

2025 ANNUAL REPORT

COMMON SENSE INITIATIVE

Ohio™ Common Sense Initiative



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Executive Summary

CSI Mission

Ohio's Common Sense Initiative (CSI) is established in Chapter 107 of the Ohio Revised Code. CSI reviews new and existing state government rules through the lens of their impact on business growth and job creation.

In doing so, CSI provides businesses a seat at the table when rules are being drafted to ensure that Ohio's job creators and economic drivers remain a priority. CSI's mission is to make Ohio the most business and job-friendly state in the Midwest by filtering out frivolous, duplicative, and outdated laws and rules that have not caught up with the speed of business and advancing technology. CSI furthers the DeWine-Tressel Administration's commitment to a robust review of regulations to eliminate unjustified, bureaucratic barriers to employment that make it harder for qualified, skilled workers to find jobs.

CSI accomplishes this mission by:

- Reviewing rules for their impact on business
- Leading initiatives to improve Ohio's regulatory climate
- Helping businesses navigate regulatory obstacles

How Interested Parties Can Participate in the Process

Businesses, citizens, and the media can subscribe to alerts from business-impacting agencies at CSI.Ohio.gov under eNotifications, and subscribe to other agency, board, or commission email lists to receive notices of rule filings. Rule filings are also posted on CSI's Active Rule Packages page. To offer comments on rules pending before CSI, email CSIPublicComments@governor.ohio.gov.

Interested parties can also help identify areas where government hinders their ability to create jobs by submitting input to CSIOhio@governor.ohio.gov or by calling 1-855-821-8898.

Stakeholder-Driven Review Process

1. Agency meets with stakeholders and discusses plans for a new rule or plans to change an existing rule.
2. Agency considers stakeholder feedback, makes necessary changes to their proposed rules, and drafts a Business Impact Analysis (BIA).
3. CSI reviews the documentation and the public comments and determines if the rule's regulatory intent (reason for existing) justifies any adverse impact it might have on a business.
4. CSI issues a recommendation memo to the agency based on all information collected.



Supporting Job Creators and Fixing Regulations

CSI's leadership helps ensure businesses aren't negatively impacted by burdensome regulations and red tape.

2,447 Rules Reviewed since January 2025

56% of the rules have been **improved** by the CSI process!

17,076 Rules Reviewed since January 2019

55% of the rules have been **improved** by the CSI process!

541
comments solicited in 2025 from Ohio businesses and job creators to improve the state's regulations

9,870
comments received January 2019-December 2025

Ohio Department of Health: Maternity Services Graduate Medical Education Requirements

This year, the CSI Office completed a review of a rule package submitted by the Ohio Department of Health addressing hospital maternity and newborn care services. During the review of this package, stakeholders raised concerns regarding graduate medical education and fellowship opportunity requirements for pediatric or obstetrics-gynecology residencies, which are required as part of the certification process for Level III maternity units and newborn care nurseries. These level III facilities can provide services to high-risk patients and patients with more complex maternal and fetal conditions. Commenters objected that requiring the hospital to provide these opportunities on site and in person would cause some hospitals to lose their status as Level III hospitals as well as their ability to care for high-risk maternity patients, noting that some hospitals have neonatal intensive care units co-located within their hospitals that are run by separate children's hospital entities. For example, St. Elizabeth Boardman Hospital, which is the only Level III maternity units in Mahoning and Columbiana counties, would have lost its certification status, since the St. Elizabeth neonatal residency program is administered by Akron Children's Hospital. However, following conversations with the CSI Office, the Department amended the rules to allow graduate medical education to be provided through an agreement with another hospital, avoiding this unintended consequence while ensuring effective training opportunities for neonatal physician residents.

Department of Developmental Disabilities and Department of Insurance: Regulatory Streamlining and Notarization Requirements

This summer, the CSI office worked with both the Ohio Department of Insurance (ODI) and Ohio Department of Developmental Disabilities (DODD) to eliminate four notarization requirements in the biennial budget which had no benefit to public health or safety. Under previous law, individuals seeking certain certifications through DODD were required to provide proof of residency for background checks. This requirement differed significantly from other agencies and had little value since part of the Ohio Bureau of Criminal Investigation background check process includes verifying the applicant's identity and recent addresses. Similarly, CSI worked with ODI to identify multiple instances where current law required documents to be notarized unnecessarily, including applicants for managing general insurance agents and certificates of authority for health insuring corporations. These requirements were problematic as they necessitated an in-person component to the application process and prevented ODI from implementing a fully electronic process. Eliminating these unnecessary statutory requirements will save time and money and speed up the application process for all parties.

Ohio Board of Building Standards: Third Party Building Inspections Law Change

This year, CSI worked with the Ohio Board of Building Standards (BBS) to propose language adopted in the Ohio operating budget allowing for third-party building inspections. The new proposal now allows BBS to adopt rules providing local building departments with more flexibility to manage plan review and inspection requests through contracting with a third-party administrator. This new option will provide a new tool to help local governments address inspection backlogs and speed up the construction process for new economic development and housing projects across the state, by enabling the deployment of new resources and personnel in areas of particularly high demand—as well as the flexibility to do so on a temporary basis when experiencing a short-term surge in construction projects.

