

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4758-13-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Continuing education requirements for chemical dependency counselors.

**Agency Name:** Chemical Dependency Professionals Board

**Division:**

**Address:** 77 South High Street 16th Floor Columbus OH 43215

**Contact:** Jill Smock **Phone:** 614-387-1114

**Email:** Jill@ocdp.ohio.gov

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 4/18/2023
2. Is this rule the result of recent legislation? Yes
  - A. If so, what is the bill number, General Assembly and Sponsor? HB 509 - 134  
- Representative John
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4758.20
5. What statute(s) does the rule implement or amplify? 4758.51
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?

Five year review and Changes to number of CEUs required due to passing of HB509

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

Revising the amount of CEU required for certain licenses and certificates as part of HB509. Clarifying submission of CEU documentation is to be provided within the board's continuing education monitoring system prior to renewal completion in the electronic application system. Adding that a fee may be imposed for a failed audit along with disciplinary action.

- 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

No impact in revenue for this biennium, but expected revenue for next as board is able to collect fees for those who fail CEU audits with the hope to reduce those not in compliance of staying current in their practice through renewal CEUS.

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

Costs to comply are the costs of continuing education which could be covered by individuals, businesses, organizations, or provided at no cost through funding opportunities, state and federal funding.

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.**

The fee for failed CEU audits will assist in covering staff fees to investigate and impose disciplinary violations on those not compliant.

### **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**

An license or certificate must be renewed every two years to remain active.
  - 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**

A disciplinary sanction can be imposed for those who fail to meet the continuing education requirements for renewing their license/certificate.
  - C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

A renewal fee of \$150 every two years.
  - 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**

With the reduction of the number of CEUS required, those businesses that fund CEUS or provide time off to acquire CEU renewal hours may find a reduction of expenses.

**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