

Executive

As Passed By House

**PYTC99 Board membership vacancies**

**R.C. 4755.01**

Extends from 60 days to 90 days the maximum transition period that may occur between an expired term of office and the Governor's appointment of a person to fill a vacancy on the Board.

**Fiscal effect: None.**

**R.C. 4755.01**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**PYTC11 Limited permits**

**R.C. 4755.08, conforming changes in 121.22, 4755.01, 4755.02, 4755.04-4755.06, 4755.11, 4755.12**

Eliminates the Board's authority to issue limited permits to practice as an occupational therapist or occupational therapy assistant until the licensing examination results were available.

**Fiscal effect: None. The Board no longer issues limited permits.**

**R.C. 4755.08, conforming changes in 121.22, 4755.01, 4755.02, 4755.04-4755.06, 4755.11, 4755.12**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**PYTC17 Discipline for sexual interactions with patients**

**R.C. 4755.11, 4755.47, 4755.64, 4779.28**

Adds reasons the Board may take disciplinary action related to sexual interactions with a patient, other than the professional's spouse:

(1) For physical therapists and physical therapist assistants, includes sexual conduct.

(2) For occupational therapists, occupational therapy assistants, athletic trainers, orthoptists, prosthetics, and pedorthists, includes sexual conduct, sexual contact, and sexually demeaning verbal behavior.

**Fiscal effect: This may result in an increase investigations costs.**

**R.C. 4755.11, 4755.47, 4755.64, 4779.28**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

**Fiscal effect: Same as the Executive.**

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**PYTC08 Intervention in lieu of conviction****R.C. 4755.11, 4755.47, 4755.64, 4779.28**

Permits the Board to impose discipline on an applicant or licensee due to the person being subject to a judicial finding of eligibility for intervention in lieu of conviction for crimes that would otherwise be a reason for disciplinary action.

**Fiscal effect: Permissive.****R.C. 4755.11, 4755.47, 4755.64, 4779.28**

Same as the Executive.

**Fiscal effect: Same as the Executive.****PYTC02 Inactive licenses****R.C. 4755.12, 4755.06**

Eliminates law that allows an occupational therapist or occupational therapy assistant not in active practice to register as being non-active and have the person's license placed in escrow.

**Fiscal effect: None. The Board no longer provides the option to escrow a license.****R.C. 4755.12, 4755.06**

Same as the Executive.

**Fiscal effect: Same as the Executive.****PYTC05 Photograph and physical description****R.C. 4755.42, 4755.421**

Eliminates the requirement that a physical therapist or physical therapist assistant applying for a license submit a physical description and photograph.

**Fiscal effect: Potential savings due to eliminating delays in processing licenses and removing the need to store photographs.****R.C. 4755.42, 4755.421**

Same as the Executive.

**Fiscal effect: Same as the Executive.****PYTC06 Professional physical therapy programs****R.C. 4755.42, 4755.421, 4755.48**

Specifies that a physical therapy licensure applicant must graduate from a professional program, rather than complete an education program.

**R.C. 4755.42, 4755.421, 4755.48**

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Requires an applicant to graduate from a professional program that is accredited by a national physical therapy accreditation agency approved by the Board's Physical Therapy Section, rather than approved by the U.S. Department of Education.

Same as the Executive.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

**PYTCD3 Discipline and hearings**

**R.C. 4779.28, 4779.281**

Permits the Board to impose a fine or require corrective action courses as a form of discipline against a licensed orthotist, prosthetist, or pedorthist.

**R.C. 4779.28, 4779.281**

Same as the Executive.

Permits the Board to impose discipline against a licensed orthotist, prosthetist, or pedorthist due to the individual's denial, revocation, suspension, or restriction of authority to practice any health care occupation (other than for failure to renew) in Ohio, another state, or other jurisdiction.

Same as the Executive.

Requires a sanctioned orthotist, prosthetist, or pedorthist to pay a fee for the actual cost of the administrative hearing.

Same as the Executive.

**Fiscal effect: Granting the Board the authority to impose a fine and require a sanctioned licensee to pay administrative hearing costs could result in additional revenue.**

**Fiscal effect: Same as the Executive.**

**PYTCD4 Investigations of license holders**

**R.C. 4779.33**

Transfers the duty to investigate violations relating to the practice of orthotics, prosthetics, and pedorthics from the Board's secretary to the full Board.

**R.C. 4779.33**

Same as the Executive.

Permits the Board to share confidential investigatory information, relating to the practice of orthotics, prosthetics, and pedorthics, with any federal, state, or local law enforcement, prosecutorial, or regulatory agency, but requires the entity

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receiving the information to comply with the same confidentiality requirements as the Board.

Allows the shared information to be admitted as evidence at a criminal trial or administrative hearing, but requires measures be taken to maintain the confidentiality of identifying information.

**Fiscal effect: Minimal. These changes align the disciplinary statute for these professions with others overseen by the Board.**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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**LOCCD1 Jurisdiction for appeals**

**R.C. 119.12**

Establishes the Franklin County Court of Common Pleas as the jurisdiction for all appeals from orders issued by the Occupational Therapy, Physical Therapy, and Athletic Trainers Board (instead of the court of common pleas of the licensee's county of residence or of the county in which the licensee's place of business is located).

**Fiscal effect: Possible increase in expenses related to additional cases in the Franklin County Court of Common Pleas, with some offsetting revenue in the form of court costs and fees. Corresponding decrease in expenses and offsetting revenue in the court of common pleas that would have otherwise heard such an appeal. Potential savings effect for the Board, as staff would not have to travel and defend action(s) in another county.**

**R.C. 119.12**

Same as the Executive.

**Fiscal effect: Same as the Executive.**