

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

Agency Name

Division

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Rule Number

RESCISSION

TYPE of rule filing

Rule Title/Tag Line

Cost sharing.**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, 173.02, 42 U.S.C.A. 3030c-2(b), Section 11.02 (Senior Community Services) of Am. Sub. H.B. 95 of the 125th G.A.**

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

This rule is being proposed for rescission as part of the five-year rule review process required under section 119.032 of the Revised Code. The rule is being proposed for rescission so that the rule can be amended and adopted anew under the same rule number.

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 area agencies on aging that receive certain state and federal grant funds through the Department of Aging to develop policies establishing cost sharing guidelines for recipients of the services in question.

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 If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation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

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

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**

(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

The rescission of this rule is not expected to have any impact upon the 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 expenditures incurred by the Department of Aging to implement this rule are paid for from the following line items: GRF 490-321 (Operating expenses); GRF 490-411 (SCS Block grant); 3M3 490-611 (Federal aging nutrition); and 3M3 490-612 (Federal independence services).

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:

Area agencies on aging (AAAs) and service providers that receive state and federal grant funds from the Department of Aging will necessarily incur costs to develop and implement this rule's cost sharing requirements. These costs will differ from one AAA/provider to the next, and probably from one year to the next, depending upon how they develop and implement their policies. These costs, therefore, cannot be estimated by the Department. It should be noted, however, that the costs of this activity, though required by state law, are alleviated, if not neutralized, by the process through which AAAs and providers are reimbursed directly or indirectly by the Department for their grant and contract-related administrative costs. In addition, in those instances where the costs of implementing the requirements of this rule place an unreasonable administrative or financial burden upon AAAs or providers, AAAs are permitted to seek and receive a waiver of this rule by the Department. The recipients of services subject to cost sharing under this rule will also incur

costs which will differ from one AAA/provider to the next, and from one year to the next; these costs cannot be estimated by the Department. But, it should also be noted that service recipients are not denied services if they refuse or cannot meet the cost sharing requirements described in this rule or AAA policies.

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**