Am. Sub. H.B. 166
As Passed by the Senate
AGECD14

_______________________________ moved to amend as follows:

In line 20 of the title, after "991.02," insert "1347.08,"

In line 28 of the title, after "2923.20," insert "2925.01,"

In line 83 of the title, after "4737.045," insert "4743.02,"

after "4745.04," insert "4751.01, 4751.03, 4751.041, 4751.043, 4751.044, 4751.05, 4751.06, 4751.07, 4751.08, 4751.10, 4751.11, 4751.12, 4751.14, 4751.99,"

In line 97 of the title, after "4776.01," insert "4776.20,"

In line 137 of the title, after "5903.04," insert "5903.12,"

In line 144 of the title, after "(3719.064)," insert "4751.03 (4751.02), 4751.041 (4751.151), 4751.042 (4751.021), 4751.043 (4751.381), 4751.044 (4751.26), 4751.05 (4751.15), 4751.06 (4751.20), 4751.07 (4751.24), 4751.08 (4751.201), 4751.10 (4751.32), 4751.11 (4751.33), 4751.12 (4751.35), 4751.13 (4751.36), 4751.14 (4751.03),"

In line 146 of the title, after "sections," insert "4751.04, 4751.10,"

In line 172 of the title, after "4743.041," insert "4751.101, 4751.102, 4751.202, 4751.21, 4751.22, 4751.23, 4751.25, 4751.30, 4751.31, 4751.37, 4751.38, 4751.40, 4751.41, 4751.45,"
In line 193 of the title, after "4731.296," insert "4751.02, 4751.04, 4751.09,"

In line 236, after "991.02," insert "1347.08,"

In line 242, after "2923.20," insert "2925.01,"

In line 282, after "4737.045," insert "4743.02,"

In line 283, after "4745.04," insert "4751.01, 4751.03, 4751.041, 4751.043, 4751.044, 4751.05, 4751.06, 4751.07, 4751.08, 4751.10, 4751.11, 4751.12, 4751.14, 4751.99,"

In line 292, after "4776.01," insert "4776.20,"

In line 322, after "5903.04," insert "5903.12,"

In line 326, after "(3719.064)," insert "4751.03 (4751.02), 4751.041 (4751.151), 4751.042 (4751.021), 4751.043 (4751.381), 4751.044 (4751.26), 4751.05 (4751.15), 4751.06 (4751.20), 4751.07 (4751.24), 4751.08 (4751.201), 4751.10 (4751.32), 4751.11 (4751.33), 4751.12 (4751.35), 4751.13 (4751.36), 4751.14 (4751.03),"

In line 328, after "sections," insert "4751.04, 4751.10,"

In line 347, after "4743.041," insert "4751.101, 4751.102, 4751.202, 4751.21, 4751.22, 4751.23, 4751.25, 4751.30, 4751.31, 4751.37, 4751.38, 4751.40, 4751.41, 4751.45,"

In line 1405, after "4747.051," insert "4751.20, 4751.201, 4751.202, 4751.21,"

In line 8101, strike through "4751.04" and insert "4751.15"

After line 15714, insert:

"Sec. 1347.08. (A) Every state or local agency that maintains a personal information system, upon the request and the proper identification of any person who is the subject of personal
information in the system, shall:

(1) Inform the person of the existence of any personal 
information in the system of which the person is the subject;

(2) Except as provided in divisions (C) and (E)(2) of this 
section, permit the person, the person's legal guardian, or an 
attorney who presents a signed written authorization made by the 
person, to inspect all personal information in the system of which 
the person is the subject;

(3) Inform the person about the types of uses made of the 
personal information, including the identity of any users usually 
granted access to the system.

(B) Any person who wishes to exercise a right provided by 
this section may be accompanied by another individual of the 
person's choice.

(C)(1) A state or local agency, upon request, shall disclose 
medical, psychiatric, or psychological information to a person who 
is the subject of the information or to the person's legal 
 guardian, unless a physician, psychiatrist, or psychologist 
determines for the agency that the disclosure of the information 
is likely to have an adverse effect on the person, in which case 
the information shall be released to a physician, psychiatrist, or 
psychologist who is designated by the person or by the person's 
legal guardian.

(2) Upon the signed written request of either a licensed 
attorney at law or a licensed physician designated by the inmate, 
together with the signed written request of an inmate of a 
correctional institution under the administration of the 
department of rehabilitation and correction, the department shall 
disclose medical information to the designated attorney or
physician as provided in division (C) of section 5120.21 of the Revised Code.

(D) If an individual who is authorized to inspect personal information that is maintained in a personal information system requests the state or local agency that maintains the system to provide a copy of any personal information that the individual is authorized to inspect, the agency shall provide a copy of the personal information to the individual. Each state and local agency may establish reasonable fees for the service of copying, upon request, personal information that is maintained by the agency.

(E)(1) This section regulates access to personal information that is maintained in a personal information system by persons who are the subject of the information, but does not limit the authority of any person, including a person who is the subject of personal information maintained in a personal information system, to inspect or have copied, pursuant to section 149.43 of the Revised Code, a public record as defined in that section.

(2) This section does not provide a person who is the subject of personal information maintained in a personal information system, the person's legal guardian, or an attorney authorized by the person, with a right to inspect or have copied, or require an agency that maintains a personal information system to permit the inspection of or to copy, a confidential law enforcement investigatory record or trial preparation record, as defined in divisions (A)(2) and (4) of section 149.43 of the Revised Code.

(F) This section does not apply to any of the following:

(1) The contents of an adoption file maintained by the department of health under sections 3705.12 to 3705.124 of the Revised Code;
(2) Information contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;

(3) Papers, records, and books that pertain to an adoption and that are subject to inspection in accordance with section 3107.17 of the Revised Code;

(4) Records specified in division (A) of section 3107.52 of the Revised Code;

(5) Records that identify an individual described in division (A)(1) of section 3721.031 of the Revised Code, or that would tend to identify such an individual;

(6) Files and records that have been expunged under division (D)(1) or (2) of section 3721.23 of the Revised Code;

(7) Records that identify an individual described in division (A)(1) of section 3721.25 of the Revised Code, or that would tend to identify such an individual;

(8) Records that identify an individual described in division (A)(1) of section 5165.88 of the Revised Code, or that would tend to identify such an individual;

(9) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.04 4751.15 of the Revised Code or contracts under that section with a private or government entity to administer;

(10) Information contained in a database established and
maintained pursuant to section 5101.13 of the Revised Code;

(11) Information contained in a database established and
maintained pursuant to section 5101.631 of the Revised Code."

After line 20189, insert:

"Sec. 2925.01. As used in this chapter:

(A) "Administer," "controlled substance," "controlled
substance analog," "dispense," "distribute," "hypodermic,"
"manufacturer," "official written order," "person," "pharmacist,"
"pharmacy," "sale," "schedule I," "schedule II," "schedule III,"
"schedule IV," "schedule V," and "wholesaler" have the same
meanings as in section 3719.01 of the Revised Code.

(B) "Drug dependent person" and "drug of abuse" have the same
meanings as in section 3719.011 of the Revised Code.

