



# Common Sense Initiative

Mike DeWine, *Governor*  
Jim Tressel, *Lt. Governor*

Joseph Baker, *Director*

## MEMORANDUM

**TO:** Deborah Veley, Board of Executives of Long-Term Services and Supports

**FROM:** Michael Bender, Business Advocate

**DATE:** October 15, 2025

**RE:** **CSI Review – Comprehensive Rule Review 2025 (OAC 4751-1-02, 4751-1-05, 4751-1-05.1, 4751-1-06, 4751-1-07, 4751-1-08, 4751-1-08.1 4751-1-09, 4751-1-10, 4751-1-10.1, 4751-1-10.2, 4751-1-10.3, 4751-1-11, 4751-1-12, 4751-1-13, 4751-1-13.1, 4751-1-14, 4751-1-15, 4751-1-16, and 4751-1-17)**

Pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Board as provided for in ORC 107.54.

### Analysis

This rule package consists of twenty amended rules proposed by the Board of Executives of Long-Term Services and Supports (Board) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on September 5, 2025, and the public comment period was held open through September 12, 2025. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on September 5, 2025.

Ohio Administrative Code (OAC) Chapter 4751-1 adopts standards for nursing home administrators (NHAs), particularly with respect to licensure. OAC 4751-1-02 contains definitions for terms that pertain to NHA standards. The rule is amended to update language and grammar, clarify that National Association of Long-Term Care Administrator Boards (NAB) accreditation must be active at the time of an individual's graduation for direct college candidates, and add a definition for "residential care

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facility.” OAC 4751-1-05 sets forth the requirements for admission to examination for licensure as an NHA. The rule is amended to update language. OAC 4751-1-05.1 describes the core of knowledge in nursing home administration. The rule is amended to update language and allow for the core of knowledge to be held virtually or via distance learning during any state of emergency declared by the Governor of Ohio (Governor) or during a federal public health emergency. OAC 4751-1-06 requires applicants for licensure as an NHA to successfully pass a written or oral examination approved by the Board. The rule is amended to update language. OAC 4751-1-07 requires applicants for licensure as an NHA to pass national examinations. The rule is amended to update language. OAC 4751-1-08 provides for the registration of educational institutions, their affiliates, or other training agencies that offer continuing education for NHAs and provides for the approval of courses of study and programs of instruction. The rule is amended to update language and reflect biennial renewal of an NHA license rather than annual renewal. OAC 4751-1-08.1 provides for the approval of training agencies for NHA continuing education. The rule is amended to update language, reflect the online application process, and declare that targeted state agency educational offerings may not be open to the public at the Board’s discretion.

OAC 4751-1-09 describes for the Administrator Residency Program. The rule is amended to update language, citations, grammar, and the rule title, reflect the online process for the submission of forms and information, require certified court records to be submitted in the case of a conviction, and clarify that an administrator resident is prohibited from serving as an assistant administrator regardless of title. OAC 4751-1-10 specifies requirements related to NHA licenses and registrations. The rule is amended to establish a \$250 application fee and increase the original license fee from \$250 to \$800. OAC 4751-1-10.1 provides for the timely renewal of an NHA registration. The rule is amended to update language and citations, increase renewal fees from \$600 to \$800 beginning September 28, 2025, and reflect the online renewal process. OAC 4751-1-10.2 establishes criteria for the health service executive (HSE) license. The rule is amended to update language and remove an outdated reference to the old state examination. OAC 4751-1-10.3 provides for the licensure of active-duty military personnel, Veterans, and spouses of service members or Veterans. The rule is amended to update grammar. OAC 4751-1-11 provides for temporary licensure as an NHA. The rule is amended to reflect the online process for paying the temporary license fee. OAC 4751-1-12 outlines the reasons for which the Board may suspend or revoke an NHA or HSE license and/or impose a civil penalty, fine, or other sanction. The rule is amended to update language.

