



# Common Sense Initiative

Mike DeWine, *Governor*  
Jon Husted, *Lt. Governor*

Joseph Baker, *Director*

## MEMORANDUM

**TO:** Missy Anthony, Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

**FROM:** Michael Bender, Business Advocate

**DATE:** May 10, 2024

**RE:** CSI Review – No Change FYR Rules 2024 (OAC 4755-3-01, 4755-3-02, 4755-3-03, and 4755-3-05)

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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 rule package consists of four no-change rules proposed by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (Board) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on April 26, 2024, and the public comment period was held open through May 7, 2024. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on April 26, 2024.

The rules in this package specify requirements pertaining to Board licensure. Ohio Administrative Code (OAC) 4755-3-01 requires Board licensees to display proof of licensure at their principal place of business and at all locations of service delivery. OAC 4755-3-02 requires licensees to notify the Board via eLicense Ohio of any change in name, place of business, email address, or mailing address within thirty days of such change. OAC 4755-3-03 provides for the official verification of licensure by the Board. OAC 4755-3-05 requires applicants for initial licensure to submit to a criminal records

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check completed by the Ohio Bureau of Criminal Identification (BCI) with information from the Federal Bureau of Investigation (FBI).

During early stakeholder outreach, the Board sent out the rules to stakeholders on its listservs to solicit feedback. Stakeholders offered no feedback on the rules. No comments were received during the CSI public comment period.

The business community impacted by the rules includes those licensed by the Board to practice occupational therapy, physical therapy, athletic training, and orthotics, prosthetics, and pedorthics. The adverse impacts created by the rules include the costs associated with obtaining education, taking an examination, obtaining continuing education, verifying licensure, and displaying licensure. According to the Board, it costs \$47.25 for a BCI/FBI background check, \$15 for verification of licensure, and \$10 to receive a wall certificate of licensure. The Board states that the adverse impacts to business are justified to implement statutory requirements and protect the health of Ohioans.

### **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.