(C) "Drug," "dangerous drug," "licensed health professional
authorized to prescribe drugs," and "prescription" have the same
meanings as in section 4729.01 of the Revised Code.

(D) "Bulk amount" of a controlled substance means any of the
following:

(1) For any compound, mixture, preparation, or substance
included in schedule I, schedule II, or schedule III, with the
exception of any controlled substance analog, marihuana, cocaine,
L.S.D., heroin, any fentanyl-related compound, and hashish and
except as provided in division (D)(2), (5), or (6) of this
section, whichever of the following is applicable:

(a) An amount equal to or exceeding ten grams or twenty-five
unit doses of a compound, mixture, preparation, or substance that
is or contains any amount of a schedule I opiate or opium
derivative;
(b) An amount equal to or exceeding ten grams of a compound, mixture, preparation, or substance that is or contains any amount of raw or gum opium;

(c) An amount equal to or exceeding thirty grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a schedule I stimulant or depressant;

(d) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II opiate or opium derivative;

(e) An amount equal to or exceeding five grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of phencyclidine;

(f) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant that is in a final dosage form manufactured by a person authorized by the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the federal drug abuse control laws, as defined in section 3719.01 of the Revised Code, that is or contains any amount of a schedule II depressant substance or a schedule II hallucinogenic substance;

(g) An amount equal to or exceeding three grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant, or any of its salts or
isomers, that is not in a final dosage form manufactured by a person authorized by the Federal Food, Drug, and Cosmetic Act and the federal drug abuse control laws.

(2) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III or IV substance other than an anabolic steroid or a schedule III opiate or opium derivative;

(3) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III opiate or opium derivative;

(4) An amount equal to or exceeding two hundred fifty milliliters or two hundred fifty grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule V substance;

(5) An amount equal to or exceeding two hundred solid dosage units, sixteen grams, or sixteen milliliters of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III anabolic steroid;

(6) For any compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and any other compound, mixture, preparation, or substance included in schedule III, schedule IV, or schedule V, if the defendant is charged with a violation of section 2925.11 of the Revised Code and the sentencing provisions set forth in divisions (C)(10)(b) and (C)(11) of that section will not apply regarding the defendant and the violation, the bulk amount of the controlled substance for
purposes of the violation is the amount specified in division (D)(1), (2), (3), (4), or (5) of this section for the other schedule III, IV, or V controlled substance that is combined with the fentanyl-related compound.

(E) "Unit dose" means an amount or unit of a compound, mixture, or preparation containing a controlled substance that is separately identifiable and in a form that indicates that it is the amount or unit by which the controlled substance is separately administered to or taken by an individual.

(F) "Cultivate" includes planting, watering, fertilizing, or tilling.

(G) "Drug abuse offense" means any of the following:

(1) A violation of division (A) of section 2913.02 that constitutes theft of drugs, or a violation of section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code;

(2) A violation of an existing or former law of this or any other state or of the United States that is substantially equivalent to any section listed in division (G)(1) of this section;

(3) An offense under an existing or former law of this or any other state, or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a controlled substance is an element;

(4) A conspiracy to commit, attempt to commit, or complicity
in committing or attempting to commit any offense under division (G)(1), (2), or (3) of this section.

(H) "Felony drug abuse offense" means any drug abuse offense that would constitute a felony under the laws of this state, any other state, or the United States.

(I) "Harmful intoxicant" does not include beer or intoxicating liquor but means any of the following:

(1) Any compound, mixture, preparation, or substance the gas, fumes, or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation, or other harmful physiological effects, and includes, but is not limited to, any of the following:

   (a) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, or other preparation containing a volatile organic solvent;

   (b) Any aerosol propellant;

   (c) Any fluorocarbon refrigerant;

   (d) Any anesthetic gas.

(2) Gamma Butyrolactone;

(3) 1,4 Butanediol.

(J) "Manufacture" means to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.
(K) "Possess" or "possession" means having control over a thing or substance, but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.

(L) "Sample drug" means a drug or pharmaceutical preparation that would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one time, had been placed in a container plainly marked as a sample by a manufacturer.

(M) "Standard pharmaceutical reference manual" means the current edition, with cumulative changes if any, of references that are approved by the state board of pharmacy.

(N) "Juvenile" means a person under eighteen years of age.

(O) "Counterfeit controlled substance" means any of the following:

1. Any drug that bears, or whose container or label bears, a trademark, trade name, or other identifying mark used without authorization of the owner of rights to that trademark, trade name, or identifying mark;

2. Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it;

3. Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;

4. Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance
because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale.

(P) An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within one thousand feet of the boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within one thousand feet of the boundaries of any school premises.

(Q) "School" means any school operated by a board of education, any community school established under Chapter 3314. of the Revised Code, or any nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted at the time a criminal offense is committed.

(R) "School premises" means either of the following:

(1) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the premises at the time a criminal offense is committed;

(2) Any other parcel of real property that is owned or leased by a board of education of a school, the governing authority of a community school established under Chapter 3314. of the Revised Code, or the governing body of a nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code and on which some of the instruction, extracurricular activities, or training of the school is conducted, whether or not any instruction, extracurricular
activities, or training provided by the school is being conducted on the parcel of real property at the time a criminal offense is committed.

(S) "School building" means any building in which any of the instruction, extracurricular activities, or training provided by a school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted in the school building at the time a criminal offense is committed.

(T) "Disciplinary counsel" means the disciplinary counsel appointed by the board of commissioners on grievances and discipline of the supreme court under the Rules for the Government of the Bar of Ohio.

(U) "Certified grievance committee" means a duly constituted and organized committee of the Ohio state bar association or of one or more local bar associations of the state of Ohio that complies with the criteria set forth in Rule V, section 6 of the Rules for the Government of the Bar of Ohio.

(V) "Professional license" means any license, permit, certificate, registration, qualification, admission, temporary license, temporary permit, temporary certificate, or temporary registration that is described in divisions (W)(1) to (37) of this section and that qualifies a person as a professionally licensed person.

(W) "Professionally licensed person" means any of the following:

(1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Chapter 4701. of the Revised Code and
who holds an Ohio permit issued under that chapter;

(2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;

(3) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;

(4) A person licensed under Chapter 4707. of the Revised Code;

(5) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;

(6) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;

(7) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;

(8) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's
(9) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;

(10) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;

(11) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;

(12) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;

(13) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;

(14) A person licensed under Chapter 4729. of the Revised Code as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;

(15) A person licensed under Chapter 4729. of the Revised Code as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;

(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;

(17) A person who has been issued a license to practice
medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Chapter 4731. of the Revised Code or has been issued a certificate to practice a limited branch of medicine under that chapter;

(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;

(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;

(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;

(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;

(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;

(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;

(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;

(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;

(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;

(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;

(28) A person who has been issued a class A, class B, or
class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;

(29) A person licensed and registered to practice as a nursing home administrator under Chapter 4751. of the Revised Code;

(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;

(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;

(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;

(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;

(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;

(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;

(36) A person who has been issued a home inspector license under Chapter 4764. of the Revised Code;

(37) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules.

(X) "Cocaine" means any of the following:
(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;

(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine;

(3) A salt, compound, derivative, or preparation of a substance identified in division (X)(1) or (2) of this section that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.

