

**Rule Summary and Fiscal Analysis (Part A)****Board of Speech-Language Pathology and Audiology**

Agency Name

Division

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**4753-2-01**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Telehealth Communication.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **4753.05**

5. Statute(s) the rule, as filed, amplifies or implements: **4753.02, 4753.06**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

The public purpose for this proposed rule is to ensure that individuals providing speech/audiology services to consumers via telepractice are licensed and qualified. Additionally, the Board believes reasonable guidelines for telepractice are necessary to ensure consumers receive the same level of quality care that consumers receive via traditional face-to-face contact.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The proposed rule will set forth guidelines for speech-language pathology and audiology services delivered via telepractice. The proposed rule addresses definitions, service delivery models, guidelines for the use of and limitations of telehealth related to the practice of speech-language pathology and audiology, and requirements of individuals providing such services via telepractice.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

*Not Applicable.*

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the

scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

### **FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

N/A

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The nature of the estimated cost of compliance to licensees is the time and cost of education and

training to ensure compliance, as well as potential sanctions for non-compliance.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

### **S.B. 2 (129th General Assembly) Questions**

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

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-language pathology or audiology services to consumers via telepractice must be licensed by the Ohio Board of Speech-Language Pathology and Audiology, pursuant to Chapter 4753 of the Ohio Revised and Administrative Codes.

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**

Individuals not complying with the proposed rule would be subject to disciplinary action, pursuant to Ohio Revised Code sections 4753.02, 4753.10, and 4753.99, in addition to Ohio Administrative Code section 4753-3-08.

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