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S.B. 3
134th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Reported by House Health

Primary Sponsor: Sen. Roegner

Local Impact Statement Procedure Required: No

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Highlights

- In order to participate in the Nurse Licensure Compact (NLC), the Ohio Board of Nursing may experience administrative costs to promulgate and amend rules, investigate any complaints against multistate practitioners, and provide required data to NLC.
- The Board may experience a loss of fee revenue if those licensed in other compact states do not have to pay the license fee for a registered nurse (RN) or licensed practical nurse (LPN) license. However, the Board may charge Ohio RNs and LPNs applying for multistate licensure a greater amount than a traditional license, which could result in additional fee revenue.
- The Board will be assessed an annual fee of \$6,000 to NLC.

Detailed Analysis

Board of Nursing

The bill enters Ohio as a party to the Nurse Licensure Compact (NLC). The bill's provisions regarding the NLC become effective on January 1, 2023. Joining NLC will allow RNs and LPNs licensed in other states to practice in Ohio and those licensed in Ohio to practice in other states. The bill specifies that a multistate license to practice nursing issued under the Compact is one option for nurse licensure in Ohio, and authorizes the Board to set the multistate fee at an amount greater than what it charges for traditional RN and LPN licenses.¹ As a result, Ohio RN and LPN licensees would be eligible to apply for a multistate license issued by the Ohio Board of Nursing. This could result in additional fee revenue that will depend on the cost of the license

¹ The Board charges \$75 for initial licensure and \$65 for renewal licensure for both RNs and LPNs.

and the number of RNs and LPNs that apply and possibly added costs to meet any additional verification requirements. However, it may experience a loss in fee revenue from licensees that no longer need to apply for an RN or LPN license in Ohio because they hold a multistate license issued by another compact state.

The Ohio Board of Nursing may receive additional complaints due to out-of-state practitioners with a Compact Privilege; the bill requires employers of multistate-licensed nurses to report to the Board conduct that would be grounds for disciplinary action. This could result in an increase in administrative and investigative costs.² The Board will also be required to submit data to NLC regarding Ohio licensees, posing an administrative cost. The bill also requires an employer that hires an out-of-state nurse with a multistate license to report certain information to the Board and to provide certain information developed by the Board to that employee; this will pose an administrative cost to the Board and any public hospitals that hire a nurse with a multistate license. The bill specifically prohibits any costs associated with entering into or administering the Nurse Licensure Compact from being passed onto licenses without a multistate license. However, the Board may accept grants from the National Council of State Boards of Nursing to help implement the Compact.

Additionally, the Compact establishes an Interstate Commission of Nurse Licensure Compact Administrators to, among other responsibilities, prescribe bylaws. In order to pay for the Commission's expenses, the Commission may levy and collect an assessment from each compact state; thus, the Board would pay this assessment which was estimated to be \$6,000 in 2019. Joining NLC will require the Board to select an administrator to vote on NLC bylaws and attend an annual meeting, posing an administrative cost.

The bill could also result in other indirect impacts to the state and political subdivisions. RNs and LPNs that practice in Ohio with a Compact Privilege could provide additional services to Ohioans and provide increased access. If this occurs, there could be additional reimbursements from state and local programs that reimburse for these services. However, if the utilization of services led to an avoidance of other more expensive treatments, there could be a reduction in costs. If an Ohio resident utilizes an out-of-network provider, there could be an additional cost to state or local programs or health plans.

Department of Developmental Disabilities

H.B. 263 of the 133rd General Assembly prohibits a state licensing authority from refusing to issue an initial license or other authorization allowing the individual to engage in an occupational activity regulated by the licensing authority based on the individual's criminal background. S.B. 3 however exempts a supported living certificate and a certificate to administer medications and perform health-related activities, issued by the Department of Developmental Disabilities, from this requirement. The H.B. 263 provision would begin on October 9, 2021, so there should be no impact associated with this.

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² Over two million RNs and LPNs live in compact states. https://www.ncsbn.org/NLC_Fast_Facts.pdf.