(Y) "L.S.D." means lysergic acid diethylamide.

(Z) "Hashish" means the resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.

(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.

(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised Code, that a prison term is a necessary sanction for a felony in order to comply with
the purposes and principles of sentencing under section 2929.11 of
the Revised Code.

(DD) "Major drug offender" has the same meaning as in section
2929.01 of the Revised Code.

(EE) "Minor drug possession offense" means either of the
following:

(1) A violation of section 2925.11 of the Revised Code as it
existed prior to July 1, 1996;

(2) A violation of section 2925.11 of the Revised Code as it
exists on and after July 1, 1996, that is a misdemeanor or a
felony of the fifth degree.

(FF) "Mandatory prison term" has the same meaning as in
section 2929.01 of the Revised Code.

(GG) "Adulterate" means to cause a drug to be adulterated as
described in section 3715.63 of the Revised Code.

(HH) "Public premises" means any hotel, restaurant, tavern,
store, arena, hall, or other place of public accommodation,
business, amusement, or resort.

(II) "Methamphetamine" means methamphetamine, any salt,
isomer, or salt of an isomer of methamphetamine, or any compound,
mixture, preparation, or substance containing methamphetamine or
any salt, isomer, or salt of an isomer of methamphetamine.

(JJ) "Deception" has the same meaning as in section 2913.01
of the Revised Code.

(KK) "Fentanyl-related compound" means any of the following:

(1) Fentanyl;

(2) Alpha-methylfentanyl
(N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 537
1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine); 538

(3) Alpha-methylthiofentanyl
(N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide); 540

(4) Beta-hydroxyfentanyl
(N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl]-N-phenylpropanamide); 542

(5) Beta-hydroxy-3-methylfentanyl (other name: 543
N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N- 544
phenylpropanamide);

(6) 3-methylfentanyl
(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N- phenylpropanamide); 547

(7) 3-methylthiofentanyl
(N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide); 549

(8) Para-fluorofentanyl
(N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide; 551

(9) Thiofentanyl
(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide; 553

(10) Alfentanil;

(11) Carfentanil;

(12) Remifentanil;

(13) Sufentanil;

(14) Acetyl-alpha-methylfentanyl
(N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); 559
and 560

(15) Any compound that meets all of the following fentanyl 561
pharmacophore requirements to bind at the mu receptor, as 562
identified by a report from an established forensic laboratory,
including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:

(a) A chemical scaffold consisting of both of the following:

(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;

(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.

(b) A polar functional group attached to the chemical scaffold, including but not limited to a hydroxyl, ketone, amide, or ester;

(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and

(d) The compound has not been approved for medical use by the United States food and drug administration.

(LL) "First degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A)(1)(b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after the effective date of this amendment, it means one of the minimum prison terms prescribed in division (A)(1)(a) of that section for a felony of the first degree.

(MM) "Second degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being
imposed is committed on or after the effective date of this amendment, it means one of the minimum prison terms prescribed in division (A)(2)(a) of that section for a felony of the second degree.

(NN) "Maximum first degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A)(1)(b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after the effective date of this amendment, it means the longest minimum prison term prescribed in division (A)(1)(a) of that section for a felony of the first degree.

(OO) "Maximum second degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after the effective date of this amendment, it means the longest minimum prison term prescribed in division (A)(2)(a) of that section for a felony of the second degree.

After line 53530, insert:

"Sec. 4743.02. The examination papers of each applicant examined by boards, commissions, or agencies created under or by virtue of Chapters 4701. to 4741., 4751., and 4757. of the Revised Code shall be open for inspection by the applicant or his attorney for at least ninety days subsequent to the announcement of the applicant's grade; provided, papers not graded by members of examining boards or their employees and which by terms of a contract with any testing company the papers are not available for
inspections, need not be made available for inspection; but it shall be the applicant's right to have any such paper regraded manually, upon written request of either himself or his attorney made to the board within ninety days after announcement of the grade."

After line 53741, insert:

"Sec. 4751.01. As used in sections 4751.01 to 4751.13 of the Revised Code this chapter:

(A) "Health-care licensing agency" means any department, division, board, section of a board, or other government unit that is authorized by a statute of this or another state to issue a license, certificate, permit, card, or other authority to do either of the following in the context of health care:

(1) Engage in a specific profession, occupation, or occupational activity;

(2) Have charge of and operate certain specified equipment, machinery, or premises.

(B) "Licensed health services executive" means an individual who holds a valid health services executive license.

(C) "Licensed nursing home administrator" means an individual who holds a valid nursing home administrator license.

(D) "Licensed temporary nursing home administrator" means an individual who holds a valid temporary nursing home administrator license.

(E) "Long-term services and supports setting" means any institutional or community-based setting in which medical, health, psycho-social, habilitative, rehabilitative, or personal care services are provided to individuals on a
post-acute care basis.

(B) "Nursing home administrator" means any individual responsible for planning, organizing, directing, and managing the operation of a nursing home, or who in fact performs such function, whether or not such functions and duties are shared by one or more other persons.

(C) "Nursing home" means a nursing home as defined by or under the authority of section 3721.01 of the Revised Code, or a nursing home operated by a governmental agency.

(D) "Temporary license" means a license for a period not to exceed one hundred eighty days issued pursuant to division (B) of section 4751.06 of the Revised Code.

(E) "Nursing home administration" means planning, organizing, directing, and managing the operation of a nursing home.

(H) "Nursing home administrator" means any individual who engages in the practice of nursing home administration, whether or not the individual shares the functions and duties of nursing home administration with one or more other individuals.

(I) "Valid health services executive license" means a health services executive license to which all of the following apply:

1. It was issued by the board of executives of long-term services and supports under section 4751.21, 4751.23, 4751.25, or 4751.33 of the Revised Code;

2. It was not sold, fraudulently furnished, or fraudulently obtained in violation of division (F) of section 4751.10 of the Revised Code;

3. It is current and in good standing.
(J) "Valid nursing home administrator license" means a nursing home administrator license to which all of the following apply:

(1) It was issued by the board under section 4751.20, 4751.201, 4751.23, 4751.24, or 4751.33 of the Revised Code;

(2) It was not sold, fraudulently furnished, or fraudulently obtained in violation of division (F) of section 4751.10 of the Revised Code;

(3) It is current and in good standing.

(K) "Valid temporary nursing home administrator license" means a temporary nursing home administrator license to which all of the following apply:

(1) It was issued by the board under section 4751.202, 4751.23, or 4751.33 of the Revised Code;

(2) It was not sold, fraudulently furnished, or fraudulently obtained in violation of division (F) of section 4751.10 of the Revised Code;

(3) It is current and in good standing.

Sec. 4751.03 4751.02. (A) There is hereby established in the department of aging a board of executives of long-term services and supports, which board shall be composed of the following eleven members:

(1) Four members who are nursing home administrators, owners of nursing homes, or officers of corporations owning nursing homes, and who shall have an understanding of person-centered care, and experience with a range of long-term services and supports settings;
(2) (a) Three members who work in long-term services and supports settings that are not nursing homes, and who shall have an understanding of person-centered care, and experience with a range of long-term services and supports settings;

(b) At least one of the members described in division (A)(2)(a) of this section shall be a home health administrator, hospice administrator, an owner of a home health agency or hospice care program, or an officer of a home health agency or hospice care program.

