

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4755-9-01

Rule Type: Amendment

Rule Title/Tagline: Continuing education.

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?** 8/2/2018
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 290 - 131 - Sprague, Anielski
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4755.06, 4745.04
5. **What statute(s) does the rule implement or amplify?** 4745.04, 4755.06, 4755.10
6. **What are the reasons for proposing the rule?**

Five year rule review and to incorporate provisions of House Bill 290 which allow for continuing education credit for volunteer work at a free clinic.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule details the continuing education requirements for occupational therapists and occupational therapy assistants. The rule was reviewed in conjunction with five year rule review and several activities were added to what can be counted as CE without prior approval by the Board. The rule also incorporates the provisions of House Bill 290 from the 131st GA which allow for CE credit for certain volunteer work. The Board chose to limit these hours. Finally, grammatical changes have been made.

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.**

Changes to the RSFA.

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 have no impact on revenues or expenditures.

\$0

The changes should not impact dollar amounts.

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

A fee of \$25 is required for CE approval by the Board. This rule broadens the activities that do not have to be approved by the Board, making it easier to comply without paying the 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? Yes**

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 to practice occupational 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 continuing education requirements could result in discipline.

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

The rule requires license holders to be subject to a continuing education audit. If randomly selected, the license holder will have to submit to the Board proof of continuing education completion.