

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4755-23-08

Rule Type: Amendment

Rule Title/Tagline: Continuing education.

Agency Name: Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 4/1/2020
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 290 - 131 - Sprague, Anielski
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4755.02
5. **What statute(s) does the rule implement or amplify?** 4755.46, 4755.47, 4755.51, 4755.511, 4755.52
6. **What are the reasons for proposing the rule?**

To comply with law requiring certain volunteer work to count as continuing education and to implement a jurisprudence/ethics module to be taken as continuing education for physical therapists and physical therapist assistants.

- 7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule details the continuing education requirements that must be met to be in compliance with license renewal requirements every two years. The changes implement House Bill 290 from the 131st General Assembly, which permits licensees to provide volunteer services to an indigent and uninsured person in certain settings in order to fulfill a portion of their continuing education requirement. Another change adopts a "jurisprudence" test to be taken every two years, initially as an optional component of license renewal, and then a requirement. The jurisprudence activity tests a license holder's knowledge of current laws and rules. Another change allows specialty certifications to count toward continuing education.

- 8. Does the rule incorporate material by reference? No**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Correcting a typo in the hearing notice

II. Fiscal Analysis

- 11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

\$0

Not Applicable

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Most continuing education has a cost for the course. Costs vary. Continuing education providers vary greatly in their offerings. Volunteer CE should have no cost. The new jurisprudence module will have a cost, but it is also planned to count for two hours of continuing education, and the cost will be less than the average continuing education course.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

III. Common Sense Initiative (CSI) Questions

15. **Was this rule filed with the Common Sense Initiative Office? Yes**
16. **Does this rule have an adverse impact on business? Yes**

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

A license is required to practice physical therapy in the state of Ohio.

- B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes**

Failure to comply with continuing education requirements may result in action taken on a person's license.

- C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

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