

CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Ohio Chemical Dependency Professionals Board

Regulation/Package Title: Five Year Rule Review: Master's Accreditation

Rule Number(s): 4758-14-01

Date: 9/28/16

Rule Type:

- New
 Amended

- 5-Year Review
 Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

4758-14-01: This rule outlines requirements for a college to apply for Master's Accreditation with the Board. The Board is not making any changes to this rule.

2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

4758.20

- 3. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?**

No

- 4. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

It is the requirement of each state to set its own licensing/practicing requirements.

- 5. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

This rule allows for colleges to have their programs reviewed and approved by the Board. Colleges can then advertise that their program meets board requirements for licensure and that if a student takes their program they will have all the education they need for licensure. The list of accredited schools is published so students have the opportunity to choose a pre-approved school when beginning their degree program to ensure they have what they need for licensure.

- 6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

Success of this regulation will be measured by the number of students who utilize these pre-approved programs and the number of accredited schools who remain in compliance with the rule.

Development of the Regulation

- 7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.**

This rule was reviewed by the Board's Treatment & Education Committees. These committees meet quarterly, consist of public stakeholders and include representation from OhioMHAS, The Ohio Council, University of Cincinnati, Columbus State Community College, treatment providers, CEU providers and board licensees/certificate holders.

- 8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?**

The stakeholders felt the rule was functioning as it should and saw no need for revisions.

- 9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?**

N/A

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10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

No alternatives were considered as no changes were recommended.

11. Did the Agency specifically consider a performance-based regulation? Please explain. *Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.*

No

12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

These rules only govern licensees/certificate holders of the Board and therefore aren't duplicative.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

Once approved, the rule will be distributed to stakeholders and staff will be trained accordingly.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

- a. Any college applying for master's accreditation with the Board.
- b. Colleges will be required to submit an application and comply with the conditions/requirements of that application.
- c. Application fees are \$300. Accreditation fees are \$3,000.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

This rule benefits all parties involved. Colleges can recruit students based on their approval with the Board. Students receive a guarantee that their coursework will be accepted for licensure. The Board can expedite the review process for these applicants because their coursework was pre-approved. It is also a strictly voluntary process, so colleges and students do not need to participate if they do not wish to.

Regulatory Flexibility

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16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

N/A

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

N/A

18. What resources are available to assist small businesses with compliance of the regulation?

N/A