

CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Ohio State Chiropractic Board

Regulation/Package Title: Board Rule 4734-5-01

Rule Number(s): 4734-5-01

Date: April 11, 2014

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Rescinded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.

Please include the key provisions of the regulation as well as any proposed amendments.

This rule addresses the objective and curriculum of doctor of chiropractic degree programs and adopts standards issued by the Council on Chiropractic Education.

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

4734.10 and 4734.21

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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?**

If yes, please briefly explain the source and substance of the federal requirement.

No.

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

N/A

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)?**

The rule provides clear and consistent requirements for doctor of chiropractic degree programs.

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

Clear, concise and plain language will provide a consistent process for doctor of chiropractic degree programs.

Development of the Regulation

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

If applicable, please include the date and medium by which the stakeholders were initially contacted.

Notification seeking stakeholder input was posted on the front page of the Board's website and an electronic notification was sent on March 19, 2014 to all Board-approved chiropractic colleges; the Council on Chiropractic Education (CCE); the Council on Chiropractic Education-International (CCE-I); the Student American Chiropractic Association (SACA), the Student Canadian Association; and those registered on the Board's stakeholder notification list.

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

One comment was received in support of the proposed amendment.

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?**

Scientific data was not used to develop the rules as the rules are not data driven.

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 regulatory alternatives were considered as the amendment is to update an outdated reference from the CCE 2007 Standards to the current CCE Standards dated 2013.

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.*

Performance based outcomes don't apply to the rule in this package.

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

There is no other agency that regulates the practice of chiropractic in Ohio.

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.

The updated 2013 standards are currently applicable to the regulated community per the Council on Chiropractic Education. This amendment is to correct an outdated reference. The affected stakeholders will be advised of the Board's new regulation and the Board's website will be updated.

Adverse Impact to Business

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

a. Identify the scope of the impacted business community;

The proposed amendment impacts doctor of chiropractic degree programs.

b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and

Non-compliance with the rule could result in revocation of approval of the program/college.

c. Quantify the expected adverse impact from the regulation.

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a "representative business." Please include the source for your information/estimated impact.

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The only occurrence the rule would have an adverse impact would be in the instance the Board receives a credible allegation that the approved program is not complying with the CCE standards. The program would be requested to provide information and documentation as necessary to complete an investigation. The Board could also order a site visit during an investigation which the program must fund.

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

Consistent requirements for doctor of chiropractic degree programs ensure consistent educational standards.

Regulatory Flexibility

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

There are no specific exemptions or alternative means of compliance outlined in the rules.

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?

Paperwork violations are not applicable to this rules package.

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

The Board staff is available to assist programs with compliance.

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