

**MEMORANDUM**

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

**FROM:** Meredith Rockwell, Regulatory Policy Advocate

**DATE:** January 22, 2013

**RE:** **CSI Review – 2013 Occupational Therapist Fee Changes (OAC 4755-5-01; 4755-5-06)**

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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 two amended rules from the Occupational Therapy, Physical Therapy, and Athletic Trainers Board. The first rule specifies the initial licensure fee for occupational therapists and occupational therapy assistants, which is not to exceed \$100. The waiver of one-third of the fee for applicants who apply after April is removed in the proposed rule. The second rule establishes the fee for obtaining a list of licensed occupational therapists and/or occupational therapy assistants. The rule is being amended to reflect a change to Treasurer of State deposit rules regarding how payments should be directed.

Although the BIA is brief in discussing the removal of the fee waiver, the Board explained the removal to the CSI Office in a follow-up conversation. Although the rule would allow for the waiver of one-third of the initial licensure fee for an applicant who applies after April 1, the

Board stated that the waiver was never used in practice. Therefore, the Board found the language unnecessary and erroneous and decided to remove it from the proposed rule.

The Board did not received any comments on this package during early stakeholder outreach. Additionally, no comments were received during the comment period with this office.

The adverse impacts created by these rules are the fees - \$100 for initial licensure and the cost of duplication and mailing for the list of licensees. The Board states in the BIA that there is no fee for obtaining the list of licensees electronically, and most requestors choose to receive the list in that manner. The Board states the fees are justified to cover operational costs. That revenue allows the Board to ensure it has the resources to carry out its statutory mission.

### **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