(3) One member who is a member of the academic community;

(4) One member who is a consumer of services offered in a long-term services and supports setting;

(5) One nonvoting member who is a representative of the department of health, designated by the director of health, who is involved in the nursing home survey and certification process, who shall serve in an advisory capacity only;

(6) One nonvoting member who is a representative of the office of the state long-term care ombudsman, designated by the state long-term care ombudsman, who shall serve in an advisory capacity only.

All members of the board shall be citizens of the United States and residents of this state. No member of the board who is appointed under divisions (A)(3) to (6) of this section may have or acquire any direct financial interest in a nursing home or long-term services and supports settings.

(B) The term of office for each appointed member of the board shall be for three years, commencing on the twenty-eighth day of May and ending on the twenty-seventh day of May. Each member shall serve from the date of appointment until the end of the term for
which appointed. No member shall serve more than two consecutive full terms.

(C) Appointments to the board shall be made by the governor. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any appointed member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first.

(D) The governor may remove any member of the board for misconduct, incapacity, incompetence, or neglect of duty after the member so charged has been served with a written statement of charges and has been given an opportunity to be heard.

(E) Each member of the board, except the member designated by the director of health and the member designated by the ombudsman, shall be paid in accordance with section 124.15 of the Revised Code and each member shall be reimbursed for the member's actual and necessary expenses incurred in the discharge of such duties.

(F) The board shall elect annually from its membership a chairperson and a vice-chairperson.

(G) The board shall hold and conduct meetings quarterly and at such other times as its business requires. A majority of the voting members of the board shall constitute a quorum. The affirmative vote of a majority of the voting members of the board is necessary for the board to act.

(H) The board shall appoint a secretary who has no financial interest in a long-term services and supports setting, and may employ and prescribe the powers and duties of such employees and
consultants as are necessary to carry out this chapter and the rules adopted under it.

**Sec. 4751.042 4751.021.** (A) The board of executives of long-term services and supports shall enter into a written agreement with the department of aging for the department to serve as the board's fiscal agent. The fiscal agent shall be responsible for all the board's fiscal matters and financial transactions, as specified in the agreement. The written agreement shall specify the fees that the board shall pay to the fiscal agent for services performed under the agreement, and such fees shall be in proportion to the services performed for the board.

(1) The agreement shall require the fiscal agent to provide the following services:

(a) Preparation and processing of payroll and other personnel documents that the board approves;

(b) Maintenance of ledgers of accounts and reports of account balances, and monitoring of budgets and allotment plans in consultation with the board;

(c) Performance of other routine support services, specified in the agreement, that the fiscal agent considers appropriate to achieve efficiency.

(2) The agreement may require the fiscal agent to provide the following services:

(a) Any shared services between the board and the fiscal agent;

(b) Any other services agreed to by the board and the department, including administrative or technical services.

(B) The board, in conjunction and consultation with the
fiscal agent, has the following authority and responsibility relative to fiscal matters:

(1) Sole authority to expend funds from the board's accounts for programs and any other necessary expenses the board may incur;

(2) Responsibility to cooperate with and inform the fiscal agent fully of all financial transactions.

(C) The board shall follow all state procurement, fiscal, human resources, information technology, statutory, and administrative rule requirements.

(D) In its role as fiscal agent for the board, the department shall serve as a contractor of the board, and does not assume responsibility for the debts or fiscal obligations of the board.

Sec. 4751.14 4751.03. There is hereby created in the state treasury the board of executives of long-term services and supports fund. The fund shall consist of the amounts the board of executives of long-term services and supports collects under this chapter as license and registration fees, other fees, civil penalties, and fines. Money The board shall use the money in the fund shall be used by the board of executives of long-term services and supports to administer and enforce this chapter and the rules adopted under it section 4751.04 of the Revised Code. Investment earnings of the fund shall be credited to the fund.

Sec. 4751.04. The board of executives of long-term services and supports shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement and enforce this chapter.

Sec. 4751.10. No person shall knowingly do any of the
following:

(A) Operate a nursing home unless it is under the supervision of an administrator whose principal occupation is nursing home administration or hospital administration and who is a licensed nursing home administrator or licensed temporary nursing home administrator;

(B) Practice or offer to practice nursing home administration unless the person is a licensed nursing home administrator or licensed temporary nursing home administrator;

(C) Use any of the following unless the person is a licensed nursing home administrator:

(1) The title "licensed nursing home administrator," "nursing home administrator," "licensed assistant nursing home administrator," or "assistant nursing home administrator";


(3) Any other words, letters, signs, cards, or devices that tend to indicate or imply that the person is a licensed nursing home administrator.

(D) Use any of the following unless the person is a licensed temporary nursing home administrator:

(1) The title "licensed temporary nursing home administrator," "temporary nursing home administrator," "licensed temporary assistant nursing home administrator," or "temporary assistant nursing home administrator";

(3) Any other words, letters, signs, cards, or devices that tend to indicate or imply that the person is a licensed temporary nursing home administrator.

(E) Use any of the following unless the person is a licensed health services executive:

(1) The title "licensed health services executive" or "health services executive";

(2) The acronym "LHSE," "L.H.S.E.," "HSE," or "H.S.E." after the person's name;

(3) Any other words, letters, signs, cards, or devices that tend to indicate or imply that the person is a licensed health services executive.

(F) Sell, fraudulently furnish, fraudulently obtain, or aid or abet another person in selling, fraudulently furnishing, or fraudulently obtaining any of the following:

(1) A nursing home administrator license;

(2) A temporary nursing home administrator license;

(3) A health services executive license.

(G) Otherwise violate any of the provisions of this chapter or the rules adopted under section 4751.04 of the Revised Code.

Sec. 4751.101. Nothing in this chapter or the rules adopted under it shall be construed as requiring either of the following:

(A) An individual to be a licensed health services executive in order to do either of the following:

(1) Practice nursing home administration;

(2) Serve in a leadership position at a long-term services and supports setting or direct the practices of others in such a
setting.

(B) An applicant for a nursing home administrator license or temporary nursing home administrator license who is employed by an institution for the care and treatment of the sick to demonstrate proficiency in any medical techniques or to meet any medical educational qualifications or medical standards not in accord with the remedial care and treatment provided by the institution if all of the following apply to the institution:

(1) It is operated exclusively for patients who use spiritual means for healing and for whom the acceptance of medical care is inconsistent with their religious beliefs.

(2) It is accredited by a national accrediting organization.


(4) It provides twenty-four hour nursing care pursuant to the exemption in division (E) of section 4723.32 of the Revised Code from the licensing requirements of Chapter 4723. of the Revised Code.

**Sec. 4751.102.** Every operator of a nursing home shall report to the board of executives of long-term services and supports the name and license number of each licensed nursing home administrator and licensed temporary nursing home administrator who practices nursing home administration at the nursing home not later than ten days after the following dates:

(A) The date the licensed nursing home administrator or licensed temporary nursing home administrator begins to practice nursing home administration at the nursing home;

(B) The date the licensed nursing home administrator or
licensed temporary nursing home administrator ceases to practice nursing home administration at the nursing home.

Sec. 4751.05 4751.15. (A) The board of executives of long-term services and supports, or shall administer, or contract with a government or private entity under contract with the board to administer, examinations for licensure as that an individual must pass to obtain a nursing home administrator, shall admit to an examination any candidate who:

(1) Pays the application fee of fifty dollars;

(2) Submits evidence of good moral character and suitability;

(3) Is at least eighteen years of age;

(4) Has completed educational requirements and work experience satisfactory to the board;

(5) Submits an application on forms prescribed by the board;

(6) Pays license under section 4751.20 or 4751.201 of the Revised Code. If the board contracts with a government or private entity to administer the examinations, the contract may authorize the entity to collect and keep, as all or part of the entity's compensation under the contract, any fee an individual pays to take the examination. The entity is not required to deposit the fee into the state treasury.

To be admitted to an examination administered under this section, an individual must pay the examination fee charged by the board or government or private entity.

(B) Nothing in Chapter 4751. of the Revised Code or the rules adopted thereunder shall be construed to require an applicant for licensure or a temporary license, who is employed by an institution for the care and treatment of the sick to demonstrate
proficiency in any medical techniques or to meet any medical educational qualifications or medical standards not in accord with the remedial care and treatment provided by the institution if the institution is all of the following:

(1) Operated exclusively for patients who use spiritual means for healing and for whom the acceptance of medical care is inconsistent with their religious beliefs;

(2) Accredited by a national accrediting organization;


(4) Providing twenty-four hour nursing care pursuant to the exemption in division (E) of section 4723.32 of the Revised Code from the licensing requirements of Chapter 4723. of the Revised Code.

(C) entity. If an individual fails three times to attain a passing grade on the examination, said person, the individual, before he may again be admitted to the examination a subsequent time, shall meet such additional also must satisfy any education or experience requirements, or both, as that may be prescribed by the board in rules adopted under section 4751.04 of the Revised Code in addition to any education requirements or experience requirements that must be satisfied to obtain a nursing home administrator license under section 4751.20 or 4751.201 of the Revised Code.

Sec. 4751.041 4751.151. Except when the board of executives of long-term services and supports considers it necessary, the board shall not disclose test materials, examinations, or evaluation tools used in an examination for licensure as a nursing
home administrator that the board administers administered under section 4751.04 4751.15 of the Revised Code or contracts under that section with a private or government entity to administer.

Sec. 4751.06 4751.20. (A) An applicant for licensure as a nursing home administrator subject to section 4751.32 of the Revised Code, the board of executives of long-term services and supports shall issue a license to an individual under this section if all of the following requirements are satisfied:

(1) The individual has submitted to the board a completed application for the license in accordance with rules adopted under section 4751.04 of the Revised Code.

(2) If the individual is required by rules adopted under section 4751.04 of the Revised Code to serve as a nursing home administrator in training, the individual has paid to the board the administrator in training fee of fifty dollars.

(3) The individual is at least twenty-one years of age.

(4) The individual has successfully completed educational requirements and work experience specified in rules adopted under section 4751.04 of the Revised Code, including, if so required by the rules, experience obtained as a nursing home administrator in training.

(5) The individual is of good moral character.

(6) The individual has complied with section 4776.02 of the Revised Code regarding a criminal records check.

(7) The board, in its discretion, has determined that the results of the criminal records check do not make the individual
ineligible for the license.

(8) The individual has passed the licensing examination administered by the board of executives of long-term services and supports or a government or private entity under contract with the board, and paid section 4751.15 of the Revised Code.

(9) The individual has paid to the board an original license fee of two hundred fifty dollars shall be issued a license on a form provided by the board. Such

(10) The individual has satisfied any additional requirements as may be prescribed in rules adopted under section 4751.04 of the Revised Code.

(B) A nursing home administrator license shall certify that the applicant individual to whom it was issued has met the licensure applicable requirements of Chapter 4751. this chapter and any applicable rules adopted under section 4751.04 of the Revised Code and is entitled authorized to practice as a licensed nursing home administrator administration while the license is valid.

(B) A temporary license for a period not to exceed one hundred eighty days may be issued to an individual temporarily filling the position of a nursing home administrator vacated by reason of death, illness, or other unexpected cause, pursuant to regulations adopted by the board.

(C) The fee for a temporary license is one hundred dollars. Said fee must accompany the application for the temporary license.

(D) Any license or temporary license issued by the board pursuant to this section shall be under the hand of the chairperson and the secretary of the board.

(E) A duplicate of the original certificate of registration
or license may be secured to replace one that has been lost or destroyed by submitting to the board a notarized statement explaining the conditions of the loss, mutilation, or destruction of the certificate or license and by paying a fee of twenty-five dollars.

(F) A duplicate certificate of registration and license may be issued in the event of a legal change of name by submitting to the board a certified copy of the court order or marriage license establishing the change of name, by returning at the same time the original license and certificate of registration, and by paying a fee of twenty-five dollars.

Sec. 4751.08 4751.201. The (A) Subject to section 4751.32 of the Revised Code, the board of executives of long-term services and supports, in its discretion, and otherwise subject to Chapter 4751. of the Revised Code and the rules adopted by the board thereunder prescribing the qualifications for a nursing home administrator license, may license issue a nursing home administrator without examination if the nursing home administrator has a valid license issued by the proper authorities of any other state, upon payment of to an individual under this section if all of the following requirements are satisfied:

(1) The individual is legally authorized to practice nursing home administration in another state.

(2) The individual has submitted to the board a completed application for the license in accordance with rules adopted under section 4751.04 of the Revised Code.

(3) The individual is at least twenty-one years of age.

(4) The individual holds at least a bachelor's degree from an accredited educational institution.
(5) The individual is of good moral character.

(6) The individual has complied with section 4776.02 of the Revised Code regarding a criminal records check.

(7) The board, in its discretion, has determined that the results of the criminal records check do not make the individual ineligible for the license.

(8) The individual has passed the licensing examination administered under section 4751.15 of the Revised Code.

(9) The individual has paid to the board a license fee of one two hundred fifty dollars, and upon submission of evidence satisfactory to the board both:

   (A) That such other state maintained a system and standard of qualifications and examinations for a nursing home administrator license which were substantially equivalent to those required in this state at the time such other license was issued by such other state;

   (B) That such other state gives similar recognition to nursing home administrators licensed in this state.

(10) The individual has satisfied any additional requirements as may be prescribed in rules adopted under section 4751.04 of the Revised Code.

   (B) A nursing home administrator license shall certify that the individual to whom it was issued has met the applicable requirements of this chapter and any applicable rules adopted under section 4751.04 of the Revised Code and is authorized to practice nursing home administration while the license is valid.

Sec. 4751.202. (A) Subject to section 4751.32 of the Revised Code, the board of executives of long-term services and supports
may issue a temporary nursing home administrator license to an individual if all of the following requirements are satisfied:

(1) The operator of a nursing home has requested that the board issue a temporary nursing home administrator license to the individual to authorize the individual to temporarily practice nursing home administration at the nursing home because of a vacancy in the position of nursing home administrator at the nursing home resulting from a death, illness, or other unexpected cause.

