

**MEMORANDUM**

TO: Jeffrey M. Rosa, Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

FROM: Meredith Rockwell, Regulatory Policy Advocate

DATE: January 28, 2013

RE: **CSI Review – 2013 Occupational Therapists Fees – No Change**
(OAC 4755-5-03; 4755-5-04; 4755-5-05; 4755-5-07; 4755-5-08; 4755-5-09; 4755-5-10)

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of seven no-change proposed rules being reviewed under the five-year review requirement of ORC 119.032. The rules concern various fees charged to occupational therapists regulated by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. The rules create fees for escrowing a license, restoring an escrowed license, obtaining a duplicate wall certificate, verifying an Ohio license to another state, reinstating an expired license, and renewing an existing license. One of the proposed rules allows the Board to grant waivers of the fees in cases of undue hardship, including, but not limited to, natural disasters and acts of terrorism. The Board states in the BIA that these fees allow the Board to ensure it has the appropriate resources to carry out the mission of protecting consumers of athletic training

services. The Board conducts long-range forecasting of revenues and expenditures to determine appropriate fee amounts.

The Board received one request during early stakeholder outreach to eliminate or reduce the renewal fee. The commenter specifically requested a one-time “forever” license. The Board rejected this comment, as the renewal fee is necessary to sustain the Board’s licensing activities. The Board staff stated in a conversation with this office, though, that they continue to examine the fees, and if a surplus is ever projected in the forecasting, the Board will move to lower the fees. No comments were received during the comment period during the CSI process.

The fees set by the rules are as follows: the fee to escrow a license is \$20; the fee to restore an escrowed license is \$80; the fee for a duplicate wall certificate is \$10; the fee for licensees requesting license verification to another state is \$15; the fee to renew a license is \$80; and the fee to reinstate an expired license is \$100. Again, the Board states that the fees are necessary to cover operational costs, which helps the Board carry out the mission of protecting consumers of occupational therapy services, and OAC 4755-5-10 does allow for a waiver of the fees for cases of undue hardship. The rule does not state a specific method for obtaining the waiver.

Recommendations

For the reasons explained above this office does not have any recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor’s Office