

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 173-3-04

**Rule Type:** Amendment

**Rule Title/Tagline:** Older Americans Act: general requirements for AAA-provider agreements.

**Agency Name:** Department of Aging

**Division:**

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

**Contact:** Tom Simmons **Phone:** 614-728-2548

**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?** 11/18/2019
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; 45 C.F.R. Part 75; 45 C.F.R. 1321.11, 1321.53
6. **What are the reasons for proposing the rule?**

ODA reviewed this rule as part of its 5-year review of 173-3-06.2 and 173-3-06.3.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

ODA proposes to amend this rule to update references to the services regulated by 173-3-06.2 and 173-3-06.3 and to update terminology throughout the rule.

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?

Please review ODA's response to question #16 on 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? Yes**

- 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? Yes**

This rule requires AAAs to enter into AAA-provider agreements to develop and implement a comprehensive and coordinated system\* of services for consumers and their caregivers. That complies with federal uniform administrative requirements, cost principles, and audit requirements for federal awards under 45 C.F.R. Part 75 and delineates which AAA-provider agreements must be purchase-of service agreements vs., time-and-materials agreements. (\*42 U.S.C. 3026 requires AAAs to procure for services to create such a system.) Please review the BIA for additional information.