

**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:

To add to administrative rules the current board policy regarding abandonment of applications that are more than one year old and to add deadlines regarding submission of a restoration application.

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 amendment states that any application that remains incomplete one

year after the initial application filing will be deemed to be abandoned. In addition, if the board elects to keep the application open for more than one year, the board may require updated information that was previously submitted by the applicant. The proposal also states that an individual may not withdraw an application without approval by the board. This provision would prevent an individual from withdrawing the application if they realized that the board was going to deny the application. The formal denial of the application is often used by another state board when determining whether to discipline a licensee or deny an application for licensure.

The proposal also enacts current board policy regarding timing of restoration applications. Under the proposal, if an escrowed license is restored between January 1 and March 31 of the renewal year, the restored license will expire on that June 30. If the license is restored in the month of April of the renewal year, the restored license will expire on the June 30 of the following expiration year. The amendment also clarifies that if a completed restoration application is not received by April 30 of the renewal year, the individual must renew in escrow and the restoration application will be reviewed by the Board after June 30, which is at the completion of the renewal cycle.

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:

The revised rule fixes a typographical error in paragraph (F)(1).

12. 119.032 Rule Review Date: **12/13/2010**

(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

Not applicable.

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

Not applicable.

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:

Each year, the board, by policy, closes 30-40 applications that are more than one year old. If these people subsequently decide to pursue licensure, they would be required to submit a new application along with the application fee. The current application fee for an initial license is \$100. In addition, if the file is kept open longer than one year with the Board's permission, the individual might need to resubmit documentation that was previously submitted (e.g.: verification of

licensure from another state). There might be costs associate with resubmitting these documents. In addition, there are about 10 individuals each year that do not submit the completed restoration application by the April 30 date. Those individuals would need to submit the \$20 escrow renewal fee in addition to the \$80 restoration 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**