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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**S.B. 5**  
**134<sup>th</sup> General Assembly**

## **Fiscal Note & Local Impact Statement**

[Click here for S.B. 5's Bill Analysis](#)

**Version:** As Reported by Senate Health

**Primary Sponsor:** 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 (OTPTAT) may experience administrative costs to promulgate and amend rules, investigate any complaints against practitioners, and provide required data to the Compact Commission.
- OTPTAT may realize an increase in costs to pay an annual Compact assessment. However, the bill allows OTPTAT to charge a fee for granting Compact Privileges.

### **Detailed Analysis**

The bill enacts the Physical Therapy Licensure Compact in Ohio, which will 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 Commission. 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. Any additional revenue to OTPTAT will depend on the cost of the fee but will likely be minimal.<sup>1</sup> 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 fee revenue if the amount established by OTPTAT for the multistate license is less than the full license. According to OTPTAT, 140 PT applicants and 55 PTA applicants listed an out-of-state address on their application in FY 2020; 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. In addition, according to the Compact Commission's 2019 report, 1,015 Compact Privileges were granted to 544 PTs and 202 PTAs.<sup>2</sup> The number of users will likely increase as the number of member states grows. Thus, it is also possible that individuals not currently licensed in Ohio could apply for a multistate license as a result of the bill.

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 member states charge fees ranging from no fee up to \$150 and the Compact charges a fee of \$45: Physical Therapy Compact Fee and Jurisprudence Table. <http://ptcompact.org/Compact-Privilege-Fee-Jurisprudence-and-Waiver-Table>.

<sup>2</sup> Physical Therapy Compact 2019 Annual Report. <http://ptcompact.org/Portals/0/images/PT%20Compact%202019%20Annual%20Report%20with%20Appendix.pdf>. Twenty-six member states had implemented the Compact by the end of 2019.