

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

Agency Name

**Community Services**

Division

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**5123:2-5-02**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Service and support administration certification standards.****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: **HB487**General Assembly: **129**Sponsor: **Representative  
Amstutz**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **5123.04, 5126.25**

5. Statute(s) the rule, as filed, amplifies or implements: **5123.04, 5126.201, 5126.25**

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

The department is rescinding the existing rule and bringing forth a new rule of the same number as intended revisions affect more than fifty percent of the rule. The revisions are necessary because House Bill 487 of the 129th General Assembly

transferred, from the director of the department to superintendents of county boards of developmental disabilities, responsibility for issuing Adult Services, Early Intervention, and Service and Support Administration certification and registration to employees of county boards.

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 establishes minimum qualifications through certification standards for staff employed in service and support administration positions at county boards of developmental disabilities or entities under contract with county boards to provide or supervise the provision of service and support administration.

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. If applicable, indicate each specific paragraph of the rule that has been modified:

Paragraph (C)(1)(b)(ii)(d)(ii) from:

Role of direct service staff in creating a positive culture;

to:

Role of service and support administrator in creating a positive culture;

Paragraph (C)(1)(b)(ii)(d)(iii) from:

General requirements for behavior support plans and intervention strategies and direct service staff role including documentation;

to:

General requirements for behavior support plans and intervention strategies and service and support administrator's role including documentation;

Paragraph (H)(1) revised from:

Service and support administrator and service and support administration supervisor certifications issued on or after the effective date of this rule which have been expired for less than one year may be renewed upon completion of all renewal requirements of the expired certification.

to:

Service and support administrator certifications and service and support administration supervisor certifications issued on or after the effective date of this rule which have been expired for less than one year may be renewed upon completion of all renewal requirements of the expired certification.

Paragraph (H)(2) revised from:

Service and support administrator and service and support administration supervisor certifications issued on or after the effective date of this rule which have been expired for one year or more shall not be renewed; the applicant shall be required to meet the requirements for initial service and support administrator or service and support administration supervisor certification, as applicable, pursuant to paragraph (C) of this rule.

to:

Service and support administrator certifications and service and support administration supervisor certifications issued on or after the effective date of this rule which have been expired for one year or more shall not be renewed; the applicant shall be required to meet the requirements for initial service and support administrator certification or service and support administration supervisor certification, as applicable, pursuant to paragraph (C) of this rule.

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 have no impact on revenues or expenditures.

\$ 0

The rule neither increases nor decreases expenditures or revenues for the department.

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

Not applicable.

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. The provisions of House Bill 487 of the 129th General Assembly that transferred, from the director of the department to superintendents of county boards of developmental disabilities, responsibility for issuing Adult Services, Early Intervention, and Service and Support Administration certification and registration went into effect and compelled superintendents of county boards to begin issuing certification and registration on September 10, 2012.

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**

**S.B. 2 (129th General Assembly) Questions**

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82?

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

The rule applies to county boards of developmental disabilities.

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? **No**

The rule applies to county boards of developmental disabilities.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **No**

The rule applies to county boards of developmental disabilities.