

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4751-1-10.3

**Rule Type:** Amendment

**Rule Title/Tagline:** Licensing service members, veterans, or spouses of service members or veterans.

**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?** 7/12/2023
2. **Is this rule the result of recent legislation?** Yes
  - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 509 - 134 - John, Fowler Arthur
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4751.04, 5903.03, 5903.04; 42 U.S.C. 1396g; 42 C.F.R. 431.707, 431.708
5. **What statute(s) does the rule implement or amplify?** 4751.20, 5903.03, 5903.04, 5903.10, 5903.12; 42 U.S.C. 1396g; 42 C.F.R. 431.707, 431.708, 431.714
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
  - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

This rule exists to implement the Board's standards for service members, veterans, or spouses of service members or veterans regarding initial licensure, biennial registration (i.e., license renewal), and continuing education.

- 8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule implements the Board's standards for service members, veterans, or spouses of service members or veterans regarding initial licensure, biennial registration (i.e., license renewal), and continuing education.

The Board proposes to amend this rule to incorporate the amendments to R.C. Chapter 4751 that eliminated temporary licenses and replaced the annual registration (license renewal) period with a biennial period.

- 9. Does the rule incorporate material by reference? No**
- 10. 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.**

*Not Applicable*

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

The Board made a revised filing of this rule to add an additional section number to the list of amplified statutes that appears after the rule. The Board did not revise the rule itself as part of this filing.

## **II. Fiscal Analysis**

- 12. 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

Amending this rule will not impact the biennial budget that the Ohio General Assembly established for the Board.

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

For initial licensure, the cost to an active-duty service member, veteran, or spouse of a service member or veteran is applying for initial licensure and providing evidence of military status. For biennial license registration, the cost is the biennial registration fee, unless waived for an active-duty member who missed the renewal deadline due to active duty, but provides evidence of the active duty to the Board. For these members, the Board may extend continuing education deadlines or waive continuing education requirements.

**14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

**15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

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

For veterans who served at least one year with a honorable discharge, this rule waives all fees other than the biennial renewal (registration) fee, which the rule allows the Board to waive if the fee would create undue hardship. The biennial renewal fee goes to the BELTSS Fund under R.C. §4751.03 and relates to the cost to administer the Board's duties under R.C. Chapter 4751 and Chapter 4751-1 of the Administrative Code.

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

**17. Was this rule filed with the Common Sense Initiative Office? Yes**

**18. 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? No**

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

For initial licensure, the cost to an active-duty service member, veteran, or spouse of a service member or veteran is applying for initial licensure and providing evidence of military status. For biennial license registration, the cost is the biennial registration fee, unless waived for an active-duty member who missed the renewal deadline due to active duty, but provides evidence of the active duty to the Board. For these members, the Board may extend continuing education deadlines or waive continuing education requirements.

- 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

**IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

19. **Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No**

- A. **How many new regulatory restrictions do you propose adding to this rule?**

Not Applicable

- B. **How many existing regulatory restrictions do you propose removing from this rule?**

Not Applicable

- C. **If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

- D. **Please justify the adoption of the new regulatory restriction(s).**

Not Applicable