



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Carrie Kuruc, Director

MEMORANDUM

TO: Ronald Ross, Ohio Board of Psychology

FROM: Ethan Wittkorn, Regulatory Policy Advocate

DATE: August 30, 2019

RE: CSI Review – Psychology Board FYR Six Rules for Amendment (4732-1-03, 4732-2-01, 4732-3-01, 4732-7-01, 4732-15-01, 4732-17-01, 4732-1-01, 4732-1-02, 4732-1-04, 4732-1-05, 4732-1-06, 4732-1-07, 4732-1-08, 4732-1-09, 4732-1-10, 4732-1-11, 4732-1-12, 4732-1-13, 4732-2-02, 4732-5-01, 4732-5-02, 4732-9-01, 4732-9-01.2, 4732-9-02, 4732-9-03, 4732-9-04, 4732-9-05, 4732-9-06, 4732-11-01, 4732-11-03, 4732-13-01, 4732-13-02, 4732-13-03, 4732-13-04, 4732-17-01.1; 4732-12-02; 4732-17-03; 4732-19-01; 4732-21-01)

On behalf of Lt. Governor Jon Husted, 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 Board as provided for in ORC 107.54.

Analysis

This State Board of Psychology (Board) rule package consists of 39 (33 no change, and 6 amended) rules submitted as part of the statutory five-year review process. This rule package was submitted to the CSI Office on July 29, 2019, and the public comment period was open through August 7, 2019. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on July 29, 2019.

Amendments are proposed to rules concerning fees, continuing education compliance, definitions, licensure requirements, prohibited titles, and professional conduct. Changes include updates to payment processes to remove references to pay by check and add references to credit card payment in the eLisence portal, removing inaccurate information, updates to names and references,

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removing redundant information, and other updates for the purpose of clarification.

During the period of early stakeholder outreach, the Board created a workgroup consisting of 13 members who represent education organizations, the Ohio Psychological Association, and healthcare groups, among others. The workgroup determined by unanimous consensus that six of the proposed rules should be amended, and all other rules should continue with no changes, prompting the board to send out a request for comments to all license holders. The workgroup used comments brought forward from stakeholders to propose amendments prior to filing with CSI.

These rules impact approximately 3,500 licensed and school psychologists through time associated with adapting their daily practices to comply with the rules, compliance with education and other qualification requirements, and fees associated with the rules. Fees include a \$300 application and license fee, a \$360 (July 2016-June 2020)/\$365 (starting July 2020) biennial renewal fee, a penalty of \$250 for reinstatement of license, \$50 to retake an examination, and \$150 for a non-resident psychologist application to practice for no more than 30 days per year. All fees, excluding examination fees, are directly laid out in statute. Examination fees are not directly laid out in statute but are allowed in ORC 4732.11. Additionally, amendments to the rule include the removal of checks as a payment options and the addition of payment by credit card via e-License.

The Board justifies the proposed rules in that they will help foster compliance with the standards of care and the protection of patients and maintain well-trained psychologists.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.