4761:1-15-04 **Requirement to provide board contact information to clients.**

(A) License and certificate of registration holders shall provide written notice to customers and clients of the contact information for the Ohio respiratory care board. At minimum, the notice shall state: "in the event of an unresolved complaint, you may contact the Ohio respiratory care board by writing to: Ohio respiratory care board, 77 south High Street, 16th floor, Columbus, Ohio, 43215 or by telephone at phone: 614-752-9218."

R.C. 119.032 review dates: 07/12/2013 and 03/31/2018

CERTIFIED ELECTRONICALLY

Certification

07/12/2013

Date

Promulgated Under:	119.03
Statutory Authority:	4752.17(A)(11)
Rule Amplifies:	4752.17(A)(11)
Prior Effective Dates:	03/31/2008

ACTION: No Change

DATE: 07/12/2013 8:04 AM

Rule Summary and Fiscal Analysis (Part A)

Ohio Respiratory Care Board
Agency Name

Home Medical Equipment Service Providers **Christopher Logsdon**
Division Contact

77 South High Street 18th Floor Columbus OH 43266-777 **614-752-9218** **614-728-8691**
Agency Mailing Address (Plus Zip) Phone Fax

rcb.logsdon@rcb.state.oh.us
Email

4761:1-15-04 **NO CHANGE**
Rule Number TYPE of rule filing

Rule Title/Tag Line **Requirement to provide board contact information to clients.**

RULE SUMMARY

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

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: **4752.17(A)(11)**

5. Statute(s) the rule, as filed, amplifies or implements: **4752.17(A)(11)**

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

This rule is being filed in accordance with ORC 119.032, five-year review.

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:

This rule requires licensed and certificate of registration holding home medical

equipment facilities to provide written notice to customers of the contact information of the Ohio Respiratory Care Board, in the event the customer has an unresolved complaint.

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:

Not Applicable.

12. 119.032 Rule Review Date: **7/12/2013** and **03/31/2018**

(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.

0.00

Not applicable.

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

This rule does not necessitate and expenditure by the Board.

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:

This rule requires licensed or certificate of registration holding home medical equipment providers to provide customers with written information for the Ohio Respiratory Care Board's contact information, in the event of an unresolved complaint. This would require a statement to be printed on forms (likely the customer acknowledgement of service form) that includes the Board's address and a statement of "in the event of an unresolved complaint, you may contact the Ohio Respiratory Care Board at..." This would result in an undetermined change in the printed text of a company's forms or cause them to stamp the statement of the form or provide a separate piece of paper containing the information. The rule does not specify the mode of compliance, only the statement that must be included.

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? **Yes**

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**

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**

> Failure to comply could result in an administrative action pursuant to ORC 4752.09.

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