

VIA EMAIL

January 2, 2025

Nick Hart, JD
Director of Board Administration
Indiana Professional Licensing Agency
402 W. Washington Street, Room W072
Indianapolis, IN 46204

Re: LSA Document #24-593/Regulatory Analysis-Small Business Economic Impact Statement

Dear Mr. Hart,

Pursuant to Indiana Code 4-22-2.1-5(c)(2), as the Small Business Ombudsman for the state of Indiana, I have reviewed the proposed rule and economic impact analysis associated with the rule changes contained in LSA Document #24-593 (proposed rule) submitted to the Indiana Small Business Ombudsman by the Indiana Professional Licensing Agency (PLA). I have found the following to be true.

Proposed rule LSA #24-593 codifies a new section of Indiana Administrative Code (IAC). Specifically, the proposed rule establishes 842 IAC 1-2-2 as a codification for existing fines and civil penalties to be set by the Indiana Board of Physical Therapy (IBTP). This section of IAC gives flexibility to the IBTP in assessing fines or civil penalties, establishes mitigating factors for consideration, and establishes aggravating factors for consideration.

The PLA's economic impact statement states that there will be no new requirements or costs to small businesses, rather the proposed rule aligns the IBTP's practice of assessing fees, fines, and penalties with House Enrolled Act 1623 and Indiana Code 4-22-2-19.6. Based upon this statement and review, the Indiana Small Business Ombudsman supports the proposed rule related to the economic impact on small business if the PLA's conclusion reflects the actual result after promulgation. If there are any questions about these comments, please contact me at ombudsman@iedc.in.gov.

Sincerely,
Matt Jaworowski
Small Business Ombudsman
Indiana Economic Development Corporation