

**MEMORANDUM**

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

**FROM:** Paula Steele, Regulatory Policy Advocate

**DATE:** April 15, 2014

**RE:** **CSI Review – 2014 OT Military Considerations** (OAC 4755-3-12)

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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 a single new rule being proposed by the Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers (OTPTAT) Board to implement the recently enacted House Bill 98 which requires each licensing board to adopt rules identifying substantial military equivalents for its licensing education and experience requirements. This rule package, along with one each for athletic trainers and physical therapists was submitted to the CSI Office on March 14, 2014 with the comment period ending on April 4, 2014. Three comments were received – two comments were specific to the occupational therapist rule and in favor of it, and one comment was in favor of all the new rules.

The rule defines armed forces and military veterans, and addresses eligibility for licensure, license renewals for those serving in the armed forces or a licensee whose spouse served in the armed forces, and continuing education and fee waivers for members of the armed forces. In addition, the Board was able to identify and articulate in the eligibility for licensure section of the proposed rule, the military programs of training, military primary specialties, and lengths of service that are substantially equivalent to or exceed the educational and experience requirements for licensure for occupational therapists and occupational therapy assistants.

While the proposed rule implements House Bill 98, it also captures the intent of the recommendations stemming from Executive Order 2013-05K, which are summarized in the Office of Workforce Transformation's Valuing Ohio Veterans Report as follows:

The State of Ohio recognizes veterans as a valuable, talented and skilled workforce, and to that end is committed to increasing the number of military service members and veterans living and working in Ohio.

In June of 2013, Governor John R. Kasich signed Executive Order 2013-05K to support Ohio's veterans by ensuring they are receiving the appropriate credit and credentialing for their military training and experience.

Of the comments, one included a suggestion that the U.S. Public Health Service be included in the definition of the armed services. The Board responded that subsequent to the draft of the proposed rule, the State has expanded the definition to include the U.S. Public Health Service. Therefore, the Board will revise the proposed rule(s) accordingly prior to filing with the Joint Committee on Agency Rule Review.

After reviewing the proposed rule and BIA, the CSI Office has determined that the rule package satisfactorily meets the standards espoused by the CSI Office, and the purpose of the rules justifies the adverse impact identified in the BIA.

### **Recommendations**

For the reasons described above, the CSI Office has no 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