

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3304-2-52

**Rule Type:** Amendment

**Rule Title/Tagline:** Least cost, use of comparable benefits, participant contribution, and fees for services.

**Agency Name:** Opportunities for Ohioans with Disabilities

**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? 7/3/2024
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? 3304.15(C)(1), (D)
5. What statute(s) does the rule implement or amplify? 3304.15(D)
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
  - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

The drafted rule is being proposed to update the fee schedule appendix currently used by the Bureau of Vocational Rehabilitation. The rule also enacts a new fee schedule appendix regarding medical, psychological and dental services.

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

The proposed changes increase rates for services, expand services, and simplify language in the Vocational Rehabilitation (VR) Fee Schedule.

Ohio Administrative Code 3304-2-52 (Least cost, use of comparable benefits, participant contributions, and fees for services) requires OOD to provide services to an individual with a disability at the least cost consistent with the individual's disability and rehabilitation needs. The rule describes when OOD is and is not expected to pay for goods and services, with contributions from the individual taken into account. OOD is required to use comparable benefits to pay for services, unless doing so would lead to an interruption or delay in certain situations. The rule is amended to adopt a Medical, Psychological, and Dental fee schedule and clarify that OOD must pay cancellation rates for American Sign Language and international language interpreting services. Two appendices to the rule are also provided. Appendix A contains the Vocational Rehabilitation (VR) Fee Schedule adopted by the rule and is amended to add clarifying language, increase rates for services, expand services, and propose additional services. Appendix B is new and contains the Medical, Psychological, and Dental Fee Schedule adopted by the rule.

**9. Does the rule incorporate material by reference? No**

**10. 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*

**11. 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**

**12. 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.

*Not Applicable*

Not Applicable

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

Not Applicable

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

16. 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**

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

18. 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

The adverse impacts created by the rule include the time and costs associated with completing services according to the requirements of the fee schedules in order to be compensated by OOD. Please see the Common Sense Initiative recommendation included with this rule package for additional information.

- 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

**IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

**19. 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 to this rule?**

Not Applicable

**B. How many existing regulatory restrictions do you propose removing from this rule?**

Not Applicable

**C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

**D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable