Rule Summary and Fiscal Analysis
<u>Part A</u> - General Questions

Rule Number: 5122-36-03

Rule Type: Amendment

Rule Title/Tagline: Application process.

Agency Name: Department of Mental Health and Addiction Services

Division:

Address: 30 East Broad Street Columbus OH 43215

Contact: Lisa Musielewicz   **Phone:** 614-995-1958

Email: Lisa.Musielewicz@mha.ohio.gov

I. <u>Rule Summary</u>

1. **Is this a five year rule review?** Yes

   A. **What is the rule's five year review date?** 6/14/2022

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?** R.C. 5119.41

5. **What statute(s) does the rule implement or amplify?** R.C. 5119.41

6. **What are the reasons for proposing the rule?**

   The Residential State Supplement (RSS) Program is Ohio's Optional State Supplementation Program authorized by the U.S. Social Security Administration. The rule, which sets forth the OhioMHAS portion of the application process for the RSS Program, is being updated as part of the five-year review process. The updates are summarized below.

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

This rule sets forth the OhioMHAS portion of the application for the RSS Program. The rule is being amended to (1) correct cross-references to Ohio Department of Medicaid (ODM) and OhioMHAS statutes and make non-substantive formatting changes.

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.**

    The rule is being revised to specify in paragraph (A) that a legal representative may apply and act on an individual's behalf with respect to an application for the RSS Program.

II. <u>Fiscal Analysis</u>

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.

    Not applicable.

    Not applicable.

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

    Not applicable.

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? No

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

    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 to this rule?

    Not Applicable

    B. How many existing regulatory restrictions do you propose removing from this rule?

    Not Applicable

    C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

    Not Applicable