



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Carrie Kuruc**, Director

### MEMORANDUM

**TO:** Holly Fischer, Ohio Board of Nursing

**FROM:** Ethan Wittkorn, Regulatory Policy Advocate

**DATE:** October 23, 2020

**RE:** CSI Review – Technical Change Rules (OAC 4723-1-03, 4723-4-06, 4723-6-04, 4723-6-05, 4723-6-06, 4723-14-03, 4723-25-08, 4723-26-01, and 4723-26-13)

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On behalf of Lt. Governor Jon Husted, 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 Board as provided for in ORC 107.54.

#### Analysis

This Ohio Board of Nursing (Board) rule package consists of nine amended rules. This rule package was submitted to the CSI Office on August 24, 2020, and the public comment period was open through September 8, 2020. On October 15, 2020, the Board notified CSI that it removed OAC 4723-2-05 from this rule package and resubmitted the rule with a separate BIA. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on August 24, 2020.

The rules cover records maintenance by the Board, standards of practice, substance use disorder treatment programs, standard care arrangements, funding cycles, certification and licensure standards, and curriculum standards. Amendments are proposed to make technical updates, such as the correction of typographical errors, updated references, and the removal of redundant language.

During the period of early stakeholder outreach, the Board worked with the Ohio Department of Public Safety and educational organizations to make initial changes to the rules. Additionally, the rules were posted on the Board's website to notify stakeholders. No comments were received during

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the CSI public comment period.

Impacted communities include community health worker technician training programs, individuals seeking continuing education or to participate in an alternative substance use disorder program, and applicants or recipients of nurse education grant program funds. Potential adverse impacts identified by the Board include administrative time and costs associated with completing required applications, compliance with substance use disorder requirements, planning for grant cycles, and preparation of online teaching methods. Additional impacts may include costs associated with continuing education, and potential fines or administrative actions for the violation of or failure to comply with the rules. The Board states that the rules are necessary to ensure nurses are engaging in safe practices, that applicants meet statutory qualifications, and that application standards are applied consistently.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.