(2) The individual is at least twenty-one years of age.

(3) The individual is of good moral character.

(4) The individual has complied with section 4776.02 of the Revised Code regarding a criminal records check.

(5) The board, in its discretion, has determined that the results of the criminal records check do not make the individual ineligible for the license.

(6) The individual has paid to the board a fee for the temporary license of one hundred dollars.

(7) The individual has satisfied any additional requirements as may be prescribed in rules adopted under section 4751.04 of the Revised Code.

(B) A temporary nursing home administrator license shall certify that the individual to whom it was issued has met the applicable requirements of this chapter and any applicable rules adopted under section 4751.04 of the Revised Code and is authorized to practice nursing home administration while the temporary license is valid.

(C) Except as provided in section 4751.32 of the Revised Code.
Code, a temporary nursing home administrator license is valid for a period of time the board shall specify on the temporary license. That period shall not exceed one hundred eighty days. If that period is less than one hundred eighty days, the individual holding the temporary license may apply to the board for renewal of the temporary license in accordance with rules the board shall adopt under section 4751.04 of the Revised Code. Except as provided in section 4751.32 of the Revised Code, a renewed temporary nursing home administrator license is valid for a period of time the board shall specify on the renewed temporary license. That period shall not exceed the difference between one hundred eighty days and the number of days for which the original temporary license was valid. A renewed temporary nursing home administrator license shall not be renewed. A licensed temporary nursing home administrator who intends to continue to practice nursing home administration after the temporary license, including, if applicable, the renewed temporary license, expires must obtain a nursing home administrator license under section 4751.20 of the Revised Code.

Sec. 4751.21. (A) Subject to section 4751.32 of the Revised Code, the board of executives of long-term services and supports shall issue a health services executive license to an individual if all of the following requirements are satisfied:

(1) The individual has submitted to the board a completed application for the license in accordance with rules adopted under section 4751.04 of the Revised Code.

(2) The individual is a licensed nursing home administrator.

(3) The individual has obtained the health services executive qualification through the national association of long-term care
The individual has complied with section 4776.02 of the Revised Code regarding a criminal records check.

(5) The board, in its discretion, has determined that the results of the criminal records check do not make the individual ineligible for the license.

(6) The individual has paid to the board a license fee of one hundred dollars.

(B) A health services executive license shall certify that the individual to whom it was issued has met the applicable requirements of this chapter and any applicable rules adopted under section 4751.04 of the Revised Code and is a licensed health services executive while the license is valid.

Sec. 4751.22. All licenses and temporary licenses that the board of executives of long-term services and supports issues under this chapter shall include the signatures of the board's chairperson and secretary.

Sec. 4751.23. (A) Subject to section 4751.32 of the Revised Code, the board of executives of long-term services and supports may issue to a licensed nursing home administrator, licensed temporary nursing home administrator, or licensed health services executive a duplicate of the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license if the license or temporary license has been lost, mutilated, or destroyed and the individual does both of the following:

(1) Submits to the board a notarized statement explaining the conditions of the loss, mutilation, or destruction;
(2) Pays to the board a fee of twenty-five dollars.

(B) Subject to section 4751.32 of the Revised Code, the board may issue to a licensed nursing home administrator, licensed temporary nursing home administrator, or licensed health services executive whose name has been legally changed a duplicate of the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license that has the individual's new name if the individual does all of the following:

(1) Submits to the board a certified copy of the court order or marriage license establishing the change of name;

(2) Returns to the board the license or temporary license that has the individual's previous name;

(3) Pays to the board a fee of twenty-five dollars.

Sec. 4751.07 4751.24. (A) Every individual who holds a valid license as a nursing home administrator issued under division (A) of section 4751.06 of the Revised Code, shall immediately upon issuance thereof be registered with the board of executives of long-term services and supports and be issued a certificate of registration. Such individual shall annually apply to the board for a new certificate of registration on forms provided for such purpose prior to the expiration of the certificate of registration and shall at the same time submit Subject to section 4751.32 of the Revised Code, a nursing home administrator license is valid for one year and may be renewed and reinstated in accordance with this section.

(B) If a licensed nursing home administrator intends to continue to practice nursing home administration without interruption after the administrator's license expires, the
administrator shall apply to the board of executives of long-term services and supports for a renewed nursing home administrator license. Subject to section 4751.32 of the Revised Code, the board shall renew the license if the administrator does all of the following before the license expires:

1. Submits to the board a completed application for license renewal in accordance with rules adopted under section 4751.04 of the Revised Code;

2. Pays to the board the license renewal fee of three hundred dollars;

3. Submits to the board satisfactory evidence of having attended such continuing education programs or courses of study as may be prescribed in rules adopted by the board under section 4751.04 of the Revised Code;

4. Satisfies any other requirements as may be prescribed in rules adopted under section 4751.04 of the Revised Code.

(B) Upon making an application for a new certificate of registration such individual shall pay the annual registration fee of three hundred dollars.

(C) Upon receipt of such application for registration and the registration fee required by divisions (A) and (B) of this section, the board shall issue a certificate of registration to such nursing home administrator. If a nursing home administrator license issued under section 4751.20 or 4751.201 of the Revised Code is not renewed before it expires, the individual who held the license may apply to the board for the license's reinstatement. Subject to section 4751.32 of the Revised Code, the board shall reinstate the license if the individual does all of the following not later than one year after the date the license expired:
(1) Submits to the board the completed application for license reinstatement in accordance with rules adopted under section 4751.04 of the Revised Code;

(2) Pays to the board the license reinstatement fee equal to the sum of the following:
   (a) Three hundred dollars;
   (b) Fifty dollars for each calendar quarter that occurs during the period beginning on the date the license expires and ending on the last day of the calendar quarter during which the individual applies for license reinstatement, up to a maximum of two hundred dollars.

(3) Submits to the board satisfactory evidence of having attended such continuing education programs or courses of study as may be prescribed in rules adopted by the board under section 4751.04 of the Revised Code;

(4) Satisfies any other requirements as may be prescribed in rules adopted under section 4751.04 of the Revised Code.

(D) The license of a nursing home administrator who fails to comply with this section shall automatically lapse.

(E) A licensed nursing home administrator who has been licensed and registered in this state who determines to temporarily abandon the practice of nursing home administration shall notify the board in writing immediately; provided, that such individual. The former administrator may thereafter register to resume the practice of nursing home administration within the state upon complying with the requirements of this section regarding annual registration license renewal or license reinstatement, whichever is applicable.

(F) Only an individual who has qualified as a licensed and
registered nursing home administrator under Chapter 4751. of the Revised Code and the rules adopted thereunder, and who holds a valid current registration certificate pursuant to this section, may use the title "nursing home administrator," or the abbreviation "N.H.A." after the individual's name. No other person shall use such title or such abbreviation or any other words, letters, sign, card, or device tending to indicate or to imply that the person is a licensed and registered nursing home administrator.

(G) Every person holding a valid license entitling the person to practice nursing home administration in this state shall display said license in the nursing home which is the person's principal place of employment, and while engaged in the practice of nursing home administration shall have at hand the current registration certificate.

