

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4123-3-08

Rule Type: Amendment

Rule Title/Tagline: Preparation and filing of applications for compensation and/or benefits.

Agency Name: Bureau of Workers' Compensation

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 7/1/2024
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 75 - 134 - Rep. Oelslager
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, 4121.31
5. **What statute(s) does the rule implement or amplify?** 4121.121, 4123.032, 4123.05, 4123.28, 4123.511, 4123.68, 4123.84, 4123.85, 4123.89
6. **What are the reasons for proposing the rule?**

BWC proposes changes in response to the statutory changes to R.C 4123.85 contained in Am. Sub. H.B. 75 and effective September 28, 2021.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule outlines the preparation and filing of applications for compensation and/or benefits. BWC is proposing the following changes:

* Add language clarifying the filing time requirements for occupational diseases claims arising before, on and after the effective date of the amendments to R.C. 4121.85.

* Add and revise language to clarify the filing time requirements for death due to occupational disease arising before, on and after the effective date of the amendments to R.C. 4123.85.

* Correct pinpoint cites in the rule based on the proposed revisions and added language.

- 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?**

Not Applicable.

- 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

This rule requires an application to be submitted to the Bureau in order to be considered for compensation and/or benefits.
 - 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? Yes
 - A. How many new regulatory restrictions do you propose adding? 2

(D)(5) "must"

(D)(8) "must"

B. How many existing regulatory restrictions do you propose removing? 0