



Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board

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Governor
Mike DeWine
Executive Director
Missy Anthony

Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board
Missy Anthony, Executive Director
House Finance Subcommittee on Primary and Secondary Education
FY 2024-2025 Operating Budget - House Bill 33
February 22, 2023

Good afternoon Chairwoman Richardson, Ranking Member Isaacson, and members of the House Finance Subcommittee on Primary and Secondary Education Committee. My name is Missy Anthony, Executive Director of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board. On behalf of the OTPTAT Board members, thank you for the opportunity to testify on the FY 24-25 OTPTAT Board budget as proposed by Governor Mike DeWine.

The mission of the Ohio OTPTAT Board is to actively promote and protect the health of Ohioans through effective regulation of the professions of occupational therapy (OT), physical therapy (PT), athletic training (AT), orthotics, prosthetics, and pedorthics (OPP). This is accomplished through primary tasks of regulation for over 35,000 professionals:

- Establishing and checking requirements for entry into the profession
- Adopting administrative rules to increase transparency and create processes for efficient regulation
- Investigating complaints and disciplining licensees for violations of the code of ethics
- Assuring continued competence of licensees through required continuing education

These essential functions are accomplished by a team of nine FTEs and payroll drives the bulk of the agency's budget. The Board itself is comprised of five members of the Occupational Therapy Section (four OT/one OTA), nine members of the Physical Therapy Section, five members of Athletic Trainers Section (four AT/one physician), and one public member - for a total of twenty members. The five members of the Ohio Orthotics, Prosthetics, and Pedorthics Advisory Council advise the board on matters related to those professions.

As part of Fund 4K90, the OTPTAT Board's budget is entirely supported by revenue raised through licensure fees and disciplinary fines. The Board respectfully requests spending authority totaling \$1,330,747 in FY 24 and \$1,417,747 in FY 25. This amount will fully support necessary board operations for FY 24-25, barring any major expenses related to disciplinary hearings or legislative initiatives which require eLicense changes. Payroll and Department of Administrative Services costs are two of the main drivers of the OTPTAT Board budget. The OTPTAT Board is a participant and full user of the OBM Central Service Agency, which assists boards with many administrative tasks through shared fiscal and human resource services. Based on historical revenue trends, the anticipated revenue in the upcoming biennium will cover the amount requested by the Board in this budget request, as the OTPTAT Board has historically been a net contributor to the 4K90 fund.

In this budget, the OTPTAT Board is requesting an additional investigator position, and the Governor's budget funds this position. In discussions with Board members, they fully support filling this need in the

interest of public protection. There are several reasons for this increased need and several outcomes expected if the request is granted:

1. In the past few years, the Board has received an increase in the number of complaints related to sexual boundary violations and sexual harassment. While not a numerically great increase, these cases are treated as a high priority for the board investigative team, in line with Governor DeWine's clearly articulated emphasis to stop sexual predators after the case of Dr. Richard Strauss. The professions regulated by the Board use treatment modalities that often involve touching patients. The Board has been putting an emphasis on the need for continual informed consent throughout the treatment session, and the duty to report fellow professionals who have violated a standard of care.
2. Cases of a sexual nature are complicated and time consuming for the investigative team. Victims need handled with extreme care, sometimes necessitating the involvement of a victim advocate. Ultimately, the Board needs to get to a staffing model where the most senior investigator, the Board's enforcement supervisor, should have a caseload solely focused on cases of a sexual nature and substance use problems. In order to get to this place, an additional investigator is required.
3. The Board would like to reduce the time period between when a case is filed and when an investigation begins so the memories of witnesses, victims, and even respondents are fresher, records are more available, and investigations can generally be more successful and complete. An additional investigator is needed to reach this goal in order to avoid having the current team rush through their caseload, endangering the evidentiary standard should the case go to a hearing.
4. Finally, the Board is currently working with the Ohio Professionals Health Program (OPHP) to expand their Safe Haven program. The Safe Haven program will:
 - Provide confidential services to OTPTAT Board practitioners who are seeking help with burnout, mental health, or substance use disorders.
 - Be a safe space that is intended to be an early intervention before patient safety becomes a concern.
 - Serve as a therapeutic alternative to Board involvement in a problematic situation while still meeting the Board's mandate of public protection.

Participants in a safe haven program will, in most circumstances, be unknown to the Board as long as they remain in compliance with their treatment program. However, the Board does anticipate additional referrals for Board discipline because of this new initiative. Cases that involve mental health and addiction are not black and white in nature and can be time consuming, and the Board members have expressed a desire to ensure that the enforcement division has adequate staff to handle the potential added workload.

Language Changes

The FY 24-25 budget as proposed includes language changes being sought by the Board to clean up several provisions of law.

1. Currently, the law allows for licensure of a physical therapist or a physical therapist assistant who were educated in a country other than the United States if that person can demonstrate through an education evaluation that their education was equivalent to the same in the U.S. based on the time of the initial licensure in the other country. There are some countries, such as India, that use physical therapists, but do not license

them. This language poses a problem for individuals who were educated elsewhere and who are trying to come to work in the United States without having been licensed in that other country. This language change will align Ohio with that of most other states.

2. Aligns the operations of the Orthotics, Prosthetics, and Pedorthics Council with that of the rest of the OTPTAT Board with regard to appointment length and number of times required to meet each year.

