

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4123-19-09

Rule Type: Amendment

Rule Title/Tagline: In regard to complaints filed by employees against self-insuring employers under the provisions of section 4123.35 of the Revised Code.

Agency Name: Bureau of Workers' Compensation

Division:

Address: 30 W. Spring St. Columbus OH 43215

Contact: Aniko Nagy **Phone:** 614-466-3293

Email: aniko.n.1@bwc.state.oh.us

I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date? 6/1/2022
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? 4121.12, 4121.121, 4121.30, 4123.05
5. What statute(s) does the rule implement or amplify? 4123.35, 4123.352
6. What are the reasons for proposing the rule?

Under the direction of Lieutenant Governor Jon Husted, the Common Sense Initiative Office (CSI) has established an initiative called RegExplorer. CSI has consulted with Deloitte to examine rules in the Ohio Administrative Code to provide agencies with tools to undertake regulatory reform. The goal is to review regulations to filter out unjustified, bureaucratic barriers to business and job creation, and to reduce the regulatory burden citizens and businesses face while placing due importance on the health and safety of Ohioans.

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

This rule regulates the procedures of complaints filed by employees against self-insuring employers. The proposed changes are to remove ", etc." and replaced with "and benefits" in paragraph (H) of the rule and the term "benefits" is defined in O.A.C. 4123-19-01(A), for clarity.

- 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.**

Not Applicable

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

Not Applicable.

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

The impacted community includes self-insuring employers and injured workers. There is no cost associated with these changes.

- 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

All requests by a claimant or self-insuring employer in accordance with paragraph (D) of this rule shall be filed within fourteen days of receipt of the bureau's decision. Failure to timely file the request shall be grounds for dismissal of the request, and the bureau's decision shall be final.

- 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 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