

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4751-1-13

Rule Type: Amendment

Rule Title/Tagline: Continuing education.

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? 2/9/2021
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? 4751.381, 4751.201, 4751.24, 4751.26; 42 U.S.C. 1396g(c)(1); 42 C.F.R. 431.707, 431.708, 431.714
6. What are the reasons for proposing the rule?

Due to the ongoing COVID pandemic, Board action is required to ensure licensed nursing home administrators can obtain the continuing education required each year.

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

This rule establishes continuing education requirements for licensed nursing home administrators.

The Board proposes to amend this rule to add a mechanism for the following during the COVID pandemic: (1) permitting up to 20 hours of a licensed nursing home administrator's annual continuing-education credits to be earned online, through self-study, or distance learning and (2) waiving the annual continuing-education requirement entirely.

8. **Does the rule incorporate material by reference?** No
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.**

Not Applicable

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 proposed amendment of this rule will have no impact upon the board's biennial budget which the Ohio General Assembly established in H.B. 166 (133rd G.A.)

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

This rule requires licensed nursing home administrators to complete continuing education hours.

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.

Not Applicable

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? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

This rule requires licensed nursing home administrators to complete twenty credit hours of continuing education each year. The Board is proposing to amend the rule to add a mechanism for making exceptions during the COVID pandemic.

Please review the BIA for more information.

- 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 Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. 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?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable