

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 3701-84-62

Rule Type: Amendment

Rule Title/Tagline: Personnel and staffing standards - pediatric intensive care service.

Agency Name: Department of Health

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? 2/27/2023**
2. **Is this rule the result of recent legislation? Yes**
 - A. **If so, what is the bill number, General Assembly and Sponsor? SB 9 - 134 - McColley, Roegner**
3. **What statute is this rule being promulgated under? 119.03**
4. **What statute(s) grant rule writing authority? 3702.11, 3702.13**
5. **What statute(s) does the rule implement or amplify? 3702.11, 3702.12, 3702.13, 3702.14, 3702.141, 3702.15, 3702.16, 3702.18, 3702.19, 3702.20**
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 five-year review of Chapter 3701-84 is due February 24, 2023. Rule 3701-84-62 is being filed with amendments.

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

The rule sets forth the personnel and staffing requirements for PICUs including, but not limited to, a board-certified medical director, a pediatric intensivist, a licensed physician twenty-four hours a day assigned to the PICU, and nursing staff in number to meet the acuity level and needs of the patients served. The rule has been revised to make grammatical changes and to clarify that training and orientation must be documented in a nurse's personnel file. Seventeen restrictions have been removed in accordance with SB9.

- 9. Does the rule incorporate material by reference? Yes**
- 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.**

Ohio Administrative Code exempted; information is available online

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

JCARR asked us to due to citations.

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.

0.00

Not Applicable.

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

Not applicable, the changes to the rule have no impact on services or costs of compliance.

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? No
 - 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? No
 - 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? Yes
 - A. How many new regulatory restrictions do you propose adding to this rule? 0
 - B. How many existing regulatory restrictions do you propose removing from this rule? 17

A - shall

A - shall

B - shall

C - shall

D - shall

E - shall

F - shall

F - shall

F - shall

G - shall

G(6)- shall

H - shall

I - shall

J - shall

K - shall

L - shall

M - shall

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable