

I\_133\_0263-2

133rd General Assembly  
Regular Session  
2019-2020

Sub. H. B. No. 151

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**A BILL**

To amend sections 4734.04, 4734.05, 4734.25, and 1  
4734.283 and to enact sections 3702.98, 2  
3702.981, 3702.982, 3702.983, 3702.984, 3  
3702.985, 3702.986, 3702.987, 3702.988, 4  
3702.989, 3702.9810, and 4734.151 of the Revised 5  
Code to create the Chiropractic Loan Repayment 6  
Program and to revise certain laws administered 7  
by the State Chiropractic Board. 8

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4734.04, 4734.05, 4734.25, and 9  
4734.283 be amended and sections 3702.98, 3702.981, 3702.982, 10  
3702.983, 3702.984, 3702.985, 3702.986, 3702.987, 3702.988, 11  
3702.989, 3702.9810, and 4734.151 of the Revised Code be enacted 12  
to read as follows: 13

**Sec. 3702.98.** There is hereby created the chiropractic 14  
loan repayment program, which shall be administered by the 15  
department of health in cooperation with the chiropractic loan 16  
repayment advisory board. The program shall provide loan 17  
repayment on behalf of individuals who agree to provide 18



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chiropractic services in areas designated as chiropractic health 19  
resource shortage areas by the director of health pursuant to 20  
section 3702.982 of the Revised Code. 21

Under the program, the department of health, by means of a 22  
contract entered into under section 3702.986 of the Revised 23  
Code, may agree to repay all or part of the principal and 24  
interest of a government or other educational loan taken by an 25  
individual for the following expenses incurred while the 26  
individual was enrolled in an accredited chiropractic school or 27  
college: 28

(A) Tuition; 29

(B) Other educational expenses, such as fees, books, and 30  
laboratory expenses that are for purposes and in amounts 31  
determined reasonable by the director of health; 32

(C) Room and board, in an amount determined reasonable by 33  
the director of health. 34

**Sec. 3702.981.** The director of health, in accordance with 35  
Chapter 119. of the Revised Code, shall adopt rules as necessary 36  
to implement and administer sections 3702.98 to 3702.9810 of the 37  
Revised Code. In preparing rules, the director shall consult 38  
with the chiropractic loan repayment advisory board. 39

**Sec. 3702.982.** (A) The director of health shall designate, 40  
as chiropractic health resource shortage areas, areas in this 41  
state that experience special chiropractic health problems and 42  
chiropractor practice patterns that limit access to chiropractic 43  
care. Except as provided in division (B) of this section, the 44  
designations shall be made by rule. The designations may apply 45  
to a geographic area, one or more facilities within a particular 46  
area, or a population group within a particular area. The 47

director shall consider for designation as a chiropractic health 48  
resource shortage area any area in this state that has been 49  
designated by the United States secretary of health and human 50  
services as a health professional shortage area under section 51  
332 of the "Public Health Service Act," 42 U.S.C. 254e. 52

(B) As used in this division, "free clinic" has the same 53  
meaning as in section 3701.071 of the Revised Code. 54

The director shall designate each free clinic as a 55  
chiropractic health resource shortage area, regardless of 56  
whether the clinic is located in a geographic area that is 57  
designated as a chiropractic health resource shortage area. 58

**Sec. 3702.983.** The director of health, by rule, shall 59  
establish priorities among chiropractic health resource shortage 60  
areas for use in recruiting chiropractors to sites within 61  
particular areas under the chiropractic loan repayment program. 62  
In establishing priorities, the director shall consider the 63  
ratio of chiropractors to the population in the chiropractic 64  
health resource shortage area, the distance to chiropractors 65  
outside the area, health status indicators of the target 66  
population in the area, presence of health care provider sites 67  
in the area with vacancies for chiropractors, availability of an 68  
eligible candidate interested in being recruited to a particular 69  
site within an area, and the distribution of chiropractic health 70  
care provider sites in urban and rural regions. The director 71  
shall give greatest priority to chiropractic health resource 72  
shortage areas having a high ratio of population to 73  
chiropractors. 74

The director, by rule, shall establish priorities for use 75  
in determining eligibility among applicants for participation in 76  
the chiropractic loan repayment program. The priorities may 77

include consideration of an applicant's background and career 78  
goals, the length of time the applicant is willing to provide 79  
chiropractic services in a chiropractic health resource shortage 80  
area, and the amount of the educational expenses for which 81  
reimbursement is being sought through the program. 82

**Sec. 3702.984.** (A) An individual who has not received 83  
other student loan repayment assistance and meets either of the 84  
following requirements may apply for participation in the 85  
chiropractic loan repayment program: 86

(1) The individual is a chiropractic student enrolled in 87  
the final year of chiropractic school or college. 88

(2) The individual holds a current, valid license to 89  
practice chiropractic issued under Chapter 4734. of the Revised 90  
Code. 91

(B) An application for participation in the chiropractic 92  
loan repayment program shall be submitted to the director of 93  
health on a form that the director shall prescribe. The 94  
information required to be submitted with an application 95  
includes the following: 96

(1) The applicant's name, permanent address or address at 97  
which the applicant is currently residing if different from the 98  
permanent address, and telephone number; 99

(2) The chiropractic school or college the applicant is 100  
attending or attended, the dates of attendance, and verification 101  
of attendance; 102

(3) A summary and verification of the educational expenses 103  
for which the applicant seeks reimbursement under the program; 104

(4) If applicable, verification of the applicant's 105

current, valid license to practice chiropractic issued by the 106  
state chiropractic board under Chapter 4734. of the Revised 107  
Code; 108

(5) Verification of the applicant's United States 109  
citizenship or status as a legal alien. 110

**Sec. 3702.985.** If funds are available in the chiropractic 111  
loan repayment fund created under section 3702.9810 of the 112  
Revised Code and the general assembly has appropriated the funds 113  
for the program, the director of health shall approve an 114  
applicant for participation in the program on finding in 115  
accordance with the priorities established under section 116  
3702.983 of the Revised Code that the applicant is eligible for 117  
participation and is needed in a chiropractic health resource 118  
shortage area. 119

On approving an application, the director shall notify and 120  
enter into discussions with the applicant. The object of the 121  
discussions is to facilitate recruitment of the applicant to a 122  
site within a chiropractic health resource shortage area at 123  
which, according to the priorities established under section 124  
3702.983 of the Revised Code, the applicant is needed. 125

The director may refer the applicant to the Ohio state 126  
chiropractic association, or its successor organization, for 127  
assistance with the applicant's recruitment and placement. 128

If the director and applicant agree on the applicant's 129  
placement at a particular site within a chiropractic health 130  
resource shortage area, the applicant shall sign and deliver to 131  
the director a letter of intent agreeing to that placement. 132

**Sec. 3702.986.** (A) An individual who has signed a letter 133  
of intent under section 3702.985 of the Revised Code and the 134

director of health may enter into a contract for the applicant's 135  
participation in the chiropractic loan repayment program. A 136  
lending institution may also be a party to the contract. 137

(B) The contract shall include all of the following 138  
obligations: 139

(1) The individual agrees to provide chiropractic services 140  
in the chiropractic health resource shortage area identified in 141  
the letter of intent for at least two years; 142

(2) When providing chiropractic services in the 143  
chiropractic health resource shortage area, the individual 144  
agrees to do all of the following: 145

(a) Provide chiropractic services for a minimum of twenty 146  
hours per week; 147

(b) Provide chiropractic services without regard to a 148  
patient's ability to pay; 149

(c) Meet the requirements for a medicaid provider 150  
agreement and enter into the agreement with the department of 151  
medicaid to provide chiropractic services to medicaid 152  
recipients. 153

(3) The department of health agrees, as provided in 154  
section 3702.98 of the Revised Code, to repay all or part of the 155  
principal and interest of a government or other educational loan 156  
taken by the individual for expenses described in section 157  
3702.98 of the Revised Code so long as both of the following are 158  
the case: 159

(a) The individual performs the service obligation agreed 160  
to under division (B)(1) of this section. 161

(b) The repayment amount does not exceed those described 162

in section 3702.988 of the Revised Code. 163

(4) The individual agrees to pay the department of health 164  
the following amount if the individual fails to complete the 165  
service obligation agreed to under division (B)(1) of this 166  
section: 167

(a) For a failure to complete service occurring during the 168  
first two years of the service obligation, one and one-half 169  
times the total repayment amount agreed to by the department 170  
under division (B)(3) of this section; 171

(b) For a failure to complete service occurring after the 172  
first two years of the service obligation, one and one-half 173  
times any amount that still remains to be repaid by the 174  
department under division (B)(3) of this section. 175

(C) The contract may include any other term as agreed upon 176  
by the parties, including a term in which the department assumes 177  
the individual's duty to pay the principal and interest of a 178  
government or other educational loan taken by the individual for 179  
expenses described in section 3702.98 of the Revised Code. If 180  
the department assumes that duty, the contract shall specify the 181  
total amount of the principal and interest to be paid, an 182  
amortization schedule, and the amount of each payment to be made 183  
under the schedule. 184

(D) Not later than the thirty-first day of January of each 185  
year, the department of health shall send by ordinary mail to 186  
each individual participating in the chiropractic loan repayment 187  
program a statement listing the amount of the principal and 188  
interest that has been repaid by the department in the previous 189  
year. Each participating individual shall notify the department 190  
of any change of address and shall do so not later than thirty 191

days after the change of address. 192

Sec. 3702.987. (A) There is hereby created the 193  
chiropractic loan repayment advisory board. The board shall 194  
consist of the following members: 195

(1) One member of the house of representatives, appointed 196  
by the speaker of the house of representatives; 197

(2) One member of the senate, appointed by the president 198  
of the senate; 199

(3) A representative of the department of higher 200  
education, appointed by the chancellor; 201

(4) The director of health or an employee of the 202  
department of health designated by the director; 203

(5) Three representatives of the chiropractic profession, 204  
appointed by the governor. 205

(B) Initial appointments shall be made not later than 206  
ninety days after the effective date of this section. Of the 207  
initial appointments made by the governor, two members shall 208  
serve a term of one year and one member shall serve a term of 209  
two years. The member initially appointed by the speaker of the 210  
house of representatives shall serve a term of one year. The 211  
member initially appointed by the senate president shall serve a 212  
term of two years. Thereafter, terms of office of all appointed 213  
members shall be two years. Each member shall hold office from 214  
the date of appointment until the end of the term for which the 215  
member was appointed, except that a legislative member ceases to 216  
be a member of the board on ceasing to be a member of the 217  
general assembly. No person shall be appointed to the board for 218  
more than two consecutive terms. 219



Vacancies shall be filled in the manner prescribed for the 220  
original appointment. A member appointed to fill a vacancy 221  
occurring prior to the expiration of the term for which the 222  
member's predecessor was appointed shall hold office for the 223  
remainder of that term. A member shall continue in office 224  
subsequent to the expiration of the member's term until a 225  
successor takes office or until sixty days have elapsed, 226  
whichever occurs first. 227

The governor, speaker, or president may remove a member 228  
for whom the governor, speaker, or president was the appointing 229  
authority, for misfeasance, malfeasance, or willful neglect of 230  
duty. 231

The board shall designate a member to serve as chairperson 232  
of the board. 233

The board shall meet at least once annually. The 234  
chairperson shall call special meetings as needed or upon the 235  
request of four members. 236

Four members of the board constitute a quorum to transact 237  
and vote on all business coming before the board. 238

Members of the board shall serve without compensation. 239

The department of health shall provide the board with 240  
staff assistance as requested by the board. 241

**Sec. 3702.988.** The chiropractic loan repayment advisory 242  
board shall determine the amounts that will be paid as loan 243  
repayments on behalf of participants in the chiropractic loan 244  
repayment program. No repayment shall exceed ten thousand 245  
dollars in any year, except that if a repayment results in an 246  
increase in the participant's federal, state, or local income 247  
tax liability, the department of health, at the participant's 248

request and with the approval of the director of health, may 249  
reimburse the participant for the increased tax liability, 250  
regardless of the amount of the repayment in that year. Total 251  
repayment on behalf of a participant shall not exceed thirty 252  
thousand dollars over the time of participation in the program. 253

**Sec. 3702.989.** The chiropractic loan repayment advisory 254  
board, annually on or before the first day of March, shall 255  
submit a report to the governor and general assembly describing 256  
the operations of the chiropractic loan repayment program during 257  
the previous calendar year. The report shall include information 258  
about all of the following: 259

(A) The number of requests received by the director of 260  
health that a particular area be designated as a chiropractic 261  
health resource shortage area; 262

(B) The areas that have been designated as chiropractic 263  
health resource shortage areas and the priorities that have been 264  
assigned to them; 265

(C) The number of applicants for participation in the 266  
chiropractic loan repayment program; 267

(D) The number of chiropractors assigned to chiropractic 268  
health resource shortage areas and the payments made on behalf 269  
of those chiropractors under the chiropractic loan repayment 270  
program; 271

(E) The chiropractic health resource shortage areas that 272  
have not been matched with all of the chiropractors they need; 273

(F) The number of chiropractors failing to complete their 274  
service obligations, the amount of damages owed, and the amount 275  
of damages collected. 276

Sec. 3702.9810. The director of health may accept gifts of 277  
money from any source for the implementation and administration 278  
of sections 3702.98 to 3702.9810 of the Revised Code. 279

The director shall pay all gifts accepted under this 280  
section into the state treasury, to the credit of the 281  
chiropractic health resource shortage area fund, which is hereby 282  
created, and all damages collected under division (B) (4) of 283  
section 3702.986 of the Revised Code, into the state treasury, 284  
to the credit of the chiropractic loan repayment fund, which is 285  
hereby created. 286

The director shall use the chiropractic health resource 287  
shortage area and chiropractic loan repayment funds for the 288  
implementation and administration of sections 3702.98 to 289  
3702.9810 of the Revised Code. 290

**Sec. 4734.04.** (A) The state chiropractic board shall hold 291  
~~its annual meeting in this state in September of each year and~~ 292  
~~shall hold other meetings~~ at the times and places that a 293  
majority of the board directs. A special meeting shall be held 294  
at the call of the board's president or at the request of two or 295  
more board members, in which case the meeting shall be called by 296  
the board's executive director. 297

A majority of the board constitutes a quorum for the 298  
transaction of business. Except when action is taken on behalf 299  
of the board by the board's president under division (A) of 300  
section 4734.05 of the Revised Code, the board may not take any 301  
action without the concurrence of three members. The board shall 302  
make rules as necessary to govern its internal management. 303

(B) The board shall keep a record of its meetings and 304  
other official actions, including a register of all applicants 305

for licensure to practice chiropractic. The register shall show 306  
whether an applicant for licensure was rejected or was granted a 307  
license. The board's records and register shall be prima-facie 308  
evidence of all matters recorded in them. The board shall adopt 309  
a common seal, which may be used to authenticate its official 310  
documents. 311

**Sec. 4734.05.** (A) The state chiropractic board shall 312  
organize by electing from its members a president. The president 313  
shall hold office for two years and until the president's 314  
successor is elected and takes office. Elections for board 315  
president shall be held at ~~every other annual~~ the first meeting 316  
of the board held in ~~this state in September~~ each odd-numbered 317  
year. 318

The president, subject to the board's approval, may 319  
designate another member of the board to serve as vice-president 320  
to fulfill the president's duties in the event that the 321  
president is absent or incapacitated. The vice-president may 322  
perform any action that the president is authorized to perform. 323

The president may make decisions on behalf of the board as 324  
follows: 325

(1) A decision regarding board activities may be made by 326  
the president if the president considers the decision to be 327  
minor and determines that making the decision will facilitate 328  
the responsiveness and effectiveness of the board; 329

(2) A decision involving a situation that requires 330  
immediate board attention may be made by the president if the 331  
circumstances surrounding the situation make holding a board 332  
meeting impractical. At the earliest time possible, the 333  
president shall report the decision to the members of the board 334

and the board shall meet to ratify or nullify the decision. 335

(B) The board shall appoint an executive director who 336  
shall serve as the board's secretary and shall perform all other 337  
duties prescribed by the board or this chapter. While serving as 338  
executive director, the individual appointed shall reside in 339  
this state and may not serve as a member of the board. 340

The executive director shall be in the unclassified 341  
service of this state. The board shall fix the executive 342  
director's compensation and reimburse the executive director for 343  
necessary expenses incurred in the performance of official 344  
duties. Prior to entering into the official duties of office, 345  
the executive director shall take and subscribe an oath of 346  
office and shall give to the treasurer of state a bond in the 347  
penal sum of fifty thousand dollars with sufficient sureties to 348  
be approved by the governor for the faithful discharge of the 349  
duties. 350

The executive director is the board's appointing 351  
authority, as defined in section 124.01 of the Revised Code. 352  
With the board's approval, the executive director may appoint 353  
any employees necessary to carry out the board's functions, 354  
including investigative personnel and other employees to perform 355  
professional, clerical, and special work, and may establish 356  
standards for the conduct of and the authority to be granted to 357  
the board's employees. 358

**Sec. 4734.151.** (A) As used in this section: 359

(1) "Animal" means any living animal other than a human 360  
being. 361

(2) "Animal chiropractic" means the evaluation and 362  
treatment of an animal's vertebral or extremity joint 363

dysfunction through spinal, joint, or musculo-skeletal 364  
manipulative therapy or soft tissue therapy. 365

(3) "Animal chiropractic practitioner" means a 366  
chiropractor licensed under this chapter who holds a current, 367  
valid certification from the American veterinary chiropractic 368  
association or the international veterinary chiropractic 369  
association. 370

(4) "Licensed veterinarian" means an individual licensed 371  
by the state veterinary medical licensing board to practice 372  
veterinary medicine. 373

(B) Except as provided in division (C) (2) of this section, 374  
no chiropractor who is not an animal chiropractic practitioner 375  
shall do either of the following: 376

(1) Practice animal chiropractic; 377

(2) Represent that the person is, or hold the person's 378  
self out to the public as, an animal chiropractic practitioner. 379

(C) (1) All of the following apply regarding a chiropractor 380  
who is an animal chiropractic practitioner: 381

(a) The chiropractor shall register with the state 382  
chiropractic board in a manner specified by the board; 383

(b) The chiropractor may provide animal chiropractic only 384  
to types of animals on which the chiropractor has received 385  
training; 386

(c) The chiropractor is not required to be supervised by a 387  
licensed veterinarian when providing animal chiropractic; 388

(d) The animal's veterinarian is not liable for any 389  
actions or omissions of the chiropractor in providing animal 390

chiropractic; 391

(e) The chiropractor shall maintain for at least three 392  
years a medical record for each animal evaluated or treated and 393  
on request shall provide the medical record to the animal's 394  
veterinarian in a timely fashion. 395

(2) A chiropractor who is not an animal chiropractic 396  
practitioner may practice animal chiropractic only in accordance 397  
with division (F) of section 4741.19 of the Revised Code. 398

(D) The board shall maintain and make available to the 399  
public a list of animal chiropractic practitioners who are 400  
registered with the board pursuant to this section. 401

(E) This section does not restrict a licensed veterinarian 402  
from engaging in the practice of veterinary medicine, as defined 403  
in Chapter 4741. of the Revised Code, or prevent any other 404  
individual from lawfully acting in a manner authorized under 405  
that chapter. 406

**Sec. 4734.25.** A license to practice chiropractic from the 407  
state chiropractic board expires biennially in accordance with 408  
~~the a schedule established the board establishes~~ in rules 409  
adopted under this section ~~and~~. The license may be renewed. The 410  
renewal process shall be conducted in accordance with the 411  
standard renewal procedures of Chapter 4745. of the Revised 412  
Code, except that the board's executive director shall notify 413  
each license holder of the license renewal requirements of this 414  
section not later than sixty days prior to the license's 415  
expiration date. ~~When~~ 416

When an application for license renewal is submitted, the 417  
applicant shall provide the information necessary to process the 418  
application and pay a renewal fee in an amount the board 419

specifies in rules adopted under this section. The board shall 420  
deposit twenty-five dollars of each renewal fee collected into 421  
the state treasury to the credit of the chiropractic loan 422  
repayment fund created by section 3702.9810 of the Revised Code. 423

Before a renewal of license is issued by the board, the 424  
licensee shall furnish the board with satisfactory evidence that 425  
the licensee has completed during the current licensing period 426  
not less than the number of hours of continuing education that 427  
the board requires in rules adopted under this section. For an 428  
activity to be applied toward the continuing education 429  
requirement, the activity must meet the board's approval as a 430  
continuing education activity, as specified in rules adopted 431  
under this section. Any exception from the continuing education 432  
requirement must be approved by the board. 433

Failure of a licensee to comply with this section shall 434  
operate as an automatic forfeiture of the right of the licensee 435  
to practice chiropractic in this state. A forfeited license may 436  
be reinstated by the board upon payment of all fees due and a 437  
penalty fee in an amount the board specifies in rules adopted 438  
under this section for reinstatement, in addition to satisfying 439  
the board of having complied with the continuing education 440  
requirements of this section. If an individual's license has 441  
been forfeited for two or more years, the board may also require 442  
as a condition of reinstatement that the individual complete 443  
training or testing as specified by the board. 444

The board shall adopt any rules it considers necessary to 445  
implement this section, including standards for approval of 446  
continuing education in the practice of chiropractic. All rules 447  
adopted under this section shall be adopted in accordance with 448  
Chapter 119. of the Revised Code. 449



**Sec. 4734.283.** If the state chiropractic board determines 450  
under section 4734.282 of the Revised Code that an applicant 451  
meets the requirements for a certificate to practice 452  
acupuncture, the executive director of the board shall issue to 453  
the applicant a certificate to practice acupuncture. ~~The~~ 454

~~A certificate shall expire annually to practice~~ 455  
acupuncture expires biennially in accordance with a schedule the 456  
board shall establish. ~~It~~ The certificate may be renewed in 457  
accordance with section 4734.284 of the Revised Code. 458

**Section 2.** That existing sections 4734.04, 4734.05, 459  
4734.25, and 4734.283 of the Revised Code are hereby repealed. 460

**Section 3.** The State Chiropractic Board may take any 461  
action it considers necessary for purposes of converting 462  
certificates to practice acupuncture issued under Chapter 4734. 463  
of the Revised Code from expiring on an annual basis to a 464  
biennial basis in accordance with section 4734.283 of the 465  
Revised Code, as amended by this act. 466