

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4751-1-16

Rule Type: Amendment

Rule Title/Tagline: Fees.

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? 1/18/2018
2. Is this rule the result of recent legislation? Yes
 - A. If so, what is the bill number, General Assembly and Sponsor? HB 49 - 132 - Smith
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? 4751.04, 4751.043, 4751.044, 4751.05, 4751.06, 4751.07, 4751.08; 42 U.S.C. 1396g(c); 42 C.F.R. 431.707
6. What are the reasons for proposing the rule?

HB49 enacted ORC§4751.044 which authorized the Board to approve continuing education courses and to charge fees for those courses. To implement the new section, the Board must amend this rule.

Additionally, the Board reviewed this rule top to bottom, which ORC§106.03 requires the Board to do no less often than every 5 years.

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

This rule itemizes the Board's fees. The Board proposes to amend the rule to add a cross-reference to the rule on continuing education, which lists additional fees authorized by ORC§4751.044.

- 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. 121.71 to 121.76, 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. 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 its proposed amendment to this rule (a cross reference to OAC 4751-1-08) will not impact the biennial budget the Ohio General Assembly established for the Board. For more information, please see the Board's response to this question in the RSFA for OAC 4751-1-08.

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

The Board estimates the cost of complying with this rule is for licensed nursing home administrators and would-be administrators to pay the fees when due. For more

information, please review the Board's responses to questions #14 and #15 in the business impact analysis.

- 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? 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 lists fees persons must pay to become, or remain, a licensed nursing home administrator in Ohio.