

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 173-3-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Older Americans Act: introduction and definitions.

**Agency Name:** Department of Aging

**Division:**

**Address:** 246 N. High St. 1st floor Columbus OH 43215-2046

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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 11/15/2019
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?** 173.01, 173.02, 173.392; 42 U.S.C. 3025; 45 C.F.R. 1321.11
5. **What statute(s) does the rule implement or amplify?** 173.39, 173.392; 42 U.S.C. 3002; 45 C.F.R. 1321.3
6. **What are the reasons for proposing the rule?**

After reviewing 173-3-06.4 and 173-3-06.5 for their 5-year reviews, ODA also proposes to review this rule for its 5-year review to update definitions pertaining to 173-3-06.4 and 173-3-06.5.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule introduces Chapter 173-3 of the Administrative Code and defines terms used in that chapter.

ODA proposes to amend this rule to achieve the following:

1. Define "PCA" and "competency evaluation," which are terms used in the proposed new versions of 173-3-06.4 and 173-3-06.5.
2. Replace "consumer-directed individual provider" with "participant-directed provider," which corresponds to a similar change in the proposed new version of 173-3-06.4.
3. Refer to federal acts through their restatement in the United States Code, which is much more accessible to the general public than an act of Congress.
4. Remove the quotation marks surrounding acronyms.
5. Remove "goods and" from occurrences of "goods and services."

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

10. **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**

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

\$0.00

ODA estimates that its proposal to amend this rule will have no impact upon its biennial budget, which the Ohio General Assembly established for ODA in H.B. 166 (133rd G.A.).

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

ODA estimates that there is no cost of compliance to any person or organization who is directly affected by this rule. For more information, please review the BIA.

**13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

**14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

### **III. Common Sense Initiative (CSI) Questions**

**15. Was this rule filed with the Common Sense Initiative Office? Yes**

**16. 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**

The rule merely defines introduces OAC Chapter 173-3 and defines terms used in OAC Chapters 173-3 and 173-4.

**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**

The rule merely defines introduces OAC Chapter 173-3 and defines terms used in OAC Chapters 173-3 and 173-4.

**C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**

The rule merely defines introduces OAC Chapter 173-3 and defines terms used in OAC Chapters 173-3 and 173-4.