

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

Agency Name

Division

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4755-3-05

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Escrow of license; restoration.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

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: **4755.06**

5. Statute(s) the rule, as filed, amplifies or implements: **4755.07, 4755.08**

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

The first reason for proposing this rule is to standardize the order of the additional requirements that might be required for applicants out of practice for more than five years that are contained in rules 4755-3-01, 4755-3-05, and 4755-3-12. The other reason is to limit the length of time that a licensee may keep a license in escrow status.

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 to the re-entry requirements do not alter the additional requirements that might be required for applicants seeking to restore an escrowed license who have been out of practice for more than five years. All the proposed changes do is reorder the additional requirements. The list of additional requirements contained in rules 4755-3-01, 4755-3-05, and 4755-3-12 will be reordered to be the same in all three rules.

The Board is also proposing to limit the length of time that a licensee may keep a license in escrow status. Under the proposal, a licensee can renew in escrow status for no more than two consecutive renewal periods. At the time of the third renewal period, the licensee would either be required to restore the license into active status or let the license expire. If the licensee lets the license expire, they would be required to follow the reinstatement procedures outlined in rule 4755-3-12 prior to returning to active practice in Ohio.

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: **12/6/2011**

(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 have no impact on revenues or expenditures.

\$0.00

In FYs 2010 and 2011, a total of 300 individuals paid the \$20 escrow renewal fee. It is unclear how many renewal cycles these 300 individuals have renewed in escrow status. If all 300 were prohibited from renewing in escrow and chose to let their license expire, the Board would have a decrease in revenues of \$6,000. However, if these individuals elected to restore their escrowed license, they would submit the \$80 restoration fee, which could increase net revenue up to \$18,000. Finally, if some let their license expire and subsequently applied to reinstate their expired license, the Board would have an increase in revenues of \$100 for every reinstatement application.

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

ALI 890609 (Fund 4K90)

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:

Licensees who renew an escrowed license pay a \$20 biennial escrow renewal fee. By comparison, those renewing an active license pay a biennial renewal fee of \$80 (and must complete continuing education). After two consecutive escrow renewals, an individual who have 2 options: (1) let the license expire by not submitting the

\$20 fee; or (2) submit a restoration application along with the \$80 fee.

If the individual lets the license expire and decides to return to practice at a future point in time, the individual would apply to reinstate the license and submit the \$100 reinstatement fee.

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**