

**Rule Summary and Fiscal Analysis (Part A)****Department of Mental Health**

Agency Name

Division

**Janel M Pequignot**

Contact

**30 E. Broad St., 8th floor Columbus OH 43215-3430 614-466-9065**

Agency Mailing Address (Plus Zip)

Phone

**614-752-9453**

Fax

**5122-29-07**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Forensic evaluation service.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

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: **5119.01(H), 5119.61(A), 5119.611(C)**

5. Statute(s) the rule, as filed, amplifies or implements: **5119.01(H), 5119.61(A), 5119.611(C)**

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

To amend the continuing education requirements for individuals who perform forensic evaluation.

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:

This rule describes the requirements for an agency to be certified by the Ohio

Department of Mental Health (ODMH) for Forensic Evaluation Service.

ODMH is reducing the overall required number of hours of continuing education for persons who perform forensic evaluation service, and allowing the CE hours specific to forensic mental health service to be earned over three calendar years, rather than per year.

Removing reference to ORC which no longer exists.

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 rule incorporates references to the Ohio Revised Code, which are generally available to persons.

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:

Not applicable.

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:

*Not Applicable.*

12. 119.032 Rule Review Date: **10/25/2010**

(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.

0.00

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:

The costs to obtain Continuing Education credit ranges, with some free educational opportunities available. ODMH does not mandate attendance at specific forensic mental health training events, so we are unable to identify the estimated costs. It is anticipated that this rule will reduce costs for some individuals who often attend trainings and conferences lasting more than one day, and earn more than the current minimum of 8 hours/year of CE at one event. Previously CE credit earned could not be carried over into another year, but this rule allows the CE credit to be earned over a 3 year period.

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**