



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Carrie Kuruc, Director

MEMORANDUM

TO: Deborah Veley, Ohio Board of Executive of Long-Term Services & Supports

FROM: Jacob Ritzenthaler, Regulatory Policy Advocate

DATE: February 8, 2021

RE: **CSI Review – Core of Knowledge and Continuing Education (OAC 4751-1-05.1 and 4751-1-13)**

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 rule package consists of two amended rules proposed by the Ohio Board of Executives of Long-Term Services and Supports (BELTSS). This rule package was submitted to the CSI Office on December 29, 2020, and the public comment period was held open through January 8, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on December 29, 2020.

Ohio Administrative Code (OAC) Chapter 4751-1 establishes requirements relevant to the State Board of Examiners of Nursing Home Administrators. OAC 4751-1-05.1 establishes Core of Knowledge training requirements for nursing home administrators, which requires 100 hours of training in essential topics. The rule is amended to require prospective core of knowledge training agencies to complete the new training agency approval process and to allow up to 20 hours of core of knowledge study to be completed via distance learning or home study in response to the COVID-19 pandemic. OAC 4751-1-13 requires nursing home administrators to complete 20 hours of continuing education annually. The rule is amended to allow 20 hours of an administrator's continuing education to be completed over distance learning, self-study, or online courses, as well

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as allowing the Board to waive continuing education requirements entirely.

During early stakeholder outreach, BELTSS sent the rules to industry stakeholders for feedback, including LeadingAge Ohio, the Ohio Health Care Association, and the Academy of Senior Health Services. One comment was received after the CSI public comment period had closed. The stakeholder suggested allowing all 20 continuing education units to be completed online. BELTSS responded that continuing education is available to be completed entirely online for 2021, but that in-person continuing education will continue to have benefits for administrators in the future.

The business community impacted by the rules includes licensed nursing home administrators and organizations providing the Core of Knowledge training. The adverse impact created by the rules includes the cost to training organizations to comply with the rule, which includes a fee outlined in a rule not included in this package. BELTSS states in the BIA that the rules are necessary to ensure that nursing home administrators are properly trained.

Recommendations

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

Conclusion

The CSI Office concludes that the Ohio Board of Executives of Long-Term Services & Supports should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.