

**MEMORANDUM**

**TO:** Jeff Rosa, Executive Director, Ohio OTPTAT Board

**FROM:** Mark Hamlin, Director of Regulatory Policy

**DATE:** November 8, 2013

**RE:** **CSI Review – 2014 PT No Change Chapter 27 (OAC 4755-27-01; 4755-27-02; 4755-27-03; 4755-27-04; 4755-27-05; 4755-27-06; 4755-27-07)**

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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 seven rules being proposed by the Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers (OTPTAT) Board. OAC Chapter 4755-27 has been reviewed under the five-year review requirement of ORC 119.032 and all seven rules are being proposed with no changes. The rules outline professional standards for a physical therapist or physical therapy assistant licensed by the Board, including scope of practice, supervision, delegation, use of initials, and documentation requirements. No comments were submitted on these rules during the CSI review period.

Because the rules outline professional standards for the OTPTAT Board's licensees, the rules are fairly prescriptive and the BIA submitted by the Board identifies the adverse impact as the potential sanctions for violation of the terms of the rules. The sanctions range from written reprimands to monetary fines, and can include suspension or revocation of a license. Ultimately, the Board notes that its role is to protect the public and the rules are intended to "ensure that consumers of physical therapy services receive safe and competent services from the Board's licensees." No comments were submitted suggesting that the Board's rules were overly

burdensome or created unnecessary obstacles. As such, the CSI Office agrees that the purpose of the rules justifies the adverse impact to businesses.

### **Recommendations**

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

### **Conclusion**

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