

**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.b.levy@exchange.state.oh.us**

Email

**4779-6-01**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Temporary license application procedure.****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: **4779.08**

5. Statute(s) the rule, as filed, amplifies or implements: **4779.18**

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

5-year rule review; updating per incorporation by reference requirements of RC 121.72. The rule language specifies the administrative procedures governing submission of an application for a temporary license in accordance with provisions of RC 4779.18.

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:

Provides direct reference to form title, revision date, and URL location on the agency website; references newly approved, updated application forms. The rule language specifies the administrative procedures governing submission of an application for a temporary license in accordance with provisions of RC 4779.18.

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:

text is incorporated by reference with specific form name, date reference, agency URL

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:

text is incorporated by reference with specific form name, date reference, agency URL

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:

Internal review determined an incorrect version of the application form referenced in the rule at (A)(1)(a) designated as "application for licensure in orthotics and/or prosthetics 2013 revision" with document identification as "O-P.App.2013" had been mistakenly uploaded. Page 6 of the form contained extraneous language not specific to the target license type and is corrected on the new form submitted.

12. 119.032 Rule Review Date: 3/20/2013

(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

Will not increase nor decrease incident of application submission.

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:

Temporary License application fee is \$150.

Pre-exam educational costs and requirements vary by profession.

Educational level for entrance established by governing statute.

Pedorthic pre-exam educational costs range from \$3000 - \$5000.

Orthotic and Prosthetic applicants must have minimum of a Bachelors' degree, plus post-grad curriculum unless degree is in O&P. Post-BA/BS costs can range from \$25K - \$45K.

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? **Yes**

The rule language sets forth the administrative procedure for an application for a license prescribed by RC 4779.18

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**

Denial of license.

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

An application form requires submission of a fee, data and documentation.