

**MEMORANDUM**

**TO:** Deborah Veley, Executive Director, Board of Executives of Long-Term Services & Supports

**FROM:** Sydney King, Regulatory Policy Advocate

**DATE:** June 23, 2015

**RE:** **CSI Review – Licensing (OAC 4751-1-11, 4751-1-14, and 4751-1-17)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

The Board of Executives of Long-Term Services & Supports (BELTSS) submitted a rule package to the CSI Office for review consisting of three amended rules. The rules are also being reviewed as part of the five-year review process required by statute. The rule package was filed with the CSI Office on May 20, 2015, and the comment period for the rules closed on June 7, 2015.

The rule package regulates nursing home administrator temporary license applications and out-of-state licensing. Rule 4751-1-17 regulates the Board's internal policy for personal information. BELTSS engaged stakeholders to solicit feedback and comments on the draft rules. Three of the primary provider associations (LeadingAge, the Ohio Health Care Association, and the Academy of Senior Health Sciences) placed the draft rules in their newsletters requesting comments. No comments were received during the stakeholder outreach or the CSI public comment period.

The BIA cites licensed nursing home administrators as the impacted business community. The costs include the administrative time to apply for the temporary licensure and complete the Ohio examination, and the licensing fees. BELTSS also includes nursing homes as a potentially-impacted business community. If a current employee is not granted a temporary license, the nursing home may have to hire a nursing home administrator who is licensed. The BIA provides

an estimate of these costs. BELTSS states the rules are necessary to ensure licensees are familiar with Ohio laws and rules. Additionally, the rules satisfy federal requirements for provisional licenses.

**Recommendation**

For the reasons explained above this office does not have any recommendations regarding this rule package.

**Conclusion**

Based on the above comments, the CSI Office concludes that the Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office