

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:

Address: 77 South High St. 16th floor Columbus OH 43215-6108

Contact: Missy Anthony **Phone:** 614-466-3474

Email: missy.anthony@otptat.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 10/19/2023
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** SB 7 - 134 - Roegner
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, 4755.062, 4755.10
6. **What are the reasons for proposing the rule?**

Implements Senate Bill 7, which allows the Ohio Occupational Therapy Association to conduct course approvals on behalf of the OT Section of the Board. Updates the number of credits that can be received for certain activities for continuing education.

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

This rule details the activities that count as continuing education for occupational therapists and occupational therapy assistants.

1. Clarifies that completion of continuing education is not required for first time renewals.

2. Establishes a maximum number of sixteen hours for which fieldwork may count toward continuing education requirements.

3. States that proof of fieldwork as continuing education may either be the fieldwork performance evaluation tool or the school's designated evaluation tool.

4. Expands the category of mentorship for a maximum of four hours.

5. Implements Senate Bill 7, which allows the Ohio Occupational Therapy Association to conduct course approvals on behalf of the OT Section of the Board.

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.

Corrected a spelling error and clarified that the limit on fieldwork education is a limit for the renewal cycle - not a lifetime limit.

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 decrease revenues.

\$2000

This rule will reduce the number of CE approval requests received by the OTPTAT Board. Those activities will now be approved by the Ohio Occupational Therapy Association.

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

The cost of taking continuing education - time and money. Courses vary in expense. Some are free, some are costly.

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

An license is required by Ohio law to practice occupational therapy in 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 may result in discipline on a license.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

- 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