

**MEMORANDUM**

TO: Missy Anthony, Occupational Therapy, Physical Therapy, and Athletic Trainers Board

FROM: Christopher Smyke, Regulatory Policy Advocate

DATE: December 19, 2018

RE: **CSI Review – Certificate of License, Display, and Copies (OAC 4755-3-02)**

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 Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (Board) rule package consists of one amended rule submitted for its statutorily-required five-year review. This rule package was submitted to the CSI Office on December 6, 2018 and the public comment period was open through December 16, 2018.

Ohio Administrative Code (OAC) 4755-3-02 establishes the process for an occupational therapist (OT) or OT assistant licensee to receive the physical copy of their license and how to receive additional copies. The rule also includes requirements for the display of a license at the principal place of business, as well as license verification. Amendments to the rule are non-substantive language updates and grammatical edits. The amended rule permits the ability to meet the display requirement by showing the copy available through the state's eLicense system.

The Board sought early stakeholder input from all OT and OT assistant license holders via email and the draft rule was discussed at public Board meetings. The license display change is the result of stakeholder comments on the physical therapist version of the certificate and display rules. Five

comments were received during the CSI public comment period expressing support for the rule.

The rule impacts licensed OTs and OT assistants, which there are currently 11,193 active licenses in the state. A licensee may obtain an official duplicate copy of their license for a \$10 fee. Otherwise, the cost of compliance is minimal, as the rule now offers several ways to comply with the statutory display requirement in ORC 4755.08.

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 rule 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: Emily Kaylor, Lt. Governor's Office