

**Rule Summary and Fiscal Analysis (Part A)****State Board of Orthotics, Prosthetics, and Pedorthics**

Agency Name

Division

**Mark B. Levy**

Contact

**77 S. High St. 18th Floor Columbus OH 43215-0000**

Agency Mailing Address (Plus Zip)

**614-466-1157**

Phone

**614-387-7347**

Fax

**mark.levy@opp.ohio.gov**

Email

**4779-12-01**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Fees.****RULE SUMMARY**

1. Is the rule being filed for five year review (FYR)? **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: **4779.08**
5. Statute(s) the rule, as filed, amplifies or implements: **4779.09, 4779.10, 4779.11, 4779.12, 4779.13, 4779.17, 4779.18**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule underwent a major revision by rescission-promulgate new for the version effective 09.01.2015. These changes represent refinements for the current configuration.
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:

These are changes to the parameters within which the Board must operate when assigning fees. One change provides that the cost of a license to be issued or upgraded should not exceed the cost of a license to be renewed; another, that the cost to renew a combined license type should not exceed the cost to renew same/similar professional credentials when held as separate licenses. Unchanged is the language that allows the Board to set fees by formal board action with requirements for prior notice and publication to the website with at least a 60-day window for stakeholder input.

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. If applicable, indicate each specific paragraph of the rule that has been modified:

*Not Applicable.*

12. Five Year Review (FYR) Date: **8/29/2016**

(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.

n/a

n/a

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

n/a

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:

This rule language sets limits and provides parameters for Board action in adjusting fees, but no specific fee amounts are imposed by the rule language itself. Current Board approved fee schedule is as follows:

Initial License Application # All Types # Full - \$150

Initial License Application # All Types # TEMP - \$150

Annual License Renewal # All Types # Full - \$400

One-time License Renewal # All Types # TEMP - \$400

Late Fee # License Renewal - \$200

Late Fee # OPPCE - \$200

License Upgrade # TEMP > Full - \$100

License Consolidate # LO or LP > LPO - \$100

License Issuance - \$100

New OPPCE Activity Review - \$ 50

Certified license verification OR Replace wall certificate - \$ 25

Fine, per violation - \$250

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**

**S.B. 2 (129th General Assembly) Questions**

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

The rule itself does not require a license, but is an administrative rule governing fee processes for an occupational licensing statute

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? **No**

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

These are changes to the language describing the parameters within which the Board must operate when assigning fees.