

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 173-6-05

Rule Type: Amendment

Rule Title/Tagline: Golden buckeye program: business participation agreements.

Agency Name: Department of Aging

Division:

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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? 10/5/2021
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? 121.07, 173.01, 173.02, 173.06
5. What statute(s) does the rule implement or amplify? 173.06
6. What are the reasons for proposing the rule?

This rule exists to implement to implement section 173.06 of the Administrative Code.

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

Rule 173-6-05 of the Administrative Code establishes the requirements for business participation agreements. ODA proposes to amend this rule to achieve the following results:

1. Update URLs.

2. Revise terminology related to applying for, revising, or cancelling business participation agreements.

- 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. 121.75, 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.**

ODA made a revised filing of this rule to upload a revised public hearing notice. In doing so, ODA did not revised the rule itself.

II. Fiscal Analysis

- 11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

Adopting the proposed amendment to this rule will have no impact upon the biennial budget that the Ohio General Assembly established for ODA in H.B. 110 (134th G.A.).

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

Any business that wants to voluntarily participate in the Golden Buckeye Program must (1) complete a web-based business participation agreement, which does not require paper, an envelope, postage, or a trip to the post office and (2) offer cardholders the discount or benefit pledged in the business participation agreement.

- 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**

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable

III. Common Sense Initiative (CSI) Questions

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

17. 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

Any business that wants to voluntarily participate in the Golden Buckeye Program must do the following complete a web-based business participation agreement, which does not require paper, an envelope, postage, or a trip to the post office. ODA estimates it takes a business 5 minutes to complete the web-based business participation agreement.

- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

Any business that enters into a business participation agreement with the Golden Buckeye Program must offer the discount or benefit that the business pledged to offer cardholders. ODA does not determine the discount or benefit that a business offers. Instead, discount or benefit is determined by the business when completing the business participation agreement. Therefore, the cost of the discount or benefit is determined by the business. For example, many businesses choose to offer cardholders a 10% discount or the benefit of free coffee.

Participating businesses may find the Golden Buckeye Program to be a win-win. Businesses may capitalize on the growing elder population in Ohio by offering discounts to those elders. In turn, the businesses may receive more

loyalty from cardholders. Additionally, some discounts may encourage elders to purchase goods or services during times a business would be otherwise slow (e.g., a restaurant discount for elders during brunch hours, discounted theater tickets for matinées).

Businesses participate in the Golden Buckeye Program on a voluntary basis. Businesses also establish their own benefits or discounts. Businesses may also discontinue their participation in the program at any time. Thus, businesses make their own risk assessments to determine if their participation in the program justifies the cost of completing the business participation agreement and honoring the benefit or discount they agreed to offer.

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable