



---

**Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board**

77 South High Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215-6108

Governor  
*Mike DeWine*  
Executive Director  
*Missy Anthony*

Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board  
Missy Craddock Anthony, Executive Director

Testimony before the House Finance Subcommittee on Agriculture, Development, and Natural Resources  
March 26, 2019

Good afternoon Chairman Hoops, Ranking Member Hicks-Hudson, and members of the Agriculture, Development, and Natural Resources Subcommittee of Finance. My name is Missy Anthony, Executive Director of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board. I am joined today by our Joint Board President, Beth Ann Ball.

The mission of the Ohio OTPTAT Board is to actively promote and protect the health of the citizens of Ohio through effective regulation of the professions of occupational therapy (OT), physical therapy (PT), athletic training (AT), orthotics, prosthetics, and pedorthics (OPP). This is accomplished by reviewing license applicant credentials to ensure applicants are qualified and investigating complaints to determine if discipline is needed when infractions of the law are found. These essential functions are accomplished by a team of 9.5 FTEs and payroll drives the bulk of the agency's budget.

In 1976, the 111th General Assembly established the Ohio Occupational Therapy Board for the purpose of licensing and regulating occupational therapists and occupational therapy assistants within Ohio. Chapter 4755. of the Ohio Revised Code was amended in 1977 creating the Ohio Occupational Therapy and Physical Therapy Board. Physical therapist assistants were also included in the 1977 legislation, which established the Physical Therapy Section. With the enactment of Senate Bill 80 in 1990, Chapter 4755. of the Ohio Revised Code was again amended to include the Athletic Trainers Section, thus creating the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board. Finally, with House Bill 49 of the 132nd General Assembly, the board took on oversight of orthotics, prosthetics, and pedorthics in 2018. These professions are governed by Chapter 4779 of the Ohio Revised Code.

The OTPTAT Board is four programs within the Regulation Program Series. Therefore, for common expenses, costs are allocated to four sections based on the percentage of license holders each Board had at the start of the fiscal year. For this budget request, the percentages are: OT - 33%; PT - 57%; AT - 9%, and OPP - 1%. The OPP program series is new in FY 2018, resulting from the abolishment of the Ohio Orthotics, Prosthetics, and Pedorthics Board and consolidation of those four license types with the OTPTAT Board in the last biennial budget.

As a member of Fund 4K90, the OTPTAT Board's budget is entirely supported by revenue raised through licensure fees and disciplinary fines. Based on historical revenue trends, the anticipated revenue in the upcoming biennium will cover the amount requested by the Board in this budget request.

The Board respectfully requests spending authority totaling \$1,137,397 in FY 20 and \$1,168,045 in FY 21. An increase is needed when compared to FY 18-19 appropriation to accommodate rising payroll and eLicense costs, which are two of the main drivers of the OTPTAT budget. The Board's expected revenue of \$1,342,731 in FY 20 and \$1,625,517 in FY 21 is expected to exceed the requested appropriation, as the OTPTAT Board has historically been a net contributor to the 4K90 fund.

### **Challenges for the FY 2020-2021 Biennium**

Payroll drives the OTPTAT Board budget, comprising 72-73% of the total spend. With collective bargaining payroll increases, it is difficult for the Board to avoid needing an increase in appropriation. The Board does its best to find cost containment in other areas of the budget, such as limiting travel expenses and leveraging the eLicense system to conduct electronic communications in alternative to mailings. But these savings cannot total enough to make up for the payroll increases. This is especially so when some of the other costs are difficult to predict, such as costs for administrative 119 enforcement hearings and costs for accommodations for taking the national exam. In some years, these costs could be small, but just a few expensive cases can be costly to the Board and break the budget.

It should also be noted that in the past the Board has lapsed funding for payroll, particularly in FY 2017 and FY 2018. During these periods, there was staff turnover, including at the Executive Director level (a position which was vacant for nearly half of FY 18). The Board's staffing situation has stabilized and large lapses are not anticipated in the FY 20-21 biennium in the payroll category.

The other main driver of OTPTAT expenses is the Ohio eLicense system, which is operated by DAS. Although the eLicense system is included in the DAS budget, Boards are billed for the use of the system. The cost of the eLicense system for OTPTAT was \$62,614 in FY 19 and it is rising to \$74,898 in FY 2020 and \$79,984 in FY 21. This nearly 20% increase is difficult to absorb and is outside the Board's control. Additionally, the OTPTAT Board was one of the first Boards to launch on the system. As such, the system was in its infancy and since that time, additional functionality has been added. However, the Board is not programmed to leverage all of these new features. To enable them there may be a cost, which is difficult to estimate. As a result, the Board has included \$12,500 per fiscal year to take on new eLicense projects.

