

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4755-24-01

Rule Type: New

Rule Title/Tagline: Physical Therapy Compact Privilege fee.

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:

4755-24-01 – Physical Therapy Compact Privilege fee – This rule will implement a state fee of \$50 for obtaining a privilege to practice 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.

Not Applicable

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 decrease revenues.

unknown

When the compact is implemented, fewer people will apply for licensure by endorsement (\$100 fee) and more people will apply for a compact privilege (\$50), so there is a net loss of revenue of \$50 for each applicant.

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.**

The state level fee is proposed to be \$50. Individuals who apply for a privilege to practice in Ohio would otherwise be apply for licensure by endorsement and pay a \$100 fee. The \$50 fee would partially recoup this lost revenue and cover administrative costs of the board for the administration of the privilege.

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. These rules implement a new pathway to practice in Ohio through a compact privilege, which is faster to obtain.
 - 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**

A compact privilege holder must comply with the physical therapy practice act. Violations may result in discipline.
 - C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

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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.

- 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