



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

TO: Greg Thornton, Ohio Speech and Hearing Professionals Board

FROM: Joseph Baker, Business Advocate

DATE: September 22, 2022

RE: **CSI Review – Five Year Rules Up to Review in 2022 (OAC 4747-1-15)**

On behalf of Lt. Governor Jon Husted, 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 Board as provided for in ORC 107.54.

Analysis

This Ohio Speech and Hearing Professionals Board (Board) rule package consists of one amended rule submitted as part of the statutory five-year review process. The rule package was submitted to the CSI Office on August 10, 2022, and the public comment period was open through August 19, 2022. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on August 10, 2022.

OAC 4747-1-15 prohibits licensees from engaging in fraudulent acts and outlines various activities defined as such (including representing that the hearing aid is new when it is not or will provide benefits that it will not, among others). The rule also addresses the disciplinary implications for supervisors if trainees engage in various activities defined as fraudulent by the Board. The rule is amended to remove references to good moral character requirements in accordance with House Bill 263 (133rd General Assembly).

During early stakeholder outreach, the Board notified stakeholders including the American Academy of Audiology, American Speech-Language-Hearing Association, Hearing Healthcare Alliance of

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Ohio, International Hearing Society, and the Ohio Speech and Hearing Governmental Affairs Coalition, as well as all Board licensees through its newsletter, social media outlet, and website. No comments were received from stakeholders in response to the request for feedback or during the CSI public comment period.

The business community impacted by the rules includes approximately 11,100 audiologists, hearing aid dealers and fitters, conditional speech-language pathologists, trainee permit holders and aides in Ohio. The potential adverse impact to business associated with the rule includes the potential disciplinary action taken against a licensed hearing aid dealer, hearing aid fitter, or trainee permit holder. The Board states that the adverse impact to business is justified to protect consumers from individuals who might engage in professional misconduct when assisting with hearing loss and communication disorders.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that the Board should proceed in filing the proposed rule with the Joint Committee on Agency Rule Review.