Ohio Department of Taxation: Unnecessary Pass-Through Entity Tax Penalties

This year, in response to a request from the Small Business Advisory Council, CSI worked with the Ohio Department of Taxation to propose new language in the state operating budget to assist small businesses. Previously, the Tax Commissioner was required to penalize Ohio small businesses who elect to file as pass through entities if they fail to make quarterly estimated payments throughout the tax year. However, many small businesses with varied incomes from year to year may not be aware until the calendar year has concluded that a pass-through entity filing status could result in a reduced federal tax liability. That issue was compounded because the Department was statutorily required to penalize pass-through entities that fail to make estimated payments, even if the small business subsequently made the full required payment prior to the tax filing deadline and the Department itself considered a penalty to be unnecessary. That issue has now been rectified through a statutory change that allows the Department to provide penalty flexibility for Ohio small businesses facing unexpected tax situations.

Ohio Department of Natural Resources: Fishing Tournament Unintended Consequences

In June, the Ohio Department of Natural Resources (ODNR) submitted a rule to CSI that proposed a new definition for fishing tournaments and a new requirement for fishing tournament organizers to obtain prior authorization from ODNR before hosting a tournament on state-owned property. The rule would have required tournaments of six or more anglers to submit information regarding participation and catches within thirty days of the completion of the tournament. During the public comment period, ODNR received comments from stakeholders that expressed concerns regarding unintended consequences the rule might have on stakeholders, including a significantly increased workload for fishing tournament staff, unintentionally classifying a small group of anglers fishing together as a fishing tournament, an overly broad impact on state waterways, and unnecessarily subjecting Ohio's fishing community to potential citations and penalties. After considering these comments, as well as input from the CSI Office, ODNR determined to withdraw the proposed rule for more consideration to avoid inadvertently impeding Ohio's beloved outdoor sport.

Ohio Environmental Protection Agency: Standardized Permitting Processes

This year, Ohio EPA finalized rules that allow for new avenues of permitting hazardous waste generating facilities. The new standardized permitting procedure would allow facilities to store waste onsite in tanks, containers, and containment buildings. The standardized permitting procedure will also reduce permit review times by 25% and could save operators up to $38,000 per permit. Furthermore, the rules established research development and demonstration (RD&D) permits, a new type of permit that would allow facilities to utilize innovative and experimental treatment technologies. This permit allows the construction and operation of new treatment technology for a one-year period, during which the efficacy and performance of the technology is monitored and assessed. These regulatory reforms ease the burden on businesses and allow Ohio businesses to be at the forefront of emerging technologies.

Ohio Chiropractic Board: Unnecessary Training Restrictions

The Ohio Chiropractic Board submitted rules to the CSI Office which set forth requirements for chiropractic licensure and supervision requirements for interns. During the CSI public comment period, the Board received comments from the Ohio State Chiropractic Association (OSCA) and the Cleveland Clinic. The comments suggested that the Board remove requirements for intern supervision that would require supervisors to always be present in the room with interns. OSCA and the Clinic stated

that requiring in-room supervision would inhibit the ability of supervisors to discern when interns are prepared for more independent interactions with patients and be more restrictive than other requirements for interns in similar fields. Following discussions between stakeholders, the Board, and CSI, the Board revised the rules to require that supervisors remain in the patient treatment area, thus ensuring that interns and supervisors have the necessary flexibility to meet patient care needs while continuing to stimulate intern independence and skill development.

Ohio Fire Marshal: Ohio Fire Code Streamlining

In March, the State Fire Marshal submitted the entirety of the Ohio Fire Code to CSI for review as part of a multiyear project to consolidate Ohio's building and fire codes. The new fire code is consolidated dramatically by referencing national fire standards found in the International Fire Code (IFC). The result is a much more streamlined iteration that enables businesses to identify Ohio-specific revisions to the IFC much more easily, while eliminating approximately 300,000 words from the Ohio Administrative Code. CSI also assisted with the technical review of these rules. For example, during early stakeholder outreach, stakeholder groups raised concerns regarding requirements that would have dramatically restricted the placement of EV charging stations at traditional gas stations, as well as their placement in parking garages. Following the engagement received during the CSI process, these requirements were removed for further consideration, thus preventing adverse unintended consequences for electric vehicle users, infrastructure, and manufacturers in Ohio. The Fire Marshal also received comments from flame effect exhibitors, who were concerned that new requirements could require assistants and cast members to be licensed in the same manner as a flame effect exhibitor, which would be costly and prohibitive for talent within the industry. These comments received as part of the CSI process resulted in additional language that allows a single licensed exhibitor to apply for a permit and oversee the show and its safety protocols, provided that the licensee stays on the site of the exhibition.

