

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3901-5-02

**Rule Type:** Rescission

**Rule Title/Tagline:** Continuing education provider.

**Agency Name:** Department of Insurance

**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? 8/30/2024
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? 3901.041, 3905.481, 3905.484, 3905.486
5. What statute(s) does the rule implement or amplify? 3905.481, 3905.484
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?

This rule is being reviewed as a part of the agency five-year rule review.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The purpose of this rule is to establish the procedure to review insurance continuing education provider applications.

Rule is being rescinded to new per the fifty per cent filing guideline. The proposed amendments are technical and will reduce regulatory restrictions as well as improve understanding of the rule requirements.

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.

0.00

Not applicable.

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

Cost of compliance is summarized as the time and cost associated with complying with education and licensing requirements. Both the cost and time requirements vary in regard to the line of business in which the individual is participating. Although there is a cost, these regulations can be classified as the cost of doing business and are necessary to ensure compliance with Ohio Revised Code.

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.

Reference to paying applicable fees as part of the application and licensing process is made throughout the rule. Fee amounts are established elsewhere in rule 3901-5-06 of the Administrative Code.

### **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

This rule establishes the procedure to review insurance continuing education provider applications, in order to apply for a license.

- 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

Paragraphs (D) and (E) specify what information should be included in a provider application and supplied to the superintendent of the department.

- 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? 10**

(D)(1) - shall

(D)(1) - shall

(D)(2) - shall

(D)(2)(a) - must

(D)(2)(c) - shall

(D)(3) - shall

(D)(3) - shall

(D)(3)(c) - must

(F) - shall not

(F) - 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