

**Rule Summary and Fiscal Analysis (Part A)****State Board of Orthotics, Prosthetics, and Pedorthics**

Agency Name

Division

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**4779-3-02**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Device-related and scope of practice definitions.****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: **4779.08**

5. Statute(s) the rule, as filed, amplifies or implements: **4779.01**

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

Re-organizing, updating portion of former/current Definitions rule 4779-3-01

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:

Device-related and scope of practice definitions: accomodative, apex of medial malleolus, arch support, custom fabricated, custom fitted, non-therapeutic, therapeutic

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 If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation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

Added definition of "minimal fitting" at Paragraph (G): "Minimal fitting" as used in Section 4779.01 of the Revised Code and Section 4779-3-02 of the Administrative Code means a prefabricated device which is fit for size by use of not more than two simple body size measurements; which is sized as small, medium, large, extra large, XXL, XXXL; which is fastened or fit to the body or body part by use of elastic or self-fastening straps, buttons or strips; which is not trimmed, bent, molded, assembled, or otherwise customized by the consumer-care provider to fit the consumer; and which is not provided by the manufacturer with items or component parts which are intended or designed to be custom molded, heat moldable or custom fitted."

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.

00.00

not applicable

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

not applicable

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:

not applicable

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**