

Rule Summary and Fiscal Analysis (Part A)**Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board**

Agency Name

Division

Jeffrey M. Rosa

Contact

**77 South High Street 16th Floor Columbus OH
43215-6108**

Agency Mailing Address (Plus Zip)

614-466-3774

Phone

614-995-0816

Fax

4755-23-08

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Continuing education.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB403**General Assembly: **126**Sponsor: **Fessler**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **4755.52**

5. Statute(s) the rule, as filed, amplifies or implements: **4755.46, 4755.47, 4755.51, 4755.511, 4755.52, 4755.53**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

To update cross references to Revised Code sections as a result of H.B. 403 and to eliminate references to the old CE reporting period.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The proposed changes update the statutory citations contained in the rule as a result of changes contained in H.B. 403. In addition, reference to the previous continuing education reporting period was removed. Under the current rule, the CE reporting period lasts from January 1 to December 31. The amendment to the rule changes the CE reporting period to mirror the renewal cycle, which lasts from February 1 to January 31.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date: **4/1/2010**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required:

the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase/decrease** either **revenues/ expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will decrease revenues.

\$2,000.00

Due to the CE reporting period ending one month prior to the expiration date of the license, each renewal year, about 10 licensees were forced to reinstate their license due to failure to complete the mandatory continuing education within the appropriate time period. The current reinstatement application fee is \$100.00

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Fund 4K90, line item 890-609.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

As a result of the proposed change, there should be no cost of compliance to the majority of licensees. In addition, a small number of licensees will face a potential decrease in expenditures since they would not be required to submit a reinstatement application.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**