

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4755:4-1-09

Rule Type: Amendment

Rule Title/Tagline: Unique and exceptional qualifications.

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

Division: Orthotics, Prosthetics, Pedorthics

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? 10/1/2028
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? 4779.08
5. What statute(s) does the rule implement or amplify? 4779.08, 4779.10, 4779.11, 4779.12, 4779.17
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?

This rule describes a pathway to licensure in Ohio to licensure for individuals who were educated prior to the current educational framework and residency requirement, including an experiential component. Senate Bill 131, passed last General Assembly,

requires the Board to issue a license to a person who holds a substantially equivalent license in another state or who has held a private certification in a state that doesn't require licensure for the past two years.

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

Changes to this rule for licensure under unique and exceptional circumstances will allow someone who is in Ohio who has a BOC accreditation to become licensed in Ohio similar to the requirements of the new reciprocity language under SB 131 for those licensed or certified in another state. In doing so, the experiential requirements are reduced from 15 year to two, in line with SB 131.

- 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.**

Not Applicable

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?**

The cost of education in the orthotics and prosthetics professions.

- 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.

Application fees (\$100). Used to fund agency work to review the application.

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 orthotics and pedorthics according to Chapter 4779 of the ORC.
- 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
- Chapter 4779 of the ORC allows for discipline or denial of application.
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes
- \$100 application fee
- 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