



SUMMARY OF ACTIONS TAKEN
STATE BOARD OF ORTHOTICS, PROSTHETICS, AND PEDORTHICS
BOARD MEETING OF DECEMBER 12, 2012

This summary of Board actions and related items reflects information reported to and/or discussed by the Board at its December 12, 2012 meeting. Please be aware that some of this information is based on meeting minutes not yet approved by the Board. [Approved Board meeting minutes](#) constitute the formal record of Board actions. Please [contact the Board office](#) (Board Director) for further information regarding any item of particular interest to you.

→ **LICENSING** - [for online real-time license status verification, click to: [License Verification](#)]

The following **new license actions were approved** and/or reported:

Prosthetics
GRAHAM, Mark A.

Orthotics-Prosthetics
LEIMKUEHLER, Gregory

Orthotics
WARD, Nathaniel R.

Pedorthics
GUYNN, Jacob A.

Upgrades
ORZELL, Beth - TEMP to LPO
DUTTON, Benjamin - TEMP to LPED

Withdrawals
COLES, Bobby C. - LPO TEMP Pending
GHAZALA, Farah - LO Pending
RUZINSKY, Ronald J. - LPED TEMP Pending

→ **TESTING PROTOCOL FACT FINDING EXTENDED, CONCLUDED**

State of Ohio law requires each rule-writing agency to review each rule in its series every five years to assure continued accuracy and relevance. In this process, the Board identified [the rule on license exam vendor](#) as timely for review and consideration of alternatives. Presently, the rule stipulates that the American Board for Certification in Orthotics, Prosthetics, and Pedorthics is the only recognized testing source for all three professions. However, the Board for Certification International (formerly Board for Orthotist/Prosthetist Certification) recently has adopted NCOPE educational standards for entrance to exam in Pedorthics as well as O&P. Thus, the Board engaged in a fact-finding process to review the issue.

Information has been posted on the website for several months, and a dialogue-by-correspondence with the two national credentialing organizations was undertaken. See the [Rules Pending Review](#) page. The Board invited Pam Haig, C.Ped., of the Robert M. Palmer Institute for Biomechanics to the December meeting to contribute to the discussion and review of issues. After a review of all available information, the Board determined to maintain the testing vendor language unchanged, with ABC designated as the accepted test vendor, although language was proposed allowing the Board to make a different determination subsequently should the available data indicate a shift in standards.

→ RULES PACKAGE AND BUSINESS IMPACT ANALYSIS CLEAR CSI REVIEW

As previously indicated, the Board is engaged in a regular review of administrative rules which govern various aspects of Practice Act administration. Twenty-two (22) rules have been reviewed; language changes are recommended for six (6) of these. [The rule on license exam vendor](#) was given a heightened level of review and consideration as reflected in the [documentation posted to the website](#), but the Board by divided vote has recommended no change. The Office of the Common Sense Initiative approved the [Business Impact Analysis](#) submitted after revision. A Public Hearing has been scheduled for January 29, 2012, and a [Notice](#) was issued.

The following timeline represents the expected process going forward:

- Public Rules hearing to be scheduled/held 1/29/2013
- Likely JCARR hearing date: 02/25/2013
- Board meeting 03/13/2013 – final consideration, language changes, set effective date
- Projected final file date: 03/19/2013
- Recommended effective date: 04/01/2013

For more information about the Rule Development and Review process, see the [guidelines and flowchart document](#) posted to the website.

→ INTER-AGENCY ADVOCACY – NURSING HOME AND RESIDENTIAL CARE CREDENTIALING

In the course of a regular review of rule-making activities of other state of Ohio agencies, we spotted a set of regulations being prepared by the Ohio Department of Health Bureau of Regulatory Compliance to govern Residential Care Facilities. We intervened by formal comment and communication to assure carry-over of language that we have used effectively when notified of orthotic or pedorthic services provided by unlicensed persons in Nursing Homes. Thus the ODH rule on Qualifications and Health of Personnel in Residential Care Facilities ([OAC 3701-17-55](#)) is now [proposed](#) (new section “(O)”) to reflect the same/similar language already contained in Rules governing Qualifications and Health of Personnel in Nursing Homes ([OAC 3701-17-07](#), subsection “(I)”), e.g.:

“All individuals used by the residential care facility [nursing home] who function in a professional capacity shall meet the standards applicable to that profession, including but not limited to, possessing a current Ohio license, registration, or certification, if required by law.”

→ PRACTICE ACT REVIEW ONGOING

Noting the changes in national credentialing standards being implemented through all NCOPE accredited educational entities, the Board has initiated a proposal and discussion process to outline and “flesh out” changes required for the Practice Act to maintain currency with national standards, and to adopt changes long requested by the practitioner community. Among the issues the Board hopes to address through the review, revision and legislative process:

- “tune up” licensing standards language to conform to current and developing national credentialing benchmarks
- “fill in the gaps” in licensing and jurisdictional issues by extending licensure to fitters and assistants and by providing for a process to address DMEPOS competitive bidding when it hits the OTS/OTC end of the prefabricated orthotic device spectrum
- grant the Board subpoena power to investigate allegations of unlicensed practice
- provide confidentiality in the complaint process and update complaint-related language
- make Continuing Education accrual standards subject to Board’s rulemaking authority so as to allow greater conformity with national credentialing requirements.
- provide an “escrowed” or inactive license status under certain conditions

To review language under consideration and provide comment to the Board in this regard, send an [email to the Board office](#), subject: **Practice Act Review**.

→ **BOARD MEETING DATES SET FOR 2013**

March 13, 2013 June 12, 2013 September 11, 2013 December 11, 2013

→ **OPPCE REPORTING CYCLE REMINDER**

Ohio credentialing requirements in these professions require a licensee to confirm, subject to verification, accrual of a minimum amount of approved Continuing Education credits at every third license renewal. **Most national credentialing organizations that certify practitioners in these fields have a 5-year CE accrual window. The Board thus urges OPP licensees to think of their OPPCE obligation in terms of a yearly “rate” based on the 3-year rule.** Such a protocol assures current competence in the field, an identifiable plan to maintain national credential compliance, and compliance with the Ohio requirement when the targeted renewal rolls around.

3-year accrual requirements and the corresponding annual “rates” are as follows:

<u>License Type</u>	<u>Abbreviation</u>	<u>3-year total minimum</u>	<u>Annualized Rate</u>
Pedorthics	LPED	33	11
Orthotics or Prosthetics	LO or LP	45	15
Orthotics AND Prosthetics	LPO, or LO & LP	75	25

✓ Please note: [OPPCE minimum requirements are set by statute](#) and are not subject to modification by the Board. No OPPCE requirement attaches to a Temporary license.

For further information, contact the Board office:

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