

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by 1st submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Due to time restraints, the Secretary of State's Office will no longer edit the text of proposed rules. We will continue to make numbering and labeling changes as necessary.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 43. BOARD OF OCCUPATIONAL THERAPY EXAMINERS

PREAMBLE

- | | |
|--------------------------|--------------------------|
| <u>Sections Affected</u> | <u>Rulemaking Action</u> |
| R4-43-102 | Amend |
- The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 32-3404(A)(4)

Implementing statute: A.R.S. § 32-3427(A) and (B)
- The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Kenneth D. Fink

Address: Board of Occupational Therapy Examiners
1400 West Washington, Suite 240
Phoenix, Arizona 85007

Telephone: (602) 542-6784

Fax: (602) 542-5469
- An explanation of the rule, including the agency's reason for initiating the rule:

The Arizona State 43rd Legislature during 1997 enacted House Bill 2154 changing the Board's licensing period from one year to two. Board fees were originally established based upon a one-year licensing period. However, rather than simply doubling the one-year rates to arrive at a new two-year fee rate, the Board opted to decrease some of the one-year rates and then doubling those amounts to arrive at a new two-year fee schedule. In essence, this action reduces the annual cost for both the initial and renewal application fees.
- A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.
- The preliminary summary of the economic, small business, and consumer impact:

This rulemaking reduces the initial and annual renewal fees.
- The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Kenneth D. Fink

Address: Board of Occupational Therapy Examiners
1400 West Washington, Room 240
Phoenix, Arizona 85007

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Arizona Administrative Register
Notices of Proposed Rulemaking

8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: April 10, 1998
Time: 1:30 p.m.
Location: Board of Occupational Therapy Examiners
1400 West Washington, Room 250
Phoenix, Arizona 85007
Nature: Open Meeting

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
None.
10. Incorporations by reference and their location in the rules:
None.
11. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 43. BOARD OF OCCUPATIONAL THERAPY EXAMINERS

ARTICLE 1. GENERAL PROVISIONS

Section

R4-43-102. Fees

ARTICLE 1. GENERAL PROVISIONS

R4-38-102. Fees

- A. The Board shall charge the following fees:
1. \$100 for an application for license. This fee is in addition to the appropriate initial license fee.
 2. \$75 for an application for reinstatement filed within one year from 180 calendar days of the normal expiration of the license for failure to renew. This reinstatement fee is in addition to the appropriate annual renewal of license fee.
 3. ~~\$125 for the initial license for an occupational therapist.~~
Occupational Therapist.
 - a. Initial license fee for a license issued on or before July 30, 1998, \$125.00.
 - b. Initial license fee for a license issued on or after July 31, 1998, \$135.00.
 - c. Renewal license fee for a license expiring on or before July 30, 1998, \$100.00.
 - d. Renewal license fee for a license expiring on or after July 31, 1998, \$135.00.
 - e. Inactive status renewal fee, \$25.00.
 4. ~~\$75 for the initial license for a certified occupational therapy assistant.~~
Occupational Therapy Assistant.
 - a. Initial license fee for a license issued on or before July 30, 1998, \$75.00.
 - b. Initial license fee for a license issued on or after July 31, 1998, \$70.00.
 - c. Renewal license fee for a license expiring on or before July 30, 1998, \$50.00.
 - d. Renewal license fee for a license expiring on or after July 31, 1998, \$70.00.
 - e. Inactive status renewal fee, \$15.00.
 5. ~~\$100 for the annual renewal of a license for an occupational therapist. \$35 for a Limited Permit. The last amount paid for a single limited permit shall be reduced from the initial licensure fee.~~
 6. ~~\$50 for the annual renewal of a license for a certified occupational therapy assistant. \$10 for a duplicate License.~~
 7. ~~\$35 for a limited permit.~~
 8. ~~\$35 for the renewal of a limited permit.~~
 9. ~~\$10 for a duplicate license.~~
 10. ~~\$25 for the annual renewal of a license on inactive status for an occupational therapist.~~
 11. ~~\$15 for the annual renewal of a license on inactive status for an occupational therapy assistant.~~
- B. All fees set forth in subsection (A) are non-refundable except as provided in A.R.S. § 41-1077. All fees, except license the renewal and reinstatement fees, shall be remitted to the Board in cash, cashier's check or money order. Returned or insufficient fund replacement checks shall be remitted in cash, cashier's check or money order.