

**MEMORANDUM**

TO: Amanda Ferguson, Executive Director, Ohio Chemical Dependency Professionals Board

FROM: Paula Steele, Regulatory Policy Advocate

DATE: March 18, 2014

RE: **CSI Review – Veterans Executive Order** (OAC 4758-17-01, 4758-17-02, 4758-13-05, 4758-13-01, 4758-13-02, and 4758-03-01)

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of six rules – two new and four amended – being proposed by the Ohio Chemical Dependency Professionals Board. The proposed rules implement the recently-enacted House Bill 98 which requires occupational licensing boards and commissions to adopt rules identifying substantial military equivalents for its licensing education and experience requirements. The proposed rules were submitted to the CSI Office on February 20, 2014 with the comment period ending on February 28, 2014. Seven comments were received during that time.

In the first new rule, 4758-17-01 *Evaluating Equivalence*, the Board identified eight categories in which military programs and training had substantially equivalent training and work experience for Board licensure or certification. In the second new rule, 4758-17-02 *Temporary License or Certification of Active Duty Service Member Spouses*, the Board articulates its requirements for a spouse of an active duty service member to receive a temporary license or certificate. The amended rules add language that address the scenarios in which military personnel and their

spouses are granted the renewal or restoration of a certification or license without penalty and without re-examination, and how the Board applies continuing education requirements. Finally, the rules address application fees for temporary credentials (\$25) and renewal for temporary credentials (\$50).

According to the BIA, the Board's early stakeholder outreach process resulted in suggestions that were incorporated in to the proposed rules. Of the comments received during the CSI review process, four strongly supported the new and amended rules, one comment provided a suggestion about veterans who sustain injuries or medical conditions while in the military, one comment partially supported the rule and finally, one comment expressed opposition to the new rule, 4758-17-01 *Evaluating Equivalence*. The Board responded to all comments that were not fully in support of the proposed rules to clarify and explain the Board's practice in evaluating individual cases or to explain Ohio law. Moreover, the proposed new rules and amendments are based on recommendations stemming from Executive Order 2013-05K, which are summarized in the Office of Workforce Transformation's *Valuing Ohio Veterans Report* as follows:

The State of Ohio recognizes veterans as a valuable, talented and skilled workforce, and to that end is committed to increasing the number of military service members and veterans living and working in Ohio.

In June of 2013, Governor John R. Kasich signed Executive Order 2013-05K to support Ohio's veterans by ensuring they are receiving the appropriate credit and credentialing for their military training and experience.

After reviewing the proposed rules and BIA, the CSI Office has determined that the rule package satisfactorily meets the standards espoused by the CSI Office, and the purpose of the rules justifies the adverse impact identified in the BIA.

Recommendations

For the reasons described above, the CSI Office has no recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office