(H) Every person holding a valid temporary license shall have such license at hand while engaged in the practice of nursing home administration.

Sec. 4751.25. (A) Subject to section 4751.32 of the Revised Code, a health services executive license is valid for one year and may be renewed and reinstated in accordance with this section.

(B) A licensed health services executive may apply to the board of executives of long-term services and supports for a renewed license. Subject to section 4751.32 of the Revised Code, the board shall renew the license if the licensed health services executive does all of the following before the license expires:

(1) Submits to the board the completed application for license renewal in accordance with rules adopted under section 4751.04 of the Revised Code;
(2) Pays to the board the license renewal fee of fifty dollars;

(3) Submits to the board satisfactory evidence of having attended such continuing education programs or courses of study as may be prescribed in rules adopted under section 4751.04 of the Revised Code.

(C)(1) If a health services executive license is not renewed before it expires, the individual who held the license may apply to the board for the license's reinstatement. Subject to section 4751.32 of the Revised Code, the board shall reinstate the license if the individual does all of the following not later than one year after the date the license expired:

(a) Submits to the board the completed application for license reinstatement in accordance with rules adopted under section 4751.04 of the Revised Code;

(b) Pays to the board the license reinstatement fee specified in division (C)(2) of this section;

(c) Submits to the board satisfactory evidence of having attended such continuing education programs or courses of study as may be prescribed in rules adopted under section 4751.04 of the Revised Code.

(2) The fee to reinstate a health services executive license under division (C)(1) of this section is the following:

(a) If the individual applying for reinstatement has, at the same time, applied for reinstatement of a nursing home administrator license under division (C) of section 4751.24 of the Revised Code and paid the reinstatement fee required by division (C)(2) of that section, one hundred dollars;

(b) If division (C)(2)(a) of this section does not apply to
the individual, the sum of the following:

(i) One hundred dollars;

(ii) Twenty-five dollars for each calendar quarter that occurs during the period beginning on the date the license expired and ending on the last day of the calendar quarter during which the individual applies for license reinstatement, up to a maximum of one hundred dollars.

Sec. 4751.044 4751.26. The board of executives of long-term services and supports shall approve continuing education courses for licensed nursing home administrators and licensed health services executives. The board may establish a fee for approval of such courses that is adequate to cover any expense the board incurs in the approval process.

Sec. 4751.30. (A) Any person may submit to the board of executives of long-term services and supports a complaint that the person reasonably believes that another person has violated, or failed to comply with a requirement of, this chapter or a rule adopted under section 4751.04 of the Revised Code. All of the following apply to complaints submitted to the board under this section:

(1) They are not subject to discovery in any civil action.

(2) They are not public records for purposes of section 149.43 of the Revised Code.

(3) They are not subject to inspection or copying under section 1347.08 of the Revised Code.

(B) Except as provided in division (D) of section 4751.31 of the Revised Code, the board shall protect the confidentiality of
each person who submits a complaint to the board under this section.

Sec. 4751.31. (A) The board of executives of long-term services and supports shall receive, investigate, and take appropriate action with respect to any complaint submitted to the board under section 4751.30 of the Revised Code and any other credible information the board possesses that indicates a person may have violated, or failed to comply with a requirement of, this chapter or a rule adopted under section 4751.04 of the Revised Code.

(B) In conducting an investigation under this section, the board may do any of the following:

(1) Question witnesses;

(2) Conduct interviews;

(3) Inspect and copy any books, accounts, papers, records, or other documents;

(4) Issue subpoenas;

(5) Compel the attendance of witnesses and the production of documents and testimony.

(C) No member of the board who supervises an investigation conducted under this section shall participate in any adjudication arising from the investigation.

(D) The board may disclose any information it receives as part of an investigation conducted under this section, including the identity of a person who submits a complaint under section 4751.30 of the Revised Code, to a law enforcement agency, licensing board, or other government agency that investigates, prosecutes, or adjudicates alleged violations of statutes or
rules. An agency or board that receives such information shall protect the confidentiality of a person who submits a complaint under section 4751.30 of the Revised Code in the same manner as the board of executives of long-term services and supports, notwithstanding any other information that the agency or other board possesses.

Sec. 4751.10 4751.32. (A) The license or registration, or both, or the temporary license of any person practicing or offering to practice nursing home administration, shall be revoked or suspended by the board of executives of long-term services and supports may take any of the actions authorized by division (B) of this section against an individual who has applied for or holds a nursing home administrator license, temporary nursing home administrator license, or health services executive license if such licensee or temporary licensee any of the following apply to the individual:

(A) Is (1) The individual has failed to satisfy any requirement established by this chapter or the rules adopted under section 4751.04 of the Revised Code that must be satisfied to obtain the license or temporary license.

(2) The individual has violated, or failed to comply with a requirement of, this chapter or a rule adopted under section 4751.04 of the Revised Code regarding the practice of nursing home administration, including the requirements of sections 4751.40 and 4751.41 of the Revised Code.

(3) The individual is unfit or incompetent to practice nursing home administration, serve in a leadership position at a long-term services and supports setting, or direct the practices of others in such a setting by reason of negligence, habits, or
other causes:

(B) Has willfully or repeatedly violated any of the provisions of Chapter 4751. of the Revised Code or the regulations adopted thereunder; or willfully or repeatedly, including the individual's habitual or excessive use or abuse of drugs, alcohol, or other substances.

(4) The individual has acted in a manner inconsistent with the health and safety of either of the patients following:

(a) The residents of the nursing home in which the licensee or temporary licensee is the administrator individual practices nursing home administration;

(C) Is guilty of fraud or deceit in the practice of nursing home administration or in the licensee's or temporary licensee's admission to such practice;

(D) Has (b) The consumers of services and supports provided by a long-term services and supports setting at which the individual serves in a leadership position or directs the practices of others.

(5) The individual has been convicted of, or pleaded guilty to, either of the following in a court of competent jurisdiction, either within or without this state, of a:

(a) A felony;

(b) An offense of moral turpitude that constitutes a misdemeanor in this state.

(6) The individual made a false, fraudulent, deceptive, or misleading statement in seeking to obtain, or obtaining, a nursing home administrator license, temporary nursing home administrator license, or health services executive license.
(7) The individual made a fraudulent misrepresentation in attempting to obtain, or obtaining, money or anything of value in the practice of nursing home administration or while serving in a leadership position at a long-term services and supports setting or directing the practices of others in such a setting.

(8) The individual has substantially deviated from the board's code of ethics.

(9) Another health care licensing agency has taken any of the following actions against the individual for any reason other than nonpayment of a fee:

(a) Denied, refused to renew or reinstate, limited, revoked, or suspended, or accepted the surrender of, a license or other authorization to practice;

(b) Imposed probation;

(c) Issued a censure or other reprimand.

(10) The individual has failed to do any of the following:

(a) Cooperate with an investigation conducted by the board under section 4751.31 of the Revised Code;

(b) Respond to or comply with a subpoena issued by the board in an investigation of the individual;

(c) Comply with any disciplinary action the board has taken against the individual pursuant to this section.

