



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

MEMORANDUM

TO: Deborah Veley, Board of Executives of Long-Term Services and Supports

FROM: Caleb White, Business Advocate

DATE: January 3, 2024

RE: **CSI Review – Revision in Response to Board Changing Self-Study Continuing Education Rule (OAC 4751-1-10.1)**

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 one amended rule proposed by the Board of Executives of Long-Term Services and Supports (Board). This rule package was submitted to the CSI Office on November 20, 2023, and the public comment period was held open through December 3, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on November 20, 2023.

Ohio Administrative Code (OAC) 4751-1-10.1 sets forth the requirements surrounding the renewal of a licensed nursing home administrator's certificate of registration including application fees, renewal fees as well as the continuing education required for renewals. This rule is amended to allow all continuing education hours to be self-study, distance learning, or online if they are approved by the National Association of Long-Term Care Administrator Boards or the Board.

During early stakeholder outreach, the Board notified the Ohio Council for Home Care and Hospice, Longtree and Associates, and an individual of the change to the rule at their request on November 3, 2023. The Board also informed LeadingAge Ohio, the Ohio Healthcare Association, and the Academy of Senior Health Services of the change and posted the rule on their website on November 6, 2023, through November 13, 2023. In addition to this outreach, the Board also informed all

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licensees of the change electronically. No comments were received during this period or during the CSI public comment period.

The business community impacted includes all licensed nursing home administrators and continuing education providers. The adverse impacts to business include the time required to read the instruction for licenses that are to be renewed going forward, license renewal fees, continuing education requirements, and late renewal penalties. The Board notes that the amendment to this rule will reduce the regulatory burden of the rule and increase flexibility for licensed nursing home administrators by implementing a change, as requested by stakeholders, to allow all continuing education hours to be self-study, distance learning, or online if they are approved by the National Association of Long-Term Care Administrator Boards or the Board. The Board states the adverse impacts to business are justified to implement statutory requirements, set appropriate standards for continuing education, ensure licensees know the terms and requirements required of them, and implement requested changes to continuing education requirements.

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 rule with the Joint Committee on Agency Rule Review.