

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

Agency Name

Division

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**173-38-01**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Enrollment process for the assisted living medicaid waiver program.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB66**General Assembly: **126**Sponsor: **Calvert**

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: **RC 173.02, RC 5111.89**

5. Statute(s) the rule, as filed, amplifies or implements: **RC 5111.89**

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

The Department of Aging is proposing this rule to establish the standards and procedures for enrollment in the assisted living program.

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:

The rule defines a number of terms used throughout the rule; briefly describes how an individual may start the enrollment process, and the role to be played by state agencies in that process; describes the notice and hearing rights to which an applicant is entitled and the role played by state agencies to provide the necessary notice; establishes a waiting list to be used when more applicants have been determined eligible to participate in the program than there are slots available to serve them, and describes how an applicant will be placed on, and removed from, the waiting list.

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:

*Not Applicable.*

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:

(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

It is anticipated that the adoption of this proposed rule will have no 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:

GRF 490-422 Assisted Living Waiver

3C4 490-622 Assisted Living-Federal

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:

Individuals involved in applying for enrollment in the Assisted Living Medicaid Waiver program will incur costs in the form of time that could be spent doing other things. In addition, they may incur costs to appeal the decisions of the County Departments of Job and Family Services, or the Department of Aging. In either case, any costs incurred by applicants will be voluntary on the part of the applicants. The costs cannot be estimated with any degree of accuracy given that they will necessarily differ from one person to the next depending upon any number of unknown factors.

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**