

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?** No
 - A. **What is the rule's five year review date?** 2/1/2025
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?** 4755.411
5. **What statute(s) does the rule implement or amplify?** 4755.42, 4755.421, 4755.43, 4755.431, 4755.44, 4755.441, 4755.45, 4755.451
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
 - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

Ease requirements for individuals with an international education who have already been practicing in the United States.

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

This rule details the requirements to receive initial licensure as a PT or PTA in Ohio if you have been educated internationally. This rule change clarifies three things:

1. The PT Section may accept an evaluation completed for another state if the other state's requirements for licensure were substantially equivalent to Ohio's for the same time period.
2. Allows an option for individuals who are internationally educated to request a waiver of the TOEFL requirements if they are applying for licensure after already being licensed in another state and if they meet minimum practice requirements in the United States.
3. Changes the verbiage for defining a person educated in another country from foreign-educated to internationally-educated.

- 9. Does the rule incorporate material by reference? No**
- 10. 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

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

Updated statutory references being amplified.

II. Fiscal Analysis

- 12. 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.

\$0

Not Applicable

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

Decreases costs - do not have to pay fees to take the TOEFL test.

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**
16. **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

17. **Was this rule filed with the Common Sense Initiative Office? Yes**
18. **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 to practice physical therapy in the state of Ohio according to Ohio Revised Code 4755.
 - 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 may result in denial of license application.
 - C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

Fees are required to have an international education evaluated to compare it to requirements in the United States, as well as to take the National Physical Therapy Exam, and the TOEFL, if applicable.
 - 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 Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. 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 to this rule?

Not Applicable

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

Not Applicable

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

Not Applicable

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable