

Levy, Mark B

From: Levy, Mark B
Sent: Wednesday, June 22, 2016 4:05 PM
To: Levy, Mark B
Subject: Proposed Rules Published - Comment Period Ends 07.15.2016 [TEMP & STKHLD]

The following information is being provided pursuant to [Executive Order 2011-01K](#) and [Senate Bill 2 of the 129th General Assembly](#), which require state agencies including the State Board of Orthotics, Prosthetics, and Pedorthics to draft rules in collaboration with stakeholders, assess and justify any adverse impact on the business community (as defined by SB2), and provide opportunity for the affected public to provide input on the rules. This information and the referenced documents are also available at the agency website at the following link:
<http://www.opp.ohio.gov/AdditionalInformation/RuleReview.aspx>

The Board is proposing changes to four (4) rules.

Language Updates:

The Rules listed and detailed in *Package 167379*, designated "*FY17 FYR – Online Processing*", are being proposed for amendment.

4779-5-03 - License Application Procedure -- TO AMEND -- the changes address aspects that were not effectively dealt with in the amendments processed earlier this year. Thus, language referring to "a form" on the website refers instead to "a method provided" on the website, and directs that the mail-in form should only be utilized by those "unable to utilize the online application method ...". An additional change recognizes the expansion of Pedorthic Exam vendors to include another entity whose exam is approved by the National Commission on Orthotic and Prosthetic Education (NCOPE), aligning this language with the exam vendor provisions.

4779-6-01 - Temporary Application Procedure - TO AMEND -- these are changes similar in nature and substance to those being advanced in 4779-5-03 as noted above.

4779-8-01 - Renewal of License - TO AMEND -- The following process changes are addressed: (1) Establishes a clear requirement that the licensee is responsible to notify the Board of a change in contact information within 30 days of the change; (2) eliminates language requiring a late charge to be set at 50% of the payment due amount, which seems increasingly harsh as fees tend to rise, and instead leaves the matter to the fee schedule established in 4779-12-01; (3) reinforces the move away from production of paper documents to virtual and online-sourced data points; (4) specifies that a license status changes from Active to Inactive if the expiration date passes without a renewal payment being recorded, and sets a 30 day limit to the allowance for a practitioner to continue to practice with an expired license; (5) provides that the Board can require an update to Continuing Education for an applicant seeking to reinstate a lapsed or expired license.

4779-12-01 - Fees - TO AMEND - these are changes to the parameters within which the Board must operate when assigning fees. One provides that the cost of a license to be issued or upgraded should not exceed the cost of a license to be renewed, and that the cost to renew a combined license type should not exceed the cost to renew same/similar professional credentials when held as separate licenses.

[Business Impact Analysis](#) (draft for comment)

As a public stakeholder of this Board, your feedback is welcome and encouraged. Please [email us](#) your comments to the OPP Board and to the Common Sense Initiative office (embedded email link will address message to both) no later than July 15, 2016.

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