

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4755-23-16

Rule Type: New

Rule Title/Tagline: Physical Therapy Compact privileges.

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?
2. Is this rule the result of recent legislation? Yes
 - A. If so, what is the bill number, General Assembly and Sponsor? SB 5 - 134 - Roegner, Blessing
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4755.57
5. What statute(s) does the rule implement or amplify? 4755.57
6. What are the reasons for proposing the rule?

Senate Bill 5
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

These rules implement Senate Bill 5, the Physical Therapy Licensure Compact, which will be effective on June 30, 2021. Senate Bill 5 will allow physical therapists (PTs) and

physical therapist assistants (PTAs) who live in a state that is also a member of this interstate compact to apply for a privilege to practice in Ohio through the PT Compact – <http://ptcompact.org>. Ohio PTs and PTAs will also be able to apply for a privilege to practice in another compact state through this legislation. The intent is to ease access to the ability to practice across state lines without sacrificing licensure qualifications and standards or the regulatory board's ability to enforce state law.

The Board has determined two rules are necessary to implement the compact:

1. 4755-23-16 – Physical Therapy Compact privileges – This rule will require the PT Section of the board to comply with the laws and rules of the PT Compact Commission. The rule will also require any applicants for a PT Compact privilege to take the Ohio Jurisprudence Assessment Module in order to familiarize them with Ohio's PT practice act which will govern their practice while they are working in the state of Ohio.

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.**

Changed public hearing date

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 increase expenditures.

\$5000

There will be a one time cost of implementation of the compact due to changes needed to eLicense Ohio.

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

The cost to take the jurisprudence assessment module is \$48. This covers the creation of the content, upkeep, and administration of the module. The board feels strongly

that the module is a way to help educate holders of a privilege to practice in Ohio about the Ohio PT practice act.

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.**

Not Applicable.

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. This rule implements an alternative regulation to allow individuals to practice with a compact privilege instead.

- 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**

Violations of the physical therapy practice act may result in discipline.

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

The cost to take the jurisprudence assessment module is \$48. The applicant will also have to provide certain information to the PT Compact. Finally, the OTPTAT Board will participate in an information exchange with the PT Compact for the purposes of issuing compact privileges.

- 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