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Office of Research
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Legislative Budget
Office

H.B. 509
(1_134_2222-2)
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 509's Bill Analysis](#)

Version: In House State and Local Government

Primary Sponsors: Reps. John and Fowler Arthur

Local Impact Statement Procedure Required: No

Ryan Sherrock, Economist

Highlights

- Specific boards may realize a loss of fee revenues in non-GRF funds due to the provisions modifying licensing processes, including eliminating certain licenses. Most impacts will be minimal. There could be a corresponding decrease in staff time related to processing licenses.
- Specific boards could have minimal costs to make any necessary adjustments to rules, websites, or printed materials due to the bill's provisions modifying licensing processes.
- Occupational licensing boards will experience a minimal increase in administrative costs to prepare and submit the required report. A board that does not currently use the eLicense system may be required to do so if their report finds that the system could improve the board's issuing process. The Department of Administrative Services administers the eLicense system.

Detailed Analysis

The bill contains several provisions that affect specific boards or agencies. Individual impacts are discussed under each board below. It is possible that all boards could experience a minimal one-time increase in costs to modify any relevant rules or to update websites and printed materials to address any process changes. In addition, there are general board provisions.

Specific board or agency provisions

Attorney General

The bill eliminates an existing registration requirement for a person acting as fundraising counsel and the associated fees and bonding requirement. According to the House State and Local Government Committee's *Occupational License Review Report* dated December 7, 2021, in

2018-2019, there were three fundraising counsels registered with the Ohio Attorney General. Fundraising counsel is only required to complete registration if that counsel has custody of the contributions during their campaign in Ohio. If not, fundraising counsel may be active in Ohio, but is not required to register. The annual registration fee is \$200 and is credited to the Charitable Law Fund (Fund 4180), which is part of the Attorney General's operating budget. Removal of this registration requirement will have a negligible fiscal impact on the Office of the Attorney General.

Counselor, Social Worker, and Marriage and Family Therapist Board

The bill eliminates temporary licenses for independent social workers, professional clinical counselors, marriage and family therapists, and independent marriage and family therapists. The Board does not issue temporary licenses for independent social workers or professional clinical counselors, so this elimination will not have a fiscal effect on the Board. However, the Board does issue temporary marriage and family therapist licenses. The Board has issued 24 of these over the past two years. The cost is \$20, so there will be a negligible loss of revenue and a corresponding decrease in administrative costs to process licenses. Board revenues are deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90).

Department of Developmental Disabilities

The bill states that individuals employed by a county board of developmental disabilities are not required to be certified to provide adult services or supervise the provision of adult services. The bill also removes references to early intervention supervisor certificates, which were created through a rule that has been rescinded.

State Board of Emergency Medical, Fire, and Transportation Services

The bill modifies firefighter certification so education credits will be determined at the local level instead of by the State Board of Emergency Medical, Fire, and Transportation Services. Certain administrative costs for this duty will shift from the state to local entities operating emergency medical, fire, and transportation services. The potential magnitude of this cost shift is not readily quantifiable.

Board of Nursing

The bill eliminates dialysis technician intern certificates, but continues to authorize an individual who has successfully completed an approved dialysis training program within the previous 18 months to practice as a dialysis technician intern, so long as the individual is under the supervision of a certified dialysis technician. According to the Board of Nursing's FY 2021 Annual Report, the Board issued about 300 new certificates in FY 2021 at \$35 per license. There were about 560 active certificates. However, these certificates are valid for 18 months from the date the applicant completed an approved training program. As a result, the Board will realize a loss of revenue of about \$11,000 per fiscal year. Board revenues are deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90).

State Board of Pharmacy

The bill sets pharmacist continuing education at 30 hours every two years, instead of having continuing education requirements set by the Pharmacy Board in rules. This change will have a negligible impact on the Board's operations.

State Occupational Therapy, Physical Therapy, and Athletic Trainers Board

The bill eliminates temporary licenses to practice orthotics, prosthetics, orthotics and prosthetics, and pedorthics, but maintains requirements applicable to an unlicensed individual providing orthotic, prosthetic, or pedorthic services under the supervision of a licensee. The bill also eliminates a prohibition against using a title or initials representing a person that has a temporary orthotics, prosthetics, orthotics and prosthetics, or pedorthics license when the individual does not have such a license. Currently, the cost for a temporary license is \$100 for the initial license and \$70 for any renewed license. Once an individual with a temporary license meets requirements for full licensure, it costs \$50 to upgrade to the full license. According to LSC's *Occupational License Report*, there are a handful of temporary licenses in both FY 2020 and FY 2021. As a result, this elimination will have a minimal impact on the Board. Board revenues are deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90).

State Vision Professionals Board

The bill eliminates the registration requirement for apprentices and instead specifies that a person gaining experience under a licensed professional may do so without a license or other approval from the State Vision Professionals Board. There will be a loss of fee revenue associated with this elimination, as well as a decrease in time for processing applications. Board revenues are deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90).

Licensing boards

The bill requires all occupational licensing boards to issue a report within six months of the bill's effective date that addresses the following: the fee structure for each occupational license issued by the board, whether it can more competitively align with the surrounding states, and whether it serves as a financial barrier to licensure. Additionally, the report must also address whether the board's process for issuing occupational licenses could be improved by using the eLicense system maintained by the Department of Administrative Services (DAS), and if so, the board must begin using that system. Each board will experience a minimal increase in administrative costs to prepare and submit the report. There are 21 boards that currently use the eLicense system,¹ including most of the standalone occupational licensing boards. Any boards that do not might experience an increase in costs to use the system, depending on the findings in their report. Charges to use eLicense are paid to DAS. The costs would depend on many factors, including the number of licenses and licensees.

Synopsis of Fiscal Effect Changes

The provisions above are all new to substitute bill I_134_2222-2. The As Introduced version of the bill had placeholder language only stating the General Assembly's intention to enact legislation revising occupational regulations.

HB0509H1/lb

¹ See the [eLicense Ohio](https://ohio.gov/) page, which can be accessed by searching for "eLicense" on the state of Ohio's website: <https://ohio.gov/>.