Week in Regulation

$1.8 Billion in New Regulatory Costs

SAM BATKINS | FEBRUARY 8, 2016

Two Affordable Care Act (ACA) rules pushed regulatory costs above $1.8 billion this week. Annualized burdens were $541 million, with no benefit figures; paperwork accelerated by 4.6 million hours. A transportation safety regulation led the week. **The per capita regulatory burden for 2016 is $70**.

REGULATORY TOPLINES

- New Proposed Rules: 39
- New Final Rules: 58
- 2016 Total Pages of Regulation: 6,410
- 2016 Final Rules: $18.1 Billion
- 2016 Proposed Rules: $4.5 Billion

The American Action Forum (AAF) has catalogued regulations according to their codification in the Code of Federal Regulations (CFR). The CFR is organized into 50 titles, with each title corresponding to an industry or part of government. This snapshot will help to determine which sectors of the economy receive the highest number of regulatory actions.

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The Department of Transportation (DOT) proposed a rule to require public transportation authorities to implement safety management plans. In addition, local agencies must certify to DOT that their plans contain: 1) safety management policy, 2) safety risk management, 3) safety assurances, and 4) safety promotion. Long-term costs for the proposal could exceed $1.4 billion, with more than 1.2 million paperwork burden hours.

AFFORDABLE CARE ACT

There were two notable ACA rules this week. A final rule for “Covered Outpatient Drugs,” which has been planned since the fall of 2010, contains $330 million in new annual costs, in addition to 3.1 million hours of paperwork. The 189-page rule regulates drug pricing, confidentiality, rebate payments, and requirements for states.

The administration also finalized “face-to-face” provisions under the ACA. The rule would require health care

providers to document face-to-face encounters with Medicaid recipients when delivering health services. The rule imposes $23 million in annual costs and 190,000 paperwork burden hours.

Since passage, based on total lifetime costs of the regulations, the Affordable Care Act has imposed costs of $50.1 billion in state and private-sector burdens and 177.9 million annual paperwork hours (167 million from final rules).

DODD-FRANK

Click here to view the total estimated revised costs from Dodd-Frank; since passage, the legislation has produced more than 76.6 million paperwork burden hours and imposed $39.3 billion in direct compliance costs.

A NOTE ON PAPERWORK

The Office of Management and Budget approved 58 paperwork requirements, decreasing the paperwork burden hour by 423,831 hours. There were no major changes to existing paperwork requirements (defined as an hourly burden increase or decrease of 500,000 or greater).

The largest increase in paperwork burden hours imposed by an information collection requirement (ICR) was 374,021 hours from the Federal Reserve. The largest decrease in paperwork burden hours imposed by an ICR was 87,076 hours from the Federal Communications Commission.

TOTAL BURDENS

Since January 1, the federal government has published $22.6 billion in compliance costs ($18.1 billion in final rules) and has imposed 5.5 million in net paperwork burden hours (3.8 million from final rules). Click below for the latest Reg Rodeo findings.

