

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 173-38-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Assisted living program (medicaid-funded component): 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?** 1/4/2018
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, 173.54.
5. **What statute(s) does the rule implement or amplify?** 173.54; 42 C.F.R. 441.352.
6. **What are the reasons for proposing the rule?**

This rule is an information rule. It introduces the public to OAC Chapter 173-38 and defines terms used in the chapter.

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

ODA proposes to define "RCF" in the rule so other rules in the chapter may use "RCF" instead of "residential care facility."

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 the proposed amendment to this rule to define "RCF" would have no impact upon the biennial budget the Ohio General Assembly established for ODA.

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

ODA estimates there is no cost of compliance to any directly-affected person or organization that would result from ODA's proposed amendment to define "RCF" in this rule.

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 introduces OAC Chapter 173-38 and defines terms used in the chapter.

- 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**