

**MEMORANDUM**

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

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

**DATE:** November 8, 2013

**RE:** **CSI Review – 2014 AT License Changes (OAC 4755-43-04; 4755-43-05; 4755-43-06; and 4755-45-01)**

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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 four rules being proposed by the Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers (OTPTAT) Board related to licensure of athletic trainers. Three of the rules are existing rules that have been reviewed under the five-year review requirement of ORC 119.032 and are being proposed with no changes. Rule number 4755-43-05 is a new rule which creates a pathway for temporary licensure for the spouse of a member of the military who is stationed in Ohio. One comment was submitted on these rules during the CSI review period, generally expressing support for the rules and making one technical suggestion which was incorporated into OAC 4755-43-04.

The BIA submitted by the Board identifies the adverse impacts as the education requirements for licensure contained in 4755-43-04, the fee and information submittals required for the temporary license created in 4755-43-05, the fee requirements for reinstatement and renewal of a license, and continuing education required of licensees. The BIA notes that one of the core responsibilities of a licensing board is to ensure that an applicant for licensure is minimally competent to practice, so the educational and examination requirements required in these rules are critical to the Board's

mission. The temporary licensure rule creates a mechanism to ensure that military spouses have the ability to practice quickly while their applications for full licensure are pending, but also ensure that these military spouses meet the minimum standards to safely practice. 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.