Fiscal Year 22-23 Highlights and Initiatives:

The past two years saw new initiatives, including the implementation of several legislative and efficiency efforts:

1. Implementing a Safe Haven Program to offer support for practitioners working through mental health and substance use disorders.
2. Working with the Occupational Therapy licensure compact commission to put the infrastructure in place so the commission can begin issuing compact privileges (estimated for 2024). (<http://www.otcompact.org>)
3. Continuing support of and compliance with the Physical Therapy Compact (<http://www.ptcompact.org>). including streamlined data exchange with the PT Compact database to support compact privilege issuance and enhance accuracy of information. Currently, 165 physical therapists and 27 physical therapist assistants have privileges to work in Ohio.
4. Working with the legislature to streamline licensure for orthotics, prosthetics, and pedorthics through the Senate Bill 255 licensure review process, enacted by House Bill 509. This will be implemented in 2023.
5. Improving customer service by improving feedback measurement tools.
6. Automating processes related to continuing education audits through eLicense Ohio.
7. Providing additional information on discipline and enforcement, with planned educational efforts to highlight licensees' duty report violations of laws and rules by fellow professionals to the Board, in line with the Governor's workgroup on the Strauss case.
8. Adding representation for the physical therapist assistant licensee group to the OTPTAT Board.
9. Update of the Board's website to the new IOP statewide model.
10. Continued involvement with national organizations to ensure Ohio is well represented and respected as a model regulatory board.
11. Development of a workplan to reduce the number of Board rules by 30-40%.
12. Implementation of Senate Bill 131 - legislation which requires reciprocity across state lines. The OTPTAT Board already issues licenses to individuals who are already licensed in another state. This legislation will change that process.
13. Consideration of collecting a Minimum Data Set to better inform workforce planning and information during license renewal.

On behalf of the OTPTAT Board, I appreciate thoughtful consideration of the Board's FY 2024-2025 budget request, and I am happy to answer any questions.

Historical Trends:

The OTPTAT Board continues to see growth in all lines of business, as demonstrated by increases the number of active license holders, meanwhile fees have remained the same as the Board has been able to operationally absorb the growth with existing staffing.

Current Fees Charged:

Category	Fee	Category	Fee
Initial Applications	\$100	All license renewals	\$70
Reinstatement Applications	\$100	All license verifications	\$15
OPP License Consolidation/Upgrade	\$50	All Duplicate wall certificates	\$10
3-D printing	\$25	OT and AT CE Approval	\$25

Number of License Holders by Fiscal Year:

License	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
OT	4,849	4,871	5,233	5,548	5,732	5,661	6,150	6,205	6,650	7,158	7,186
OTA	3,474	3,771	4,102	4,479	4,470	4,694	5,058	4,985	5,170	5,420	5,168
PT	7,824	8,459	8,604	9,185	9,387	9,795	9,888	10,493	10,578	11,236	10,977
PTA	6,299	6,597	7,122	7,613	8,060	7,943	8,433	8,477	8,842	9,196	8,874
AT	2,250	2,235	2,509	2,815	2,903	2,753	2,985	2,903	3,094	3,374	3,285
PT C											112
LO							78	74	81	85	82
LP							64	64	70	81	72
LPED							81	78	80	71	67
LPO							122	134	145	144	155
3-D									2	2	1
TOTAL	24,696	25,933	27,570	29,640	30,552	30,846	32,859	33,413	34,712	36,767	35,979

Current Board Composition:

Occupational Therapy Section

<u>Board Member</u>	<u>City</u>	<u>Term Expires*</u>	<u>Term^</u>
Nichole Dearth, MOT, OTR/L	Ada	2024	1st
Sarah Heldmann, BS, COTA/L, Secretary	Toledo	2024	1st
Marnie Renda, OT	Cincinnati	2025	1st
Anissa Siefert, MOT, OTR/L, Chair	New Washington	2025	3rd
Melissa Van Allen, OTR/L	Columbus	2023	2nd

Physical Therapy Section

<u>Board Member</u>	<u>City</u>	<u>Term Expires*</u>	<u>Term^</u>
Mario Baker, PT, DPT, MS, GCS, Secretary	Bowling Green	2025	2nd
Craig Campbell, PT, DPT, CSMT, OCS	Leesburg	2023	1st
Michele Courtney, PT	Lancaster	2023	1st (partial)
Betsy Donahoe-Fillmore, PT	Mason	2025	1st
Anthony Ganim, PT, MBA	Hilliard	2024	2nd
Erin Hofmeyer, PT, DPT, GCS	Cleves	2023	3rd
Timothy McIntire, PT, DPT	Dayton	2023	3rd
Karen McIntyre, PT, DPT, Chair	Avon	2024	2nd
Cheryl VanHoose, PT, MHS	Dayton	2024	1st

Athletic Trainers Section

<u>Board Member</u>	<u>City</u>	<u>Term Expires*</u>	<u>Term^</u>
Trevor Bates, AT, Chair	Wilmington	2023	2nd
Dr. Benjamin Burkam, MD, Secretary	Dublin	2025	2nd
Hollie Kozak, AT	Willoughby	2025	3rd
Gary Lake, AT	Wadsworth	2024	2nd
Jeff Sczpanski, AT	Galloway	2023	1st

Public Member

<u>Board Member</u>	<u>City</u>	<u>Term Expires*</u>	<u>Term^</u>
Timothy Keck, JD	Grove City	2023	1st

Joint Board Officers

Jeff Sczpanski, AT, President
Mario Baker, PT, President-Elect
Nichole Dearth, OT, Secretary