



# Common Sense Initiative

Mike DeWine, Governor  
Jon Husted, Lt. Governor

Joseph Baker, Director

## MEMORANDUM

**TO:** Ronald Ross, Ohio State Board of Psychology

**FROM:** Jacob Ritzenthaler, Business Advocate

**DATE:** August 31, 2023

**RE:** **CSI Review – Implementing SB 131: Licensure by Reciprocity (OAC 4732-1-02, 4732-9-01, 4732-9-02, 4783-1-01, 4783-4-01, and 4783-4-02)**

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 Agency as provided for in ORC 107.54.

### Analysis

This rule package consists of six amended rules proposed by the Ohio State Board of Psychology (Board). This rule package was submitted to the CSI Office on August 9, 2023, and the public comment period was held open through August 18, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on August 9, 2023.

The rules in this package set forth requirements for licensure as a psychologist, school psychologist, or Certified Ohio Behavior Analyst (COBA). Ohio Administrative Code (OAC) 4732-1-02 establishes requirements for licensure applications for psychologists and school psychologists, including the required information included with an application and accompanying fees, as well as timeframes for lapsed applications. The rule is amended to include references to license reciprocity requirements that are included in OAC 4732-9-01 and 4732-9-02. OAC 4732-9-01 contains the requirements for admission to the examination for a psychologist license and is amended to update requirements for senior Canadian psychologists and to allow a psychologist independently licensed in another jurisdiction to apply for a license through reciprocity. Requirements for reciprocity include licensure in another jurisdiction for at least one year, licensure that has been granted according to

**77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117**

**CSIPublicComments@governor.ohio.gov**

certain standards, and requirements for examination completion and background check approval. OAC 4732-9-02 sets forth requirements to be admitted to the examination for a school psychologist license and is amended to include license reciprocity standards. OAC 4738-1-01 establishes the requirements to apply for certification as a COBA and includes amendments which introduce a pathway to reciprocal licensure. OAC 4738-4-01 lists the requirements for certification for COBA applicants and is amended to remove outdated requirements. OAC 4738-4-02 establishes that behavior analysts licensed in other states may be licensed as COBAs without certain certification and includes amendments to allow for reciprocity qualification through one year of behavior analyst licensure in another state.

During early stakeholder outreach, the Board sent the proposed rules to interested parties for feedback. No comments were received during that time or during the CSI public comment period.

The business community impacted by the rules includes applicants for licensure as psychologists, school psychologists, and COBAs. The adverse impacts created by the rules are primarily the time spent by applicants completing applications for licensure, which include application fees. Application fees cost \$300 for psychologists and school psychologists and \$125 for COBAs. The Board states that the adverse impacts are necessary to comply with statute and to regulate the safe practice of psychology.

### **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.