

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

Agency Name

Division

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**4779-8-01**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Renewal of license.****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? **Yes**

Bill Number: **HB98**General Assembly: **130**Sponsor: **Gonzales,  
Retherford**

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, 5903.10**

5. Statute(s) the rule, as filed, amplifies or implements: **4779.15, 4779.20, 4779.23, 4779.24, 4779.99**

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

Compliance with requirements of HB 98 of 130th GA.

Providing accomodation and waiver of late fees for active military and veterans regarding license renewal.

Since the rule language came up for review, also including housekeeping updates, including:

(a) the option for the Board to eliminate the expense of printing and mailing license cards if the licensing system utilized by the state of Ohio can provide a virtual/printable license card document on demand.

(b) language bringing the rule into compliance with the Incorporation by Reference requirement.

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 Rule governs license renewal processes.

The updates:

(a) waive renewal late fee penalty for qualifying licensees

(b) allows the Board to provide a virtual/printable license card as alternative to hard copy

(c) brings the rule language into compliance with Incorporation by Reference requirements

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:

The text incorporates a form by reference and provides specific directory information to locate the form.

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:

The text incorporates a form by reference and provides specific directory information to locate the form.

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. 119.032 Rule Review Date: **3/17/2014**

(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.

00.00

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:

License application fee of \$125-\$150; private testing agency testing fee of \$250; costs of producing, reproducing and providing documentation supporting allowances.

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 based on the rule; the rule language governs license renewal.

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**

The rule language prescribes a late renewal penalty, but the proposed amendment allows for a waiver of the penalty if appropriate application and documentation is supplied.

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

Documentation is required to support application for the accomodation.