A final priority is to complete full integration of the orthotics, prosthetics, pedorthics licenses into the OTPTAT workflow. The Board sought legislative changes in June 2018 which allowed the Board to move the renewal period of these licenses from annual to biennial and to make changes to the continuing education reporting requirements. The Board has also reduced the fees for OPP licenses, which will be effective in November 2018. See below for an illustration of the fee changes. The Board has launched these changes, along with new functionality to allow for the online upgrade of a temporary license to a full one and to combine and orthotist and prosthetist license into an orthotist-prosthetist license, with the eLicense system, to the cost of over \$12,000.

Overall, the consolidation of these licenses was a fiscally prudent move. The former OPP Board had expenses of \$173,067 in FY 2017. Once up-front one-time costs of consolidation are

accomplished, the expenses for this license type will be 1% of the OTPTAT Board, or approximately \$11,634 in FY 20 and \$11,680 in FY 21. I have received calls of personal thanks from several OPP license holders who are thankful for the fee reduction. With the additional expertise of having a dedicated licensure and enforcement staff, I believe that service to these licensed professionals has not diminished. We have worked hard to reach out to the orthotics, prosthetics, and pedorthics license holders to mitigate any concerns with the change.

Fee Type	OTPTAT Board	Former OPP Board
Initial Application (endorsement or examination)	\$100	\$100
Reinstatement	\$100	\$100
Renewal	\$70 biennially	\$200 annually (was \$400 prior to FY 2018)
License Upgrade/Consolidation	\$50	\$50
License verification	\$15	\$25
Duplicate Wall Certificate	\$10	\$25
CE Application	\$25	\$50
Late fee	Not permitted	\$100

**Fiscal Year 18-19 highlights:**

The Board already has made operational improvements over the last biennium, in addition to reducing fees for orthotics, prosthetics, and pedorthics, including:

- Implementation of an ethics, laws and rules module to be completed for all physical therapist and physical therapist assistant renewals;
- Process changes for new physical therapy licenses which will make it easier and faster to be eligible to take the national exam;
- Elimination of the option for occupational therapy licenses to be escrowed (an option that was confusing to many and burdensome for the staff to administer), and;
- Progress toward full integration of the orthotics, prosthetics, and pedorthics licenses.

The Board works hard to find efficiencies and improve customer service. Our work over the next year will include the development of metrics and an update of our policies and procedures.

On behalf of the OTPTAT Board, I appreciate thoughtful consideration of the Board’s FY 2020-2021 budget request, and I am happy to answer any questions at any time.

**Historical Trends:**

## Number of License Holders by Fiscal Year

License	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
OT	4,186	4,322	4,550	4,849	4,871	5,233	5,548	5,732	5,661	6,150
OTA	2,762	2,908	3,191	3,474	3,771	4,102	4,479	4,470	4,694	5,058
PT	7,115	7,304	7,764	7,824	8,459	8,604	9,185	9,387	9,795	9,888
PTA	5,233	5,626	5,855	6,299	6,597	7,122	7,613	8,060	7,943	8,433
AT	1,822	2,012	2,008	2,250	2,235	2,509	2,815	2,903	2,753	2,985
LO										78
LP										64
LPED										81
LPO										122
<b>TOTAL</b>	<b>21,118</b>	<b>22,172</b>	<b>23,368</b>	<b>24,696</b>	<b>25,933</b>	<b>27,570</b>	<b>29,640</b>	<b>30,552</b>	<b>30,846</b>	<b>32,859</b>
<b>% Increase</b>		<b>4.99%</b>	<b>5.39%</b>	<b>5.68%</b>	<b>5.01%</b>	<b>6.31%</b>	<b>7.50%</b>	<b>5.28%</b>	<b>1%</b>	<b>6.5%</b>

## Enforcement statistics

	Occupational Therapy	Physical Therapy	Athletic Trainers	Total
Investigations Initiated of Potential Violations of the Practice Act	35	48	8	91
<b>Consent Agreements</b>				
Reprimands	1	1	2	4
Fines	2	3	2	7
On-going Monitoring	9	14	2	25
Probation	5	2	0	7
Suspension	0	2	0	2
Disciplinary License Surrender/Revocation	0	3	2	5
<b>R.C. 119. Hearings</b>				
Permanent Revocation	0	2	0	2
Suspension or Probation	1	3	0	4
Application Denial	0	0	0	0
No Disciplinary Action Taken	0	0	0	0
<i>Evidentiary Reviews in Lieu of R.C. 119. Hearing</i>				
Revocation	1	2	0	3
Suspension	0	0	0	0
Fine and Written Reprimand	0	0	0	0
Application Denial	0	3	0	3
No Disciplinary Action Taken	0	1	0	1
<i>Cease and Desist Orders</i>	0	0	0	0
<i>Non-Disciplinary Resolutions</i>	9	6	1	16
<i>No Violations Found</i>	12	24	7	43
<i>Cases Not Yet Resolved</i>	10	8	0	18