

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

Agency Name

Division

Mike Laubert

Contact

**50 West Broad St. 9th Floor Columbus OH
43215-3363**

Agency Mailing Address (Plus Zip)

614-752-9677

Phone

614-466-5741

Fax

173-2-03

Rule Number

NO CHANGE

TYPE of rule filing

Rule Title/Tag Line

Monitoring area agencies on aging and sanctions.**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: **173.011, 173.02**

5. Statute(s) the rule, as filed, amplifies or implements: **173.011**

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

This rule is being filed in an effort to comply with the five-year rule review requirements outlined in section 119.032 of the Revised Code.

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 rule requires the Department of Aging to monitor each entity designated as an area agency on aging, requires the Department to provide area agencies on aging

with written notification of any deficiencies, and establishes a process through which area agencies on aging are required to resolve their deficiencies. The rule also authorizes the Department to impose certain sanctions upon any area agency on aging that fail to remedy their deficiencies and/or to develop or comply with any corrective action plan established by the area agency on aging. Finally, the rule also describes certain requirements with which the Department must comply before it sanctions area agencies on aging.

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:

Not Applicable.

12. 119.032 Rule Review Date: **10/14/2004** and **10/15/2008**

(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

This rule will have no impact upon the Ohio Department of Aging's budget in the current biennium.

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

All costs incurred by the Department to designate or de-designate an area agency on aging would be paid from the following line item(s): 490-321 (Operating Expenses); 490-411 (Senior Community Service Block Grant); 3M3 490-611 (Federal Aging Nutrition), 3M4 490-612 (Federal Independence Services); 322 490-618 (Federal Aging Grants).

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:

This rule allows the Department to sanction providers for certain deficiencies identified by the Department during its monitoring efforts. Area agencies on aging are required by this rule to correct any deficiencies identified by the Department and, in so doing, an area agency on aging might incur expenses. Because the possible deficiencies and their related remedies are infinite in scope, the potential costs incurred by an area agency on aging to correct its deficiencies are also infinite. As such, the Department cannot estimate the costs of compliance to be incurred by directly affected persons at this time.

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**