

Rule Summary and Fiscal Analysis (Part A)**Department of Mental Retardation and Developmental Disabilities**

Agency Name

Division

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5123:1-8-01

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

**Ohio developmental disabilities council teleconference pilot
program.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB129**General Assembly: **127**Sponsor: **Representatives
Evans and Book**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **111.15**

4. Statute(s) authorizing agency to adopt the rule: **5123.04; House Bill 129 of the 127th General Assembly**

5. Statute(s) the rule, as filed, amplifies or implements: **5123.04; House Bill 129 of the 127th General Assembly**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

In accordance with House Bill 129, the rule is being proposed so that the Ohio Developmental Disabilities Council may participate in a pilot program to allow its members to be present at Council meetings by teleconference or interactive video teleconference.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The rule authorizes members of the Ohio Developmental Disabilities Council to participate in a pilot program that allows Council members to be present at Council meetings via teleconference or interactive video teleconference, establishes requirements for conducting Council meetings via teleconference or interactive video teleconference, and establishes a policy regarding distribution and circulation of meeting-related documents.

The pilot program authorized by the rule will cease to exist on April 7, 2011.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase /decrease** either **revenues /expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will decrease expenditures.

\$500

The rule authorizes a two-year pilot program to allow members of the Ohio Developmental Disabilities Council to be present at Council meetings via teleconference or interactive video conference. The purpose of the pilot program is to determine if teleconferencing increases member participation and whether or not teleconferencing is practical and cost-effective. The rule has the potential to increase or decrease expenditures based on the number of Council members who participate in meetings via teleconference, however, it is anticipated that the rule will result in a decrease in expenditures. The Council is required to submit a report in October 2010 that describes the costs and savings associated with teleconferencing.

Council meetings are conducted in Columbus. Seven meetings qualify for teleconference or interactive video conference participation during the biennium: September 2009, December 2009, March 2010, May 2010, September 2010, December 2010, and March 2011. Council members who reside more than 45 miles from the meeting location and attend meetings in person are reimbursed for their actual mileage, meals, and lodging expenses.

Only Council members who need a reasonable accommodation due to a disability or who reside more than 45 miles from the designated meeting location will be eligible to participate via teleconference. Based on current membership, 16 members are eligible. While it is not known how many members will actually elect to participate via teleconference, members have expressed interest in teleconferencing.

There is a cost associated with teleconferencing. The Council will incur the cost of

the telephone, the line, and per minute long-distance charges. If only a few members participate in a Council meeting via teleconference, the cost of establishing the teleconferencing capability for that meeting may exceed the savings in mileage, meals, and lodging expenses for the members who teleconference. If more members participate via teleconference, the cost of establishing the teleconferencing capability for that meeting will be less than the cost of reimbursing the members for mileage, meals, and lodging and yield an overall savings.

The estimated decrease of \$500 in expenditures over the biennium is based upon the projection that at least five members will participate via teleconference at each of the seven scheduled meetings.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

ALI 320-613

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not applicable.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**