

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5122-29-31

**Rule Type:** Amendment

**Rule Title/Tagline:** Interactive videoconferencing.

**Agency Name:** Department of Mental Health and Addiction Services

**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?** 1/1/2023
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?** 5119.36
5. **What statute(s) does the rule implement or amplify?** 5119.36
6. **What are the reasons for proposing the rule?**

This rule is part of a rule package that is making permanent a number of emergency rules that expand the use of telehealth and adopt provisions that modernize service delivery in the wake of COVID-19.

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

This rule sets forth the requirements for providing services via telehealth. The rule is being amended to modernize definitions and provide flexibility during the COVID pandemic. Additional services are also being allowed to be provided by telehealth.

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. 121.75, 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.**

Edited (I) to remove written documentation requirements.

*09/30/2020 Paragraph (I) had the wrong information regarding client documentation.*

## **II. Fiscal Analysis**

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.0

Not applicable.

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

No cost of compliance, the changes expand the number of services that may be provided via telehealth and the manner in which it may be provided.

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**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable.

**III. Common Sense Initiative (CSI) Questions**

**16. Was this rule filed with the Common Sense Initiative Office? Yes**

**17. 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**

Certified providers must meet the standards in this rule in order to receive reimbursement.

**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? No**

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

**D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

**IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))**

**18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No**

**A. How many new regulatory restrictions do you propose adding?**

Not Applicable

**B. How many existing regulatory restrictions do you propose removing?**

Not Applicable