legislation? Yes
  - A. If so, what is the bill number, General Assembly and Sponsor? HB 166 - 133  
- Oelsager
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? 4751.21, 4751.25
6. What are the reasons for proposing the rule?

As part of a larger rule package, the Board is proposing to adopt this rule to implement amendments to Chapter 4751. of the Revised Code by H.B. 166 (133rd G.A.).
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The Board proposes to adopt this new rule to implement R.C. §§ 4751.21 and 4751.25, which are new sections enacted by H.B. 166 (133rd G.A.)

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. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.**

This rule refers to NAB requirements approved by the Board. These are readily available on the Board's website for the general public to review free of charge.

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. **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 Board estimates that adopting this proposed new rule will have no impact upon its biennial budget which the Ohio General Assembly established in H.B. 166 (133rd G.A.), which is the same bill in which the Ohio General Assembly sought to reform the Board by amending and renumbering R.C. Chapter 4751, which included new authorization to license health services executives and new corresponding fees. The amendments to rules of this chapter reflect those amendments and renumberings.

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

This rule requires applicants to become HSEs to qualify to be HSEs and to pay fees. This rule also requires licensed HSEs to complete continuing education hours, to renew their licenses, and (if paying late) to pay late fees.

Please review the BIA for more information.

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
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

The Board uses fees collected under this rule to administer and enforce R.C. Chapter 4751.

### **III. Common Sense Initiative (CSI) Questions**

16. Was this rule filed with the Common Sense Initiative Office? Yes
17. 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? No
  - 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

This rule refers to the late renewal fee established in R.C. §4751.25.

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

This rule requires applicants to become HSEs to qualify to be HSEs and to pay fees. This rule also requires licensed HSEs to complete continuing education hours, to renew their licenses, and (if paying late) to pay late fees.

- 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