Hearing Summary Report

Note: Email completed form to jcarr1@jcarr.state.oh.us.

Hearing Date: 2/22/2018 Today's Date: 3/2/2018

Agency: Board of Executives of Long-Term Services and Supports (BELTSS)

Rule Number(s): 4751-1-02, 4751-1-04, 4751-1-05, 4751-1-08, 4751-1-08.1, 4751-1-09, 4751-1-10.1, 4751-1-13, 4751-1-16

If no comments at the hearing, please check the box. ☐

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Chris Murray, CEO of The Academy of Senior Health Sciences, Inc.
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Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

The Academy had concerns "over what the diffrernce is between the provider types [of continuing education training agencies] and the associated fees for the different types." For more information, please review the attached testimony, which was submitted to the Board for the public hearing in writing in lieu of attending the public hearing.

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Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s). If no comments were incorporated, explain why not.

The Board addressed the Academy's concerns by making a revised filing rule 4751-1-08. The revised filing contains the Board's amendments to better differentiate between preferred and certified training agencies. For details, please see the Board's response to question #10 on the RSFA for rule 4751-1-08.

The Academy of
Senior Health Sciences Inc.

To: Deb Veley, Executive Director, BELTSS

From: Chris Murray, CEO, ASHS

Re: Comments on BELTSS rule package

Date 22 February 2018

Thank you for the opportunity to submit comments on proposed changes to OAC 4751-1-02, 4751-1-04, 4751-1-05, 4751-1-08, 4751-1-08.1, 4751-1-09, 4751-1-10.1, 4751-1-13, and 4751-1-16. Our comments focus on -08, the rule establishing the different provider types and associated fees. More specifically, we have concerns over what the difference is between the provider types and the associated fees for the different types.

New language in rule -08 under division (C) states:

> (3) Preferred and certified:
>
> (a) Courses submitted within thirty to fifty-nine days of the course date will be charged a one hundred fifty dollar late fee.
>
> (b) Courses submitted less than 30 days from the course date will not be considered for approval.
>
> (c) Same course multiple site or date approval fee within current year: ten dollars per site/date.
>
> (d) Fees must be paid prior to agencies receiving a course approval number. Fees are non-refundable, even if courses are not approved. Incomplete applications will be returned. Adjustments to continuing education training agency categories will not be made in order to change or avoid fees. Fees may be adjusted at the board's discretion via the rule revision process. Fees are waived for state government agencies.

Our understanding was that the change to provider types and associated fees would only impact preferred provider current practices by imposing an annual fee. However, (C)(3) would assess additional fees regardless of provider type. This includes a $10 per course fee and $150 late fee if not submitted within 60 days. We recommend the following changes to (C)(3):

> (3) Preferred and certified:
>
> (a) New courses submitted for approval on BELTSS Form E-2 within thirty to fifty-nine days of the course date will be charged a one hundred fifty dollar late fee.
>
> (b) Courses submitted less than 30 days from the course date will not be considered for approval.
>
> ~~(c) Same course multiple site or date approval fee within current year: ten dollars per site/date.~~
>
> (d) Fees must be paid prior to agencies receiving a course approval number. Fees are non-refundable, even if courses are not approved. Incomplete applications will be returned. Adjustments to continuing education training agency categories will not be made in order to

change or avoid fees. Fees may be adjusted at the board's discretion via the rule revision process. Fees are waived for state government agencies.

We question the need to have 60-day notice for a repeat program. These programs have already been approved and we believe 30-day notice is adequate, regardless of the fees. *(NAB only requires 3-day notice for their equivalent of a preferred provider.)* Hence, we recommend in the changes above making the fee apply only to new applications for approval that requires BELTSS resources to review the application.

Furthermore, the higher preferred provider fee should account for *all filing fees*, including repeat programs. We recommend removing (c). The $10 fee substitutes the $15 fee that certified providers pay, reducing the benefit of being a preferred provider. We recommend charging certified providers $10 per CE regardless if it is new or being repeated. This should also simplify the administration of the fees.

Without the proposed changes, which we believe are reasonable, The Academy will face significant fees to continue our education program. Given most of our programs are repeat programs, Academy application and filing fees will be near $2,000 a year. And we schedule programs up to 30 days in advance, with many of our programs scheduled in the 59 to 30-day window. Late fees will add about $7,500, bringing the total to $9,500. Essentially, the fees as proposed will put The Academy out of the CE business, or, at best, limit the CEs we are able to make available to the LTC community. If the proposed rules are enacted and we continue to provide many repeat CE programs, we will strongly consider switching to NAB certification as their filing requirements are less strict with similar fees making the costs lower.

The Academy provides CEs to the health care community as a service to providers. We do not have an education program to make money or induce membership. We pride ourselves on providing quality training programs at low-cost while focusing on what matters: informing and training healthcare providers. We value our relationship with BELTSS and appreciate the work you have done with us towards that end. Unfortunately, the fee structure proposed creates a burden that will be difficult for us to surmount without making significant changes or ending our education program.

Thank you for considering these comments and we look forward to working with you on these concerns. I can be reached at cmurray@seniorhealthsciences.org or 614-915-9265.