



# Common Sense Initiative

Mike DeWine, Governor  
Jon Husted, Lt. Governor

Joseph Baker, Director

## MEMORANDUM

**TO:** Gregg Thornton, Ohio Speech and Hearing Professionals Board

**FROM:** Michael Bender, Business Advocate

**DATE:** September 19, 2023

**RE:** **CSI Review – Five Year Rules – 2023 (OAC 4753-2-01, 4753-3-01, 4753-3-08, 4753-3-11, and 4753-8-04)**

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 rule package consists of five no-change rules proposed by the Ohio Speech and Hearing Professionals Board (Board) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on August 15, 2023, and the public comment period was held open through August 31, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on August 15, 2023.

Ohio Administrative Code (OAC) 4753-2-01 sets forth the requirements and guidelines for audiologists and speech-language pathologists when providing services via telehealth. OAC 4753-3-01 provides the application process for licensure as an audiologist or speech-language pathologist. OAC 4753-3-08 authorizes the Board to take disciplinary action against an applicant or licensee for unprofessional conduct or violation of any applicable law, rule, or order. OAC 4753-3-11 establishes the ability for a licensee to inactivate and later restore a license. OAC 4753-8-04 specifies what must be included on a sales receipt for a hearing aid.

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During early stakeholder outreach, the Board notified all licensees and interested parties in the fall of 2022 via its newsletter and website that it would accept public comments on the rules, which were proposed without change. The stakeholders that were notified included the American Speech-Language Hearing Association, the American Academy of Audiology, the Ohio Speech and Hearing Governmental Affairs Coalition, and the Hearing Healthcare Alliance of Ohio. The Board did not receive any issues or concerns from stakeholders. No comments were received during the CSI public comment period.

The business community impacted by the rules includes approximately 11,000 audiologists, hearing aid dealers and fitters, speech-language pathologists, conditional speech-language pathologists, aides, and trainee permits. The adverse impacts created by the rules include telehealth guidelines, obtaining licensure, processes for inactivating and restoring licensure, sales receipt requirements, and disciplinary action; these disciplinary actions may include reprimand, probation, or denial, suspension, or revocation of licensure. The Board notes that the cost to inactivate a license is \$25.00. The Board states that the adverse impacts to business are justified to protect consumers.

### **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 rules with the Joint Committee on Agency Rule Review.