

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

Agency Name

Division

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**173-6-06**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Applicant Information and mailings..****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: **SB261**General Assembly: **124**Sponsor: **Senator Carnes**

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, 173.061**

5. Statute(s) the rule, as filed, amplifies or implements: **173.06, 173.061**

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

This rule is being proposed for adoption in an effort to implement the prescription drug discount component of the Golden Buckeye 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 proposed rule indicates that the Department of Aging may maintain a database

of information obtained by the Department from cardholders and describes restrictions that apply to the Department's use of cardholder information. The proposed rule also authorizes an administrator to maintain a database of information obtained from cardholders; establishes certain requirements that must be met before an administrator may establish and use such a database; places limits upon a providers use of such a database; and requires cardholder's to agree to opt-in to an administrator's plans for the use of the cardholder's data before the administrator can use personally identifiable information concerning a cardholder. Finally, the rule recognizes the General Assembly's decision to exempt certain records identifying cardholders from Ohio's public records law.

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:

In the second line of paragraph (B)(1)(c), the phrase "... as well as as a explanation ..." was amended to read "... as well as an explanation ..."

In the third line of paragraph (B)(1)(c), the phrase "... how the cardholder..." was amended to "... how a cardholder"

## 12. 119.032 Rule Review Date:

(If 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: At 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

This proposed rule will not change the Agency's projected budget during the current biennium.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Item: All expenditures of the Golden Buckeye program that are expected to be incurred by the Department are expected to be paid for with funds from line items 490-405 (Golden Buckeye Card) and 490-419 (Prescription Drug Discount Program).

Expenditure: The Department does not anticipate that there will be any expenses necessitated by this rule.

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:

Any administrator chosen to administer the prescription drug discount component of the Golden Buckeye program will incur costs to allow cardholders to opt-in to the administrator's program for the collection and use of cardholder specific information.

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**