

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4755-3-05

Rule Type: Amendment

Rule Title/Tagline: Escrow of license; restoration.

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?** Yes
 - A. **What is the rule's five year review date?** 12/20/2018
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?** 4755.06
5. **What statute(s) does the rule implement or amplify?** 4755.07
6. **What are the reasons for proposing the rule?**

The Board is proposing to eliminate the option to place a license in escrow (inactive) status for a period of time.

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

These rules detail the process to put a license in escrow for a period of time. Escrow is a status that is inactive – a person cannot practice with their license in escrow. It is available to

occupational therapists and occupational therapy assistants. A person may renew their license in escrow up to three times for a lesser fee than a regular renewal and without having to meet continuing education requirements. These rules detail how to put a license in escrow, restore it from escrow, the fee required to place a license in escrow, and to restore from escrow.

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.**

Not Applicable

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 decrease revenues.

less than \$1,000 annually

Currently there are 134 licenses in escrow that have been placed in that status over the past five years. Instead of placing a license in escrow, a person would simply allow their license to go inactive. Assuming they all choose to do so, the Board would annually lose the \$20 escrow revenue for approximately 30 licenses a year.

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

The rule is cost neutral. The cost of compliance with this rule is that a license holder pays \$20 to place a license in escrow and \$80 to restore the license from escrow.

In the future, the recommended process would be to forfeit the escrow status, saving the license holder the \$20 to renew the license in escrow (up to three times for \$60). The reinstatement fee would be \$100 instead of \$80. Essentially, this change is cost neutral from a fee standpoint.

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

By law, a license is required to practice occupational 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

Practicing without an active license may result in discipline from the Board.
 - C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes

An application is required to remove a license from escrow and reinstate it. A fee is also required, as described above.