Ohio Department of Natural Resources: Industry Standards Rules

In mid-2025, the Ohio Department of Natural Resources (ODNR) submitted a rule package containing standards for the oil and gas industry. Among the standards was a new requirement from the ODNR Division of Oil and Gas Resources Management (Division) to follow the American Petroleum Institute (API) Recommended Practice (RP) 65-3, which pertains to wellbore plugging and abandonment. The Ohio Oil and Gas Association (OOGA) explained that this new requirement covered a broad spectrum of wellbore designs and geology worldwide, but it made little sense to require well plugging operations in Ohio to comply with costly international guidance specific to very different geological circumstances as ODNR's oil and gas regulations were historically designed to achieve zonal isolation in Ohio. OOGA asserted that it was more cost-effective and reasonable for the Division's rules to reflect Ohio's unique wellbore designs and geology rather than employ a model that is not customized to the unique geology in our state. After meeting with OOGA to discuss the issue, the Division agreed to remove the new requirement, thus preventing Ohio's oil and gas industry from incurring unnecessary costs when conducting operations in the state.

Pharmacy Board: Ohio Automated Rx Reporting System

In early 2025, CSI reviewed a set of rules from the Ohio Board of Pharmacy that pertained to the Ohio Automated Rx Reporting System (OARRS), which is used by pharmacies, distributors, and prescribers to report legal drug sales and transactions. The proposed revisions in the rules contained several updates to OARRS, including additional data fields that were part of the American Society for Automation in Pharmacy (ASAP) 5.0 data standard. However, multiple pharmacies and medical centers noted during the CSI public comment period that some of the new requirements would be incredibly expensive. Commenters explained that a full transition to the ASAP 5.0 data standard would necessitate implementation of costly and time-intensive pharmacy system changes, with one interested party anticipating new costs of at least $1 million just to comply with the new requirements. Furthermore, stakeholders pointed out that most of these new requirements were optional in other states. After multiple discussions with CSI and interested parties, the Board decided to remove the most burdensome of the newly proposed requirements, in addition to extending the timeline for affected businesses to implement new updates in accordance with the ASAP 5.0 data standard by six months. This action better aligned the rules with those found in other states, prevented Ohio from becoming an overly restrictive outlier, and allows our state to make changes consistent with the pace seen at the national level while still modernizing OARRS to combat the abuse and diversion of drugs.

Pharmacy Board: Remote Dispensing Pharmacies

The Ohio Board of Pharmacy submitted a new chapter of rules in 2025 regulating remote dispensing pharmacies, which are telepharmacies that operate like traditional pharmacies except that they allow for pharmacists to review and verify prescriptions remotely from host pharmacy locations. As originally proposed, the rules would have required telepharmacy systems to contain, among other things, actual images of medication bottles used to fill a prescription. Interested parties noted that this provision did not account for technological advancements in the industry that allow for more streamlined means of verifying prescriptions. As a result of this feedback, the Board implemented the ability to issue a waiver or modification of this requirement. This regulatory flexibility will allow for the incorporation of newer technologies into the telepharmacy process, which will reduce the costs of operating remote dispensing pharmacies. As a result, this will ensure greater access to healthcare in underserved areas of the state and help Ohioans get the drugs they need without having to take excessive amounts of time traveling longer distances.

Environmental Protection Agency: Credible Data Program Rules

In early 2025, CSI reviewed a rule package from the Ohio Environmental Protection Agency (Ohio EPA) establishing criteria for three levels of credible data for surface water quality monitoring and assessment, as well as establishing the necessary training and experience for individuals to submit credible data. During the CSI public comment period, an interested party recommended increasing the initial certification period for a Level 3 qualified data collector (QDC) from two years to three years. The commenter explained that the shorter two-year initial renewal window meant that it was possible for situations such as flooding or droughts to prevent QDCs from having credible data to submit, which would cause them to lose their Level 3 status. A longer three-year period, the commenter argued, could potentially help avoid these scenarios. The Ohio EPA agreed that this would be beneficial and incorporated the three-year initial certification period for Level 3 QDCs into the rules. This change will make it easier for individuals to maintain Level 3 status as a QDC and will consequently have a positive impact on increasing the information base upon which to enhance, improve, and maintain water resource quality in Ohio.

Small Business Advisory Council Prior Audit Exception

Early in 2025, a member of the Small Business Advisory Council (SBAC) brought an issue to CSI's attention regarding audits conducted by the Ohio Department of Job and Family Services (Ohio JFS). The SBAC member described how he and many of his clients would often undergo audits by Ohio JFS for an issue that had previously been checked and passed by another state agency or the federal Internal Revenue Service. He explained that such audits were unnecessary and took valuable amounts of time. CSI subsequently met with Ohio JFS to discuss this problem. In the aftermath of this meeting, Ohio JFS implemented policy changes to recognize prior audits conducted by other government agencies in the same topical area from within the previous five years. Ohio JFS pointed out that this adjustment should help its auditors in the field by making their work more efficient, in addition to helping small businesses avoid spending time on issues that have already been recently covered.



Small Business Advisory Council

The Small Business Advisory Council advises on government rules and regulations and helps identify those that place unnecessary burdens on Ohio's job creators.

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Montgomery County



William Bishop
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Doug Johnson
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2025 Annual Report

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