



Common Sense Initiative

Mike DeWine, *Governor*
Jim Tressel, *Lt. Governor*

Joseph Baker, *Director*

MEMORANDUM

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

FROM: Jacob Ritzenthaler, Business Advocate

DATE: May 15, 2025

RE: **CSI Review – Occupational Therapy Compact Implementation (OAC 4755:1-1-06 and 4755-4-01)**

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 one amended rule and one new rule proposed by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (Board). This rule package was submitted to the CSI Office on April 3, 2025, and the public comment period was held open through April 15, 2025. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on April 3, 2025.

Ohio Administrative Code (OAC) 4755:1-1-06 is a new rule that sets forth privileges concerning the Occupational Therapy Licensure Compact (Compact). The rule requires that applicants successfully pass the Ohio Occupational Therapy Jurisprudence Examination. OAC 4755-4-01 lists the fees established by ORC Chapter 4755 and 4779 and is amended to include an occupational therapy compact privilege fee, which is not to exceed \$50.

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

CSIPublicComments@governor.ohio.gov

During early stakeholder outreach, the Board sent the proposed rules to all license holders and the Ohio Occupational Therapy Association. One comment was received during that time, which requested clarification as to whether the Compact is required for Ohio occupational therapists, to which the Board stated that participation is optional and designed for individuals working across state lines without holding multiple licenses. During the CSI public comment period, the Board received one comment which requested clarification regarding the optional nature of the Compact, which the Board provided.

The business community impacted by the rules includes licensed occupational therapists, occupational therapist assistants, and employers. The adverse impact created by the rules includes requirements to successfully pass the examination, pay fees, and penalties for potential violations. The fees included in the rule cost not more than \$100 for initial licensure, renewal, or reinstatement, not more than \$30 for verification or an additional copy of a license certificate, \$25 for review of a continuing education activity, \$50 for a physical therapy compact fee, \$50 for the consolidation of a license, \$25 for authorization to engage in 3D printing of open-source prosthetic kits. The rule includes an amendment which state that an occupational therapy compact privilege fee may not exceed \$50. Individuals found to have been practicing occupational therapy before passing the examination could have their Compact privilege terminated. The Board states that the adverse impacts created by the rules are necessary to implement the Compact, which broadens access to occupational therapists to work across state lines and reduce the burden of licensure.

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.