OAC 4751-1-13 sets forth the continuing education requirements for NHAs. The rule is amended to update language, remove an outdated provision regarding approved in-person courses, allow continuing education requirements to be waived by the Board during any state of emergency declared by the Governor or during a federal public health emergency, and reflect the current practice of submitting continuing education credits online. OAC 4751-1-13.1 authorizes the Board to issue continuing education waivers for certain reasons. The rule is amended to update language, grammar,

and the effective date of the Board's Continuing Education Waiver Form and limit penalty fines to a maximum of \$200 on a licensee whose waiver request is denied. OAC 4751-1-14 provides for the recognition of out-of-state NHA or HSE licenses. The rule is amended to require certified court records to be submitted in the case of a conviction and remove a reference to a passing score. OAC 4751-1-15 authorizes the Board to relicense an NHA whose Ohio license has been abandoned under certain conditions. The rule is amended to update language and require certified court records to be submitted in the case of a conviction. OAC 4751-1-16 establishes the fees related to NHA and HSE licensure. The rule is amended to update language and grammar, remove the options to pay fees via check or money order, specify that fees are non-refundable, clarify the timeframe for the NHA license late renewal penalty fee, list the \$250 license application fee and the \$350 temporary license fee, and increase fees for the administrator residency application from \$50 to \$250, for biennial registration/renewal from \$600 to \$800, and the original license from \$250 to \$800. OAC 4751-1-17 describes how the Board must maintain personal information systems. The rule is amended to update language and grammar.

During early stakeholder outreach, the Board posted draft copies of the rules on its website and held a public outreach period from July 30, 2025, through August 14, 2025. The Board notified all licensees of this comment period as well as the three primary provider associations, specifically LeadingAge Ohio, the Ohio Health Care Association, and the Academy of Senior Health Sciences. The Board had separately notified the Ohio Council for Home Care and Hospice, Longtree and Associates, and other individuals on July 2, 2025, per their request. One licensee submitted a comment asking the Board to reconsider the fee increases for those who were not currently practicing, as such individuals have no access to company reimbursement. The Board acknowledged the cost of the fee increases but noted that they are a product of recent statutory changes and are necessary after thirteen years. No comments were received during the CSI public comment period, although the Board revised the rules to make technical corrections and include the United State Space Force in the definition for "armed forces" after an inquiry from the CSI Office.

The business community impacted by the rules includes all licensed NHAs and HSEs, administrator residents, applicants for licensure, and continuing education providers. The adverse impacts created by the rules include the standards associated with obtaining and maintaining licensure. These standards concern qualifications, fees, late renewal penalties, administrative experience requirements, education requirements, and examination requirements. The core of knowledge in nursing home administration consists of 100 hours of academic study. Applicants must complete a full-time administrative residency of nine months/1,500 hours with a baccalaureate degree or six months/1,000 hours with a master's or higher degree. Applicants with a degree containing an approved program in nursing home administration need no further qualifying administrative experience. The Board is authorized to suspend or revoke a license and/or impose a civil penalty, fine, or other sanction for various instances of improper conduct that are specified in the rules. Fees

established in the rules and authorizing statutes include \$250 for an administrator residency application, \$150 for endorsement of an out-of-state license, \$800 for biennial registration/renewal, \$350 for a temporary license, \$25 for a duplicate/replacement license, \$800 for an original NHA license, \$800 plus \$50 per calendar quarter up to \$200 maximum for late NHA licensure renewal, \$100 for an HSE license, \$100 for HSE licensure renewal, \$100 plus \$25 per calendar quarter up to a \$100 maximum for late HSE licensure renewal, and up to \$25 for a criminal conviction determination. NHAs are required to complete a minimum of forty clock hours of approved continuing education biennially in the twenty-seven-month period preceding the renewal of license registration. NHA licensees may receive continuing education credit for taking college courses or teaching approved courses for continuing education, the core of knowledge, or a college. HSEs are required to complete a minimum of eight clock hours of approved continuing education biennially. These hours are in addition to those required to renew an NHA license. Educational institutions, their affiliates, or training agencies that provide continuing education for NHAs or HSEs must register with the Board. Preferred continuing education providers must pay an annual \$700 fee and a \$150 biennial renewal fee upon submission of renewal paperwork. Certified continuing education providers must pay a \$250 initial application fee, a \$150 biennial renewal fee upon submission of renewal paperwork, a fee of \$15 per continuing education hour or partial hour reviewed, and a \$150 late fee for courses submitted fewer than sixty days before the course date. According to the Board, moving the entire licensure and continuing education provider process online will make it easier and less time consuming for licensees and administrator residents to complete their information. The Board states that the adverse impacts to business are justified to comply with state law, modernize the licensure process, and follow the NAB's best practices.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.