

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4753-9-01

Rule Type: Amendment

Rule Title/Tagline: "Code of Ethics".

Agency Name: Ohio Speech and Hearing Professionals Board

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 9/25/2022
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 420 - 132
- Reps. Sykes and Boyd
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4744.28, 4753.05
5. **What statute(s) does the rule implement or amplify?** 4744.50, 4753.05(A)
6. **What are the reasons for proposing the rule?**

This rule is being proposed as a result of the board consolidation which created the Ohio Speech and Hearing Professionals Board on January 21, 2018 and a clean-up statute under HB 420 which streamlined licensure requirements.

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

This rule establishes a code of ethics governing the professional conduct of audiologists, speech-language pathologists, conditional speech-language pathologists and aides. The public purpose of this rule is to ensure consumer protection by establishing ethical standards that licensees must adhere to when providing professional services to consumers. The rule is being amended primarily due to the board consolidation pursuant to Am. Sub. H.B. 49 (132nd G.A.), which requires that the Board define specific professional conduct under a code of ethics pursuant to R.C. 4744.50. The Board is also amending this rule to update the code of ethics under Chapter 4753.

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?**

The nature of the adverse impact from this rule will be the time and costs to licensees and businesses to comply with the code of ethics and complete the ethics continuing education requirement.

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**

The nature of the adverse impact from this rule will be the time and costs to licensees and businesses to comply with the code of ethics and complete the ethics continuing education requirement.

- 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 who do not comply with this rule are subject to disciplinary action by the Board, which may include reprimand, suspension, revocation, probation, etc.

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