

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? 4/1/2025
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4755.411
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 reduce the continuing education requirements for recently reinstated licenses and make other clarification updates.
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. Changes to this rule include:

1. A restatement of the statutory exemption from continuing education requirements for first time renewals. (ORC 4755.51 and 4755.511)
2. Continuing education requirements for a license reinstated for twelve months or less are reduced by half. Reinstatements must show full compliance with continuing education in order to make the license active again. Requiring an additional full continuing education requirement with less than a year left before renewal is burdensome. This change is intended to reduce that burden.
3. Restates the statutory allowance for ten hours of continuing education for a published article or book, per renewal period.
4. Allows for six hours of continuing education for Hand Therapy Certification Commission recertification in the year that it occurs.

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. 121.75, 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.**

Corrected the ORC cite granting rule making authority.

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

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?

- a. Continuing education requirements impact all physical therapists and physical therapist assistants. Secondarily impacted are their employers who sometimes help cover CE costs and time.
- b. Most continuing education has a cost for the course. Costs vary. Continuing education providers vary greatly in their offerings.
- c. Continuing education probably costs most license holders several hundred dollars a year.

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

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

There is a fee for approval of continuing education, which is administered by the Ohio Physical Therapy Association.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. 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 per ORC 4755.40.

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 complete continuing education requirements may result in discipline of a license.

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

If audited, a licensee must show proof of continuing education completion, which may take various forms.

- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

- A. How many new regulatory restrictions do you propose adding?

Not Applicable

- B. How many existing regulatory restrictions do you propose removing?

Not Applicable