

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 173-2-08

Rule Type: Rescission

Rule Title/Tagline: AAAs: de-designating an AAA.

Agency Name: Department of Aging

Division:

Address: 30 E Broad St. 22nd Floor Columbus OH 43215-3414

Contact: Tom Simmons **Phone:** 614-202-7971

Email: tsimmons@age.ohio.gov

I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 10/18/2024
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 121.07, 173.01, 173.011, 173.02; 42 U.S.C. 3025; 45 C.F.R. 1321.9, 1321.19
5. What statute(s) does the rule implement or amplify? 173.011; 45 C.F.R. 1321.19, 1321,21, 1321,23
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
 - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

This rule exists to comply with RC§173.011 and 45 C.F.R. 1321.19 by establishing standards for withdrawing the designation of an entity as an area agency on aging (AAA).

- 8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule establishes standards for withdrawing the designation of an entity as an area agency on aging (AAA).

ODA proposes to rescind this rule and to replace it with proposed new rule 173-2-07 of the Administrative Code, which ODA simultaneously proposes to adopt.

- 9. Does the rule incorporate material by reference? No**
- 10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

Rescinding this rule will not impact the biennial operating budget that the Ohio General Assembly established for ODA in House Bill 33 (135th GA).

- 13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

This rule does not create a cost of compliance to any directly-affected person or organization other than ODA and instrumentalities of ODA. The proposed new rule does not require any person or organization to accept a designation to be an AAA. Additionally, an AAA would only face a withdrawal of designation if withdrawn according to 45 C.F.R. 1321.21.

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable

III. Common Sense Initiative (CSI) Questions

17. Was this rule filed with the Common Sense Initiative Office? No
18. Does this rule have an adverse impact on business? No
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

This rule does not create an adverse impact on any Ohio business. It does not establish requirements for any person or organization other than ODA and its designated instrumentalities. The rule does not require any Ohio business to accept a designation to be an AAA.

- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding to this rule? 0

B. How many existing regulatory restrictions do you propose removing from this rule? 1

(C) If ODA finds it necessary to de-designate an AAA, it SHALL take reasonable actions to minimize disruption to consumer's lives and all necessary actions to ensure the continuation of services until ODA designates a new AAA.

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable