

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4755-23-12

**Rule Type:** Amendment

**Rule Title/Tagline:** Requirements for foreign educated applicants.

**Agency Name:** Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

**Division:**

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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 7/1/2019
2. **Is this rule the result of recent legislation?** Yes
  - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 131 - 132  
- Gavarone
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4755.411
5. **What statute(s) does the rule implement or amplify?** 4755.42, 4755.43, 4755.44, 4755.45
6. **What are the reasons for proposing the rule?**

House Bill 131 permits the Board to begin licensing foreign-trained physical therapist assistants. This rule implements that law. Also five year review.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule details the requirements to be licensed as a physical therapist or physical therapist assistant in the state of Ohio. Establishes requirements for foreign educated PTAs which must be met in order to obtain licensure. These requirements are identical to the requirements for PTs. The rule also raises the minimum score required on the Test of English as a Foreign Language exam in order to achieve licensure. This change will make Ohio's minimum required score be equivalent or higher than what will be required by the Federation of State Boards of Physical Therapy in order to take the National Physical Therapy Exam.

- 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. 121.71 to 121.76, 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.**

The PT Section decided to withdraw the changes to the minimum required TOEFL scores. These increased score requirements were based on a proposed change by the entity which provides the National Physical Therapy Examination. Those proposed changes have been withdrawn and the Section followed suit.

*10/08/2019 The change eliminates certain documents from those which are accepted to prove educational equivalence when educated in a foreign program. The documents listed are meant to be used for immigration purposes, not licensure.*

## **II. Fiscal Analysis**

- 11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will increase revenues.

\$500

It is not possible to know how many foreign trained physical therapist assistants will apply, but one can assume it will be just a few. The application fee is \$100.

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

\$100 application fee.

- 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**

### **III. Common Sense Initiative (CSI) Questions**

- 15. Was this rule filed with the Common Sense Initiative Office? No**

- 16. 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**

A license is required by law to practice physical therapy in the state of Ohio.

- 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**

Failure to comply with the rule will result in license denial.

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

\$100 application fee.