

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4717-5-04

Rule Type: New

Rule Title/Tagline: Apprentice licensed as an insurance agent.

Agency Name: Board of Embalmers and Funeral Directors

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?
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? 4717.04
5. What statute(s) does the rule implement or amplify? 4717.05
6. What are the reasons for proposing the rule?

The proposed rules provide an additional distinction between apprentices. Apprentices who hold an insurance license are authorized to perform other services exclusive to that insurance license.

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

The rule requires an individual who is licensed as an insurance agent to notify the board that they are an agent on the apprenticeship application. An individual licensed

as an insurance agent may engage in acts that are different from apprentices who do not carry an insurance license.

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.

File Format Change.

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.

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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? Yes

An insurance license is required to perform the duties authorized under that 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? Yes

While the rule does not explicitly impose a penalty, an apprentice that does not hold an insurance license is prohibited from engaging in acts authorized under the insurance license. An apprentice that engages in such acts would be subject to disciplinary action by the Board and likely subject to sanctions by the Ohio Department of Insurance.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

While the rule does not create an expenditure, an individual would have been required to complete the training requirements and pay the required fees to secure and maintain the insurance license.

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? Yes

The licensing fees associated to secure and maintain the insurance license could reduce revenue or increase expenses for a funeral home.