

**MEMORANDUM**

**TO:** Jeff Rosa, Executive Director, OTPTAT Board

**FROM:** Paula Steele, Regulatory Policy Advocate

**DATE:** February 2, 2015

**RE:** **CSI Review – Chapter 4755-23 Licensing, Examinations and Continuing Education**  
(OAC 4755-23-01 through 4755-23-17)

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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**

These Ohio Occupational Therapy, Physical Therapy, & Athletic Trainers (OTPTAT) Board rules includes seventeen proposed rules – seven amended and ten no-change – that address licensing, examinations and continuing education for physical therapists and physical therapist assistants. The proposed rules are being reviewed as part of a five-year rule review as required in Ohio statute and were submitted with two BIAs. The proposed rules were submitted to the CSI Office on December 16, 2014 with the comment period ending on January 9, 2015. No comments were received during the comment period.

The proposed rules articulate the process and requirements to obtain and maintain an Ohio license as a physical therapist or physical therapist assistant, including renewals and continuing education (CE) and CE waiver requirements. In addition, the rules address reciprocal licenses, licensing requirements of foreign-educated applicants, military provisions related to licensure and reinstatements.

According to the BIAs, the Board engaged stakeholders during the rule review process and

received one suggestion that the Board allow licensees to receive credit for CE classes approved by other state boards. The Board felt that it was important to maintain the current OTPTAT Board requirements for CE approval because of its familiarity with Ohio requirements and confidence in the Board's ability to appropriately approve CE courses for its licensees.

The CSI Office followed up with Board staff to request revised BIAs regarding the adverse impacts. While not all of the adverse impacts were identified in the BIAs, there were no substantive comments during the early stakeholder outreach process or public comment period, and the CSI Office believes any adverse impacts are of minimal significance to the Board's licensees.

Upon receipt of the revised BIAs, 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 impacts 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