

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5160-27-12

**Rule Type:** Amendment

**Rule Title/Tagline:** Behavioral health crisis intervention provided by unlicensed practitioners.

**Agency Name:** Ohio Department of Medicaid

**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?** 5162.02, 5162.05, 5164.02
5. **What statute(s) does the rule implement or amplify?** 5164.03, 5164.02
6. **What are the reasons for proposing the rule?**

This rule is being proposed for amendment to update ODM policy. It was initially filed as an emergency rule with an effective date of June 12, 2020.

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

Rule 5160-27-12 entitled "Behavioral health crisis intervention provided by unlicensed practitioners" describes a behavioral health crisis intervention and states practitioner requirements and limitations. Language requiring a face to face intervention between

the practitioner and recipient is removed as is the provision that the service can only be rendered to a recipient by a specific practitioner if the two have previously met in person.

8. **Does the rule incorporate material by reference? Yes**
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.**

This rule incorporates one or more references to another rule or rules of the Administrative Code. This question is not applicable to any incorporation by reference to another Administrative Code rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75.

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. **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.

0.00

Not Applicable.

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

Providers of the service must be certified in first aid and cardio-pulmonary resuscitation (CPR). This requirement is also stated in an Ohio Department of Mental Health and Addiction Services rule, 5122-29-10. The American Red Cross offers training for both for a cost of \$100 or less.

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

Providers of the service addressed in this rule must be certified in the provision of first aid and cardio-pulmonary resuscitation (CPR).

- 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