



## MEMORANDUM

**TO:** Greg Thornton, Ohio Board of Speech-Language Pathology and Audiology

**FROM:** Travis Butchello, Regulatory Policy Advocate

**DATE:** September 22, 2017

**RE:** **CSI Review – Five Year Rule Review-2017 (OAC 4753-5-01, 4753-8-01, 4753-8-03, 4753-8-05, 4753-9-01, 4753-10-01, 4753-10-02, 4753-10-04 to 4753-10-06)**

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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 one amended and nine no-change rules submitted by the Ohio Board of Speech-Language Pathology and Audiology (Board) as part of the statutory five-year rule review requirement. The rule package was submitted to the CSI Office on August 30, 2017 and the public comment period was held open through September 15, 2017. No comments were received during this time.

The no-change rules establish policies and procedures for the regulation of speech-language pathologists and audiologists in Ohio. Specifically, the rules address appropriate testing procedures, code of ethics, graduate program requirements, and the sale of hearing aids and other listening devices. The amended rule specifies the applicable fees for initial and renewal applications, and eliminates the need for the Board to issue and for licensees to display a renewal card.

As part of the early stakeholder outreach process, the Board distributed the proposed rules for

public comment to all licensees and state associations in speech-language pathology and audiology. In addition, the Board posted the rule to their website and included it in their summer newsletter to solicit input from the public. The Board did not receive any feedback from licensees or other stakeholders regarding the proposed rule and no comments were received during the CSI public comment period.

The rule impacts 9,000 licensed speech-language pathologists and audiologists in the state. The Board indicates in the BIA that the no-change rules require costs for issuance and renewal of license fees, disciplinary action for non-compliance, and cost for complying for a permit. The Board further contends that there is no adverse impact for the change made to 4753-5-01 because the changes lessen the requirements. The BIA notes that the only potential adverse impact is that licensees comply with the rule. Lastly, the Board maintains in the BIA that the regulatory intent outweighs any adverse impact because the the no-change rules ensure that consumers are protected and promote the prevention, identification, and treatment of consumers with communication impairments by qualified individuals.

### **Recommendation**

For the reasons explained above, this office does not have any recommendations regarding this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio Board of Speech-Language Pathology and Audiology should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.