

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 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: **4779.15, 4779.20, 4779.23, 4779.24, 4779.99**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

To align administrative process language with new online application processing platform.
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 language governs procedures regarding license renewal. The following process changes are addressed:

- (1) Establishes licensee responsibility to notify the Board of a change in contact information within 30 days of the change;
- (2) eliminates language requiring a late charge to be set at 50% of the payment due amount; fees are set pursuant to the fee schedule established in 4779-12-01;
- (3) reinforces the move away from production of paper documents to virtual and online-sourced data points;
- (4) specifies that a license status changes from Active to Inactive if the expiration date passes without a renewal payment being recorded, and sets a 30 day limit to the allowance for a practitioner to continue to practice with an expired license;
- (5) provides that the Board can require an update to Continuing Education for an applicant seeking to reinstate a lapsed or expired license.

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 does not establish renewal cost, only process. Costs are established pursuant to the language of OAC 4779-12-01 and by the fee schedule approved by the Board and posted to the website in accordance with the requirements of 4779-12-01.

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 does not itself require attaining a license not already held, but the language governs the license renewal process.

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**

The rule does not itself impose a criminal penalty, a civil penalty, or another sanction, but the language governs the license renewal process which includes provisions for assessing a late fee for late compliance.

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

The language governs the license renewal process which entails payment of a fee as set by rule 4779-12-01 and board policy, and the license renewal process requires the confirmation, updating and reporting of data and can require submission of documentation.