

**Rule Summary and Fiscal Analysis (Part A)****Department of Aging**

Agency Name

Division

**Tom Simmons**

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**173-1-02**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Introduction to the department and definitions.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **173.02**

5. Statute(s) the rule, as filed, amplifies or implements: **173.01**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

Because ODA changed its mission statement in 2007 to more accurately reflect the scope of the mission given to ODA by the General Assembly, ODA is now submitting this proposed amended rule for a review under Chapter 119 of the Revised Code so that amended rule might incorporate ODA's new mission statement.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This proposed amended rule introduces ODA. As part of that introduction, the change being proposed by this rule is to change the mission of ODA from a department that administers "various state and federal programs benefitting Ohioans sixty years of age and older" to a department that administers "various state and federal programs to provide leadership for the delivery of service and supports that improve and promote quality of life and personal choice for Ohioans sixty year of age or older, adults with disabilities, their families, and their caregivers." This change is being proposed so that paragraph (A) accurately reflects the mission given to ODA by the Ohio General Assembly, since the General Assembly has given ODA the authority to administer the Best Rx program under sections 173.71 to 173.91 of the Revised Code, the Golden Buckeye Card program under sections 173.06 and 176.061 of the Revised Code, the Residential State Supplement program under sections 173.35 and 173.351 of the Revised Code, the Long-Term Care Consultation program under sections 173.42 and 173.43 of the Revised Code, and the Alzheimer's respite program under section 173.04 of the Revised Code. Such programs help Ohioans under sixty years of age as well as those sixty years of age and over.

This proposed amended rule also defines six terms used throughout the various rules adopted by ODA.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

On October 17, 2007, ODA revised this proposed amended rule to provide an improved public hearing notice, to improve the RSFA, and to improve the grammar in the rule language without changing it in any substantial way.

On November 16, 2007, ODA revised this proposed amended rule to do the following:

1. Modify the definitions of the terms "area agency on aging" and "planning and service area." The goal is to eventually define all identical terms used in rules at ODA with identical definitions. These modifications are part of that process.
2. Consistently use AAA, ODA, and PSA throughout this rule.
3. Update this RSFA.

On November 28, 2007, ODA refiled this proposed amended rule to make the following changes:

1. The first sentence in paragraph (A) was changed. It formerly read as follows: "The Ohio department of Aging (ODA) was created by the general assembly to administer various state and federal programs to provide leadership for the delivery of services and supports that improve and promote quality of life and personal choice for older Ohioans, adults with disabilities, their families, and their caregivers." It was revised to read as follows: "The Ohio department of Aging (ODA) was created by the general assembly to administer various state and federal programs to provide leadership for the delivery of services and supports that improve and promote quality of life and personal choice for Ohioans sixty years of age and older, adults with disabilities, their families, and their caregivers."
2. Because paragraph (B)(5) defines "Older Americans Act," in paragraph (B)(1) the full citation of the Older Americans Act was shortened to simply "Section 306 of the 'Older Americans Act.'"
3. This RSFA was improved.

12. 119.032 Rule Review Date: **10/16/2007**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No

Change rules.

**FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

ODA anticipates that the adoption of this proposed amended rule will have no impact upon the biennial budget established for ODA by the Ohio General Assembly.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

NA

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

ODA estimates that there will be no cost of compliance to any directly affected persons as a result of adopting this proposed amended rule, which merely inserts ODA's mission statement into the rule that introduces ODA.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**