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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 272  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for S.B. 272's Bill Analysis](#)

**Version:** As Reported by House Health

**Primary Sponsors:** Sens. Roegner and Blessing

**Local Impact Statement Procedure Required:** No

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### Highlights

- In order to participate in the Physical Therapy Licensure Compact, the Occupational Therapy, Physical Therapy, and Athletic Trainers Board may experience administrative costs to promulgate and amend rules, investigate any complaints against practitioners, and provide required data to the Compact Commission.
- The Board may realize an increase in costs to pay an annual Compact assessment. However, it may also receive a minimal increase in fee revenue for granting Compact Privileges.

### Detailed Analysis

The bill authorizes Ohio to join the Physical Therapy Licensure Compact to allow certain physical therapists (PTs) and physical therapy assistants (PTAs) licensed in other states to practice in Ohio and those licensed in Ohio to practice in other states. According to the Occupational Therapy, Physical Therapy, and Athletic Trainers (OTPTAT) Board, the bill will require the Board to amend existing rules and likely to adopt new rules. The Board may also receive additional complaints due to practitioners from out of state with a Compact Privilege, although any increase in the number of complaints and subsequent investigations will likely be minimal. Additionally, the Board will be required to submit data to the Compact Commission regarding Ohio licensees subject to the Compact. Finally, joining the Compact will require OTPTAT to select one of its Board members to serve as a delegate to the Compact Commission. The costs to the Board for these activities are expected to be minimal, but will depend on the extent of the rule changes, how many additional complaints are received, how many Ohio licensees seek a compact privilege, and any additional compensation the Board delegate may receive for performing official business.

The Compact Commission is permitted to impose annual assessments on member states, which could increase OTPTAT costs. However, the bill allows member states to charge a licensee a fee for granting a Compact Privilege, in addition to a \$45 fee paid to the Compact Commission. Any additional revenue to OTPTAT will depend on the cost of the fee but will likely be minimal.<sup>1</sup> According to the Compact Commission's 2018 report, 64 Compact Privileges were granted to 49 PTs and PTAs.<sup>2</sup> The number of users will likely increase as the number of member states grows. However, it is possible that some Ohio PT and PTA licensees may choose to apply for a Compact Privilege rather than seeking a full license in Ohio, which could reduce total fee revenue. According to the Board, 123 PT applicants and 41 PTA applicants listed an out-of-state address on their application in FY 2019; this however includes practitioners moving to Ohio and students at a school outside the state who plan to work in Ohio, so the number of potential out-of-state licensees that would opt out of a full license in Ohio might be lower.

The bill could also result in other indirect impacts to the state and political subdivisions. PTs and PTAs that practice in Ohio with a Compact Privilege could provide additional services to Ohioans and provide increased access. If this occurs, there could be additional reimbursements from state and local programs that reimburse for these services. However, if the utilization of services led to an avoidance of other more expensive treatments, there could be a reduction in costs. If an Ohio resident utilizes an out-of-network provider, there could be an additional cost to state or local programs or health plans.

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<sup>1</sup> Current compact members charge fees ranging from no fee up to \$150: Physical Therapy Compact Fee and Jurisprudence Table. <http://ptcompact.org/Compact-Privilege-Fee-Jurisprudence-and-Waiver-Table>.

<sup>2</sup> Physical Therapy Compact 2018 Annual Report. <http://ptcompact.org/portals/0/images/PT%20Compact%202018%20Annual%20Report.pdf>. Only six member states had fully implemented the compact by the end of 2018.