



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

Business Impact Analysis RESCINDED RULES

This form is intended for rules that are being permanently rescinded and not replaced by a new rule. New, Amended, No Change, and Rescind/New rules must use the standard BIA.

Agency, Board, or Commission Name: Vision Professionals Board

Rule Contact Name and Contact Information: Anne Gonzales, Executive Director,
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Regulation/Package Title (a general description of the rules' substantive content):
Optician and Ocularist Scope of Practice Changes & Fees

Rule Number(s): 4725-3-10, 4725-3-14, 4715-3-15, 4725-3-16, 4725-3-17, 4725-3-18, 4725-3-19, 4725-3-20, 4325-3-21, 4725-3-22, 4725-3-24, 4725-5-02, 4725-9-01

Date of Submission for CSI Review: June 1, 2023

Public Comment Period End Date: June 12, 2023

Rule Type/Number of Rules:

✓ Rescinded/ 13 rules (FYR? 2023)

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

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Reason for Submission

1. **R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.**

Which adverse impact(s) to businesses has the agency determined the rule(s) create?

The rule(s):

- a. ☒ **Requires a license, permit, or any other prior authorization to engage in or operate a line of business.**
- b. ☐ **Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.**
- c. ☒ **Requires specific expenditures or the report of information as a condition of compliance.**
- d. ☐ **Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.**

Regulatory Intent

2. **Please describe in plain language the regulation that is being rescinded.**

The intent of the rule is to consolidate all fees.

4725-3-10 [RESCINDED] Criminal records check. Is now part of 4725-1-01.

4725-3-14 [RESCINDED] Optician and ocularist license and endorsement application fees.

4725-3-15 [RESCINDED] Optician and ocularist renewal and late renewal fees.

4725-3-16 [RESCINDED] Optician and ocularist duplicate license fees.

4725-3-17 [RESCINDED] Therapeutic optometrist license application fees.

4725-3-18 [RESCINDED] Therapeutic and diagnostic optometrist license renewal fees.

4725-3-19 [RESCINDED] Optometrist license renewal fee.

4725-3-20 [RESCINDED] Optometrist certificate name change, replacement wall certificate fee.

4725-3-21 [RESCINDED] Therapeutic, diagnostic, and optometrist late continuing education and late license renewal fees.

4725-3-22 [RESCINDED] Reinstatement of inactive status certificate of licensure delinquent certificate of licensure fees.

4725-3-24 [RESCINDED] Ocularist examination fee.

4725-5-02 [RESCINDED] Guarantee.

4725-9-01 [RESCINDED] Hours required; study compliance year.

3. Why is the regulation being rescinded?

House Bill 509 amended sections ORC 4725 which consolidates fees. Fees will be collected bi-annually vs. annually.

4. Please describe in general terms the adverse impacts to business, including currently impacted industries, in the existing rule(s).

There is no adverse impact to businesses.

5. Are there other regulations (either existing or to be created) which will replace the regulation being rescinded or which will now apply because this regulation is being rescinded? This can include rules, statute, federal regulations, agency policies, or industry standards etc.

Rule 4725-3-13 addresses all components of HB 509.

6. Does the rescission of this regulation eliminate flexibility or create more adverse impacts for stakeholders? If yes, please describe stakeholder outreach and justify the impacts.

There is no adverse impacts for stakeholders.