

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4751-1-14

Rule Type: Amendment

Rule Title/Tagline: Recognition of out-of state 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?** Yes
 - A. **What is the rule's five year review date?** 11/30/2018
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; Section 1908(c)(1) of the Social Security Act, 42 U.S.C. 1396g; 42 C.F.R. 431.707, 431.708
5. **What statute(s) does the rule implement or amplify?** 4751.01(D), 4751.08; Section 1908(c)(1) of the Social Security Act, 42 U.S.C. 1396g; 42 C.F.R. 431.707, 431.708, 431.712
6. **What are the reasons for proposing the rule?**

The Board proposes to amend this rule as part of a review which R.C. §106.03 requires the Board to conduct before this rule's five-year deadline.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule regulates the Board's recognition of out-of-state licenses.

The Board proposes amend this rule in the following ways:

(1) Remove the definition of "health services executive" because the term is already defined in 4751-1-02.

(2) Clarify that taking and passing an examination is required before the Board recognizes an out-of-state license.

- 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 Board references a form in this rule which the Board makes readily available to the general public, free of charge, on its website.
- 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. 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 that the proposed amendment of this rule will have no impact upon the biennial budget established for the Board in H.B. 49 (132nd G.A.).

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

This rule requires applicants to complete a background check and "Report of Conviction" form. If the applicants meet specified requirements, this rule requires the applicant to sit for the state examination before the Board may issues a license, registration, or certification.

- 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

This rule indicates that a license is required to practice as a nursing home administrator 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? No

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

This rule requires applicants to complete a background check and "Report of Conviction" form. If the applicants meet specified requirements, this rule requires the applicant to sit for the state examination before the Board may issues a license, registration, or certification.