

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4732-17-01

**Rule Type:** Amendment

**Rule Title/Tagline:** General rules of professional conduct pursuant to section 4732.17 of the Revised Code.

**Agency Name:** State Board of Psychology

**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? 9/1/2024
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? 4732.06
5. What statute(s) does the rule implement or amplify? 4732.17
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?

These amendments to the Rules of Professional Conduct are intended to clarify processes related to impaired license holders in the context of a new rule being proposed as 4732-17-04 9safe haven program). The rule prosal also corrects several erroneous citations.

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

OAC 4732-17-01 contains the Board's Rules of Professional Conduct, which are the professional standards against which the conduct of license holders are measured. The changes here are modest and include corrections to citations. The two significant changes are in (C)(13)--to clarify that license holders with impairments (via new rule 4732-17-04) may continue to practice if under agreement with the Safe Haven Program, and (J)(4)--which allows license holders to refer others with suspected impairment to the Safe Haven Program instead of reporting them directly to the Board. The is intended to increase service utilization by impaired license holders and to provide reassurance that confidential services are available.

- 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.

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Not Applicable

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

Not Applicable

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? Yes

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

These Rules of Professional Conduct apply to those required to be licensed by the Board as a psychologist or school psychologist.

- 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

Pursuant to ORC 4732.17 (A)(8), the Board has authority to reprimand, suspend, or revoke a license for violation of the Rules of Professional Conduct.

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

4732-17-01 (J)(4) requires license holders to make reports of suspected impairment of other license holders.

- 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? No**

**A. How many new regulatory restrictions do you propose adding to this rule?**

Not Applicable

**B. How many existing regulatory restrictions do you propose removing from this rule?**

Not Applicable

**C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

**D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable