

**MEMORANDUM**

TO: Mindy Franks, Ohio State Dental Board

FROM: Emily Kaylor, Regulatory Policy Advocate

DATE: April 12, 2016

RE: CSI Review – 2015 Chapter 20 (OAC 4715-20-03)

On behalf of Lt. Governor Mary Taylor, and 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 Agency as provided for in ORC 107.54.

Analysis

The proposed rule package consists of one amended rule being reviewed by the Ohio State Dental Board pursuant to the five-year review requirement in statute. The rule package was submitted to the CSI Office, along with 18 other proposed Dental Board packages, on December 8, 2015 and the comment period was held open through January 4, 2016. No comments were received during this time.

The proposed rule sets forth the guidelines for the disposal of sharps in the dental office. The amendment to the rule allows the Board, rather than local and state environmental agencies, to set the requirements for proper disposal of sharps in order to create uniform standards across Ohio. ORC 4715.03 requires the Board to adopt rules relating to proper handling of equipment, specifically the handling and disposal of needles and other sharp instruments, so this rule fits within that scope.

The rule was determined to be fulfilling its legislative intent by the Board's Law and Rules Review

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Committee. This committee holds open meetings throughout each calendar year and consists of eleven members from the Board, Ohio Dental Association, and Ohio Dental Hygienists' Association. The amendment gives the Board flexibility to set disposal methods by policy in a uniform manner.

The adverse impact associated with this rule is the cost of proper containers for the disposal of sharps in addition to the costs associated with handling and disposing of the sharps from the containers. No comments were received that the impacts are burdensome. The impacts are necessary to ensure the continued health and safety of dental personnel and their offices to stop the spread of diseases and contamination that could result from improper disposal of sharps.

Therefore, after reviewing the proposed rule, the CSI Office has determined the purpose of the rule is justified.

Recommendations

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio State Dental Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.