

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4751-1-17

**Rule Type:** Amendment

**Rule Title/Tagline:** Personal information systems.

**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?** 10/15/2019
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?** 1347.05, 4751.04
5. **What statute(s) does the rule implement or amplify?** Chapter 1347
6. **What are the reasons for proposing the rule?**

As part of a larger rule package, the Board is filing this rule after reviewing the rules of Chapter 4751-1 of the Administrative Code to implement amendments to Chapter 4751. of the Revised Code by H.B. 166 (133rd G.A.) and to conduct a 5-year review of those rules.

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

This rule implements the requirements of R.C. Chapter 1347.

The Board proposes to amend this rule to clarify that the Board does not charge for requests for personal information to be provided via email, but does to recover the costs to provide the information via paper mail.

The Board proposes to insert "query" between "personal information" and "disputes" in paragraph (C) of this rule.

Additionally, the Board proposes to update the "rule amplifies" section of this rule to correspond to the renumbering of R.C. Chapter 4751. of the Revised Code by H.B. 166 (133rd G.A.).

- 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 Board estimates that amending this rule will have no impact upon its 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?**

The Board estimates that there is no cost of compliance to any person or organization associated with the proposed amendment to this rule.

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.**

The Board charges a person requesting personal information only if the person requests paper copies of that information. The rule stipulates that the cost shall not exceed the Board's cost of copying and mailing those records.

### **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**

The Board charges a person requesting personal information only if the person requests paper copies of that information. The rule stipulates that the cost shall not exceed the Board's cost of copying and mailing those records.

- 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**