

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4757-5-13

Rule Type: Amendment

Rule Title/Tagline: Standards of practice and professional conduct: electronic service delivery (internet, email, teleconference, etc.).

Agency Name: Counselor, Social Worker, and Marriage and Family Therapist 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?** 5/24/2018
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?** 4757.11
5. **What statute(s) does the rule implement or amplify?** 4757.11
6. **What are the reasons for proposing the rule?**

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

The rule defines standards and requirements for electronic service delivery. Proposed amendments:

- â€¢ Substantial revision to the rule to reflect the changing use of technology in the practice of Counseling, Social Work, and Marriage and Family Therapy
- â€¢ Includes additional informed consent and security requirements
- â€¢ Requires licensees to determine the appropriateness of electronic service delivery for the client

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 decrease expenditures.

0.00

N/A

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

The costs of compliance cannot be defined as the costs will depend on the existing technology used by the licensee and the need for software and hardware upgrades to conform to prevailing standards. Licensees are not obligated to provide services electronically, thus costs incurred are voluntary.

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? No

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

Rule applies only to licensees.

- 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

Licensees who fail to comply could be subject to administrative discipline.

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