



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

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Business Impact Analysis RESCINDED RULES

This form is intended for rules that are being permanently rescinded and not replaced by a new rule.

New, Amended, No Change, and Rescind/New rules must use the standard BIA.

Agency, Board, or Commission Name: Ohio Board of Nursing

Rule Contact Name and Contact Information: Holly Fischer, Chief Legal Counsel,
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Regulation/Package Title (a general description of the rules' substantive content):
Replacement of Wall Certificate

Rule Number(s): 4723-7-08

Date of Submission for CSI Review: August 17, 2021

Public Comment Period End Date: August 31, 2021

Rule Type/Number of Rules:

✓ Rescinded/ 1 rules (FYR? Yes)

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

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Reason for Submission

1. **R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.**

Which adverse impact(s) to businesses has the agency determined the rule(s) create?

The rule(s):

- a. ☐ **Requires a license, permit, or any other prior authorization to engage in or operate a line of business.**
- b. ☐ **Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.**
- c. ☒ **Requires specific expenditures or the report of information as a condition of compliance.**
- d. ☐ **Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.**

Regulatory Intent

2. **Please describe in plain language the regulation that is being rescinded.**

Rule 4723-7-08 provides that a licensee or certificate holder must submit a form with a fee payment to the Board to receive a replacement copy of a wall certificate issued by the Board. A wall certificate is discussed in a different rule (4723-7-07) and reflects a person's name and license or certificate credential.

3. **Why is the regulation being rescinded?**
Please be specific (ORC change, request of stakeholders, etc.)

The rule has become obsolete. Applicants and licensees are required to establish a secure, password protected account in the Ohio eLicense database in order to apply for or renew licenses issued by the Board under Chapter 4723., ORC. Innovations within the eLicense system now allow licensees and applicants to self-service by printing a wall certificate suitable for framing that depicts their name and credentials. It is not necessary to submit a form and pay a fee to the Board in order to accomplish this.

4. **Please describe in general terms the adverse impacts to business, including currently impacted industries, in the existing rule(s).**

The existing rule requires submission of a form and payment of a fee in order to obtain a replacement wall certificate.

- 5. Are there other regulations (either existing or to be created) which will replace the regulation being rescinded or which will now apply because this regulation is being rescinded? This can include rules, statute, federal regulations, agency policies, or industry standards etc.**

No.

- 6. Does the rescission of this regulation eliminate flexibility or create more adverse impacts for stakeholders? If yes, please describe stakeholder outreach and justify the impacts.**

No.