

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4758-5-05

**Rule Type:** New

**Rule Title/Tagline:** Requirements for licensure of independent chemical dependency counselors (LICDC).

**Agency Name:** Chemical Dependency Professionals Board

**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? 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? 4758.22, 4758.24, 4758.40
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?

Changes made in ORC under license requirements as a result of HB509; removed 40-semester hour requirement and documentation of certain masters level courses.

Also created a new structure for all licenses and their requirements so with over 50% changes in how the rule was written needed to rescind old rule and write it as a new rule but many of requirements remain the same with a few changes due to ability to changes OAC due to HB 509 changes.

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

Removing the restrictive 40-semester hour requirement and documentation of certain masters level courses with verification of certain masters degrees, and allowing for some graduate courses to be taken outside of masters degree. Reorganization of all license requirements for consistency and clarity.

- 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 increase revenues.

1500.00

For current biennium we expect some increase in applications as more applicants will be able to meet the requirements. For next biennium we expect more application fees for this license level due to the removal of the restrictive 40 semester hours in HB 509.

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

Application fee of \$50 for each individual to apply for the license.

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.

Application fee helps covers staff costs in reviewing applications to determine if they meet the requirements and elicense costs for electronic record keeping.

### **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

License required to perform SUD services independently.
  - 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

License is not awarded if requirements are not met.
  - C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

Application fee of \$50 for each individual to apply for the 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

Most individuals cover the costs of licensure application however some businesses do cover the cost.

### **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