

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

Agency Name

Division

**Tom Simmons**

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**4751-1-10.3**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Licensing active-duty military personnel, veterans, and licensees accompanying active-duty spouses.****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? **Yes**Bill Number: **HB488**General Assembly: **130**Sponsor: **Dovilla and Landis**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, 5903.04; Section 1908(c)(1) of the Social Security Act, 42 U.S.C. 1396g; 42 C.F.R. 431.707, 431.708.**5. Statute(s) the rule, as filed, amplifies or implements: **4751.04, 4751.06, 5903.03; Section 1908(c)(1) of the Social Security Act, 42 U.S.C. 1396g; 42 C.F.R. 431.707, 431.708, 431.710, 431.714.**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

The Board proposes adopting this new rule as part of a 5-rule package of

enhancements to OAC Chapter 4751-1. The Board proposes adopting the new rule to explain the circumstances under which a veteran or spouse of a veteran may apply for a waiver of fees or consideration of military experience.

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 implement Executive Order 2013-05K and HB488 (130th GA) by authorizing the Board to (1) allow military training to count for training required for initial licensure, (2) waive the initial license fee for honorably-discharged veterans, (3) allow 180-day temporary licensure, with extensions, for spouses from another state of veterans stationed in Ohio, (4) waive all or part of the normal continuing-education requirements, (5) waive all or part of the temporary license fee for spouses of veterans from another state temporarily stationed in Ohio.

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:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

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:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

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 decrease revenues.

\$500.00

Adopting this new rule is estimated to decrease Board revenue by \$500 per year based on an estimate that the Board will annually waive the \$250 initial licensure fee for 2 veterans.

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:

Adopting this new rule would make it possible for the Board to (1) allow military training to count for training required for initial licensure, (2) waive the initial license fee for honorably-discharged veterans, (3) allow 180-day temporary licensure, with extensions, for spouses from another state of veterans stationed in Ohio, (4) waive all or part of the normal continuing-education requirements, (5)

waive all or part of the temporary license fee for spouses of veterans from another state temporarily stationed in Ohio.

The new rule would require applying for the waiver, which the Board estimates would involve 45 minutes per person for paperwork.

For further information, please review the BIA.

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? **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? **No**

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

This new rule would allow military training to count for training required for initial licensure and waive the initial license fee for honorably-discharged veterans, but require veterans to request their military training be considered, demonstrate to the satisfaction of the Board that the military training is substantially equivalent to the training the Board requires for initial licensure, and provide to the Board evidence of honorable discharge.

This new rule would allow 180-day temporary licensure, with extensions, for spouses from another state of veterans stationed in Ohio, waive all or part of the normal continuing-education requirements, and waive all or part of the temporary license fee for spouses of veterans from another state temporarily stationed in Ohio

(licensee). But, this rule would also require the licensee to request these things and provide evidence to the Board that the licensee was actively licensed in the previous state of residence, paid the licensure fee in the previous state of residence, and meets any other Board requirements. The Board estimates this involves 45 minutes of paperwork.

Please review the BIA for further information.