

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4753-2-01

**Rule Type:** No Change

**Rule Title/Tagline:** Telehealth communication.

**Agency Name:** Ohio Speech and Hearing Professionals Board

**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?** 9/18/2018 and 09/18/2023
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?** 4753.05
5. **What statute(s) does the rule implement or amplify?** 4753.02, 4753.06
6. **What are the reasons for proposing the rule?**

This rule is needed to ensure the provisions of audiology and speech-language pathology services to an individual through hardware or internet connection are equivalent to services provided via face-to-face and in accordance with the board's licensure requirements.

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

This rule specifies the requirements for the use of telecommunications and information technologies for the exchange of information from one site to another

for the provision of audiology or speech-language pathology services to an individual from a provider through hardware or internet connection, including definitions.

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.

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*Not Applicable*

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

*Not Applicable*

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**

Individuals providing speech or audiology services via the internet to patients or clients within Ohio must be licensed by the board.

- 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? Yes**

This rule's adverse impact relates to licensee's being subject to disciplinary action for non-compliance with the requirements for providing speech or audiology services via the internet.

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

In order for individuals to provide services under this rule, they must have appropriate hardware that ensures data is encrypted to protect the confidentiality of patients/clients being served, and that the equipment is sufficient to function that will be equivalent to services that are provided to patients/clients via face-to-face.