

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4755-63-15

**Rule Type:** New

**Rule Title/Tagline:** Unique and exceptional qualifications.

**Agency Name:** Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

**Division:**

**Address:** 77 South High St. 16th floor Columbus OH 43215-6108

**Contact:** Missy Anthony **Phone:** 614-466-3474

**Email:** missy.anthony@otptat.ohio.gov

#### 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 68 - 133 - Williams
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4779.08 (A)(17)
5. **What statute(s) does the rule implement or amplify?** 4779.08, 4779.10, 4779.11, 4779.12, 4779.17, 4779.18
6. **What are the reasons for proposing the rule?**

This rule implements Senate Bill 68, which allows the Board to establish unique and exceptional qualifications for licensure for orthotics and prosthetics. This is an effort to allow licensure for individuals who have been practicing in another state for many years but do not qualify under Ohio's licensure law because they do not and cannot meet the residency requirement. In this case, years of experience and reference

documents may be taken into account. These rules are modeled from similar efforts in other states, including Texas in particular.

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

This rule requires a person who does not have a residency from NCOPE in the area of orthotics and prosthetics to meet an alternative standard for licensure that requires 15 years of orthotic or prosthetic experience plus either 50 or 70 hours of continuing education within the past five years, depending on the license for which they are applying.

OR

They may submit proof of two years of the last five experience within orthotics and prosthetics under supervision of a licensed orthotist or prosthetist.

An applicant must also submit letters of recommendation and proof of unrestricted certification.

**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 increase revenues.

\$300

We expect a handful of additional licensure applications as a result of these changed requirements. Licenses cost \$100 to apply.

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

\$100 fee plus the cost for time of completing the application.

- 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 \$100 fee is in line with all other applications and covers the cost of evaluating the application.

### **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**

Yes, a license is required by Ohio law to practice orthotics and prosthetics in 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**

Failure to have a license could result in discipline.

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

\$100 application fee.

- 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**

If an employer chooses to assist with these costs to an individual licensee, it could be an adverse impact.

**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