

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4732-17-01

Rule Type: Amendment

Rule Title/Tagline: General rules of professional conduct pursuant to section 4732.17 of the Revised Code.

Agency Name: State Board of Psychology

Division:

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I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date? 9/1/2024
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4732.06
5. What statute(s) does the rule implement or amplify? 4732.17
6. What are the reasons for proposing the rule?

Amendment proposed to correct an error during a previous rule filing.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This is a proposal to fix a mistake. When we updated the Rules of Professional Conduct in 2018, there was a formatting error that left a rule blank when they were published. Currently, there is a blank space after (c) in OAC 4732-17-01 (C) Welfare of the client, evaluatee, and associated persons (1) Conflicts of interest. That rule was supposed

to include a prohibition against making custody recommendations when there is a child therapy client, just as (b) prohibits that when the client is an adult involved in a contested parenting time dispute. The Board had approved this same language in 2018, but it was not appropriately filed/published. This provides clear notice to license holders about prohibited conflicts of interest related to domestic relations matters, which has long been a problem.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

Not Applicable

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

Not Applicable

II. Fiscal Analysis

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

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Not Applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not Applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

The rules of professional conduct constitute the standards against which a license holder's behavior is judged.

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes

Violation of the rules of professional conduct give the Board a basis to issue disciplinary action pursuant to ORC 4732.17.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

The rules require a license holder to reply to the Board in response to communications about complaints alleging violations.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable