

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date December 16, 2021
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) OT 3	
4. Subject Continuing Education	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.165(1)(g)
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The proposed rule revises the Board's rules related to continuing education and what courses, webinars, and certifications are eligible for continuing education credit.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rule was posted on the department's website for 14 days to solicit economic impact comments from business, local governmental units, and individuals. No comments were received.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. The proposed rule was posted on the department's website for 14 days to solicit economic impact comments from local governmental units. No comments were received.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) A one time cost to the department of \$510 is anticipated and can be absorbed within the agency's budget.	
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefit to implementing the rule is to update the criteria for courses and activities that are eligible for continuing education credit.	
16. Long Range Implications of Implementing the Rule The long range implication of implementing the rule is to update the criteria for courses and activities that are eligible for continuing education credit.	
17. Compare With Approaches Being Used by Federal Government None	
18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)	

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Illinois: 68 Ill. Admin. Code 1315.145 b) specifies the requirements for continuing education courses for occupational therapists to be approved. All CE activities shall be relevant to the advancement, extension, and enhancement of professional clinical skills and scientific knowledge in the practice of occupational therapy; provide experiences that contain scientific integrity, relevant subject matter and course materials; and be developed and presented by persons with education and/or experience in the subject matter. Subsection c) specifies other activities from which CE may be earned, and subsection d) names approved sponsors of CE programs.

Iowa: 645 IAC 207.3(1) and (2) specify general and specific criteria for approval of continuing education activities for occupational therapists. General criteria include that the program constitutes an organized program of learning which contributes directly to the professional competency of the licensee; that it pertains to subject matters which integrally relate to practice; that it is conducted by individuals who are qualified by education, training, and experience; that it fulfills stated program goals and/or objectives; and that it provides proof of attendance to licensees. Specific criteria expands into what types of activities and what subjects generally are and are not acceptable for continuing education credit.

Michigan: Mich Admin Code, R 338.1252 provides the requirements for acceptable continuing education for occupational therapists and occupational therapists assistants, including format and subject matter requirements. Subsection (3) provides a table of acceptable continuing education activities along with the maximum allowable hours of credit that can be completed for each activity.

Minnesota: The Minnesota Statutes provide standards for determining qualified continuing education activities and define activities that qualify for continuing education contact hours (Minnesota Statutes 2017, section 148.6443, Subds. 2. and 3.). To qualify for continuing education credit, an activity must constitute an organized program of learning; it must reasonably be expected to advance the knowledge and skills of the practitioner; it must pertain to subjects directly related to the practice of occupational therapy; it must be conducted by a sponsor approved by the American Occupational Therapy Association or by individuals who should be considered experts on the topic due to their education, training, and experience; and it must be presented by a sponsor who has a means to verify attendance and maintain records for three years. Subd. 3. defines acceptable means of obtaining continuing education credit through various courses and activities and the maximum allowable hours that can be obtained through any particular activity. .

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19. Contact Name Jameson Whitney, Attorney	20. Contact Phone Number (608) 266-8098
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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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