(B) The following are the actions that the board may take for the purpose of division (A) of this section:

(1) Deny the individual any of the following:

(a) A nursing home administrator license under section 4751.20, 4751.201, 4751.23, or 4751.24 of the Revised Code;
(b) A temporary nursing home administrator license under section 4751.202 or 4751.23 of the Revised Code;

(c) A health services executive license under section 4751.21, 4751.23, or 4751.25 of the Revised Code.

(2) Suspend the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license;

(3) Revoke the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license, either permanently or for a period of time the board specifies;

(4) Place a limitation on the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license;

(5) Place the individual on probation;

(6) Issue a written reprimand of the individual;

(7) Impose on the individual a civil penalty, fine, or other sanction specified in rules adopted under section 4751.04 of the Revised Code.

(C) The board shall take actions authorized by division (B) of this section in accordance with Chapter 119. of the Revised Code, except that the board may enter into a consent agreement with an individual to resolve an alleged violation of this chapter or a rule adopted under section 4751.04 of the Revised Code in lieu of making an adjudication regarding the alleged violation. A consent agreement constitutes the board's findings and order with respect to the matter addressed in the consent agreement if the board ratifies the consent agreement. Any admissions or findings included in a proposed consent agreement have no force or effect.
if the board refuses to ratify the consent agreement.

Sec. 4751.11 4751.33. (A) The board of executives of long-term services and supports may, in its discretion, reissue a nursing home administrator license or registration, or both, temporary nursing home administrator license, or health services executive license to any person individual whose license or registration, or both, temporary license has been revoked.

(B) Application for the reissuance of a license or registration, or both, shall not be made prior to one year after revocation and shall be made in such manner as the board may direct.

(C) If a person an individual who has been convicted of, or pleaded guilty to, a felony is subsequently pardoned by the governor of the state where such conviction or plea was had or by the president of the United States, or receives a final release granted by the adult parole authority of this state or its equivalent agency of another state, the board may, in its discretion, on application of such person the individual and on the submission of evidence satisfactory to the board restore to such person the individual's nursing home administrator's license or registration, temporary nursing home administrator license, or both health services executive license.

Sec. 4751.12 4751.35. On receipt of a notice pursuant to section 3123.43 of the Revised Code, the board of executives of long-term services and supports shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to a license or temporary license issued pursuant to this chapter.
Sec. 4751.13 4751.36. The board of executives of long-term services and supports shall comply with section 4776.20 of the Revised Code.

Sec. 4751.37. The board of executives of long-term services and supports shall take such actions as may be necessary to enable the state to meet the requirements set forth in section 1908 of the "Social Security Act," 42 U.S.C. 1396g.

Sec. 4751.38. The board of executives of long-term services and supports shall create opportunities for the education, training, and credentialing of nursing home administrators, persons in leadership positions who practice in long-term services and supports settings or who direct the practices of others in those settings, and persons interested in serving in those roles. In carrying out this duty, the board shall do both the following:

(A) Identify core competencies and areas of knowledge that are appropriate for nursing home administrators, credentialed individuals, and others working within the long-term services and supports settings system, with an emphasis on all of the following:

(1) Leadership;

(2) Person-centered care;

(3) Principles of management within both the business and regulatory environments;

(4) An understanding of all post-acute settings, including transitions from acute settings and between post-acute settings.

(B) Assist in the development of a strong, competitive market in this state for making training, continuing education, and
degree programs available to individuals seeking to practice nursing home administration, serve in a leadership position at a long-term services and support setting, or direct the practice of others in such a setting.

Sec. 4751.043 4751.381. (A) Training and education programs developed by the board of executives of long-term services and supports pursuant to division (A)(10) of section 4751.04 4751.38 of the Revised Code may be conducted in person or through electronic media. The board may establish and charge a fee for the education and training programs.

(B) The board may enter into a contract with a government or private entity to perform the board's duties under division (A)(10) of section 4751.04 4751.38 of the Revised Code to develop and conduct education and training programs. If the board enters into such a contract, the contract may authorize the entity to pay any or all costs associated with the education or training programs and to collect and keep, as all or part of the entity's compensation under the contract, any fee an applicant for education or training pays to enroll in the education or training program.

Sec. 4751.40. Each licensed nursing home administrator, licensed temporary nursing home administrator, and licensed health services executive shall report to the board of executives of long-term services and supports any change in any of the following not later than ten days after the change:

(A) The individual's residence mailing address;

(B) The name and address of each place at which the individual practices nursing home administration;
(C) The name and address of each long-term services and supports setting at which the individual serves in a leadership position or directs the practices of others.

Sec. 4751.41. Every licensed nursing home administrator, licensed temporary nursing home administrator, and licensed health services executive shall display the individual's license or temporary license in the place at which the individual practices nursing home administration and the long-term services and supports setting at which the individual serves in a leadership position or directs the practices of others.

Sec. 4751.45. An individual who is a licensed nursing home administrator, licensed temporary nursing home administrator, or licensed health services executive may request that the board of executives of long-term services and supports provide to a licensing board or agency of another state verification of the individual's licensure status under this chapter and other related information in the board's possession. The board shall provide the licensing board or agency of the other state the verification and other related information so requested if the individual pays to the board the fee for this service. The board shall adopt a rule under section 4751.04 of the Revised Code establishing the fee.

Sec. 4751.99. Whoever violates section 4751.02 or 4751.09 of the Revised Code may be fined not more than five hundred dollars for the first offense; for each subsequent offense such person may be fined not more than five hundred dollars or imprisoned for not more than ninety days, or both.

The imposition of fines pursuant to this section does not preclude the imposition of any civil penalties or fines authorized
under by section 4751.04 4751.32 or any other section of the Revised Code."

In line 58436, after "4747.," insert "4751."

In line 58460, after the period insert "Applicant for a restored license" does not include a person seeking restoration of a license under section 4751.33 of the Revised Code."

After line 58462, insert:

"Sec. 4776.20. (A) As used in this section:

(1) "Licensing agency" means, in addition to each board identified in division (C) of section 4776.01 of the Revised Code, the board or other government entity authorized to issue a license under Chapters 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 4736., 4737., 4738., 4740., 4742., 4747., 4749., 4751., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code. "Licensing agency" includes an administrative officer that has authority to issue a license.

(2) "Licensee" means, in addition to a licensee as described in division (B) of section 4776.01 of the Revised Code, the person to whom a license is issued by the board or other government entity authorized to issue a license under Chapters 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 4736., 4737., 4738., 4740., 4742., 4747., 4749., 4751., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code.

(3) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(B) On a licensee's conviction of, plea of guilty to,

133HB166-CC6013/RYT
judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the licensee's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the licensee's license.

(C) If there is a conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code and all or part of the violation occurred on the premises of a facility that is licensed by a licensing agency, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the facility's name and address and the offender's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the facility's license.

(D) Notwithstanding any provision of the Revised Code to the contrary, the suspension of a license under division (B) or (C) of this section shall be implemented by a licensing agency without a prior hearing. After the suspension, the licensing agency shall give written notice to the subject of the suspension of the right to request a hearing under Chapter 119. of the Revised Code. After a hearing is held, the licensing agency shall either revoke or permanently revoke the license of the subject of the suspension, unless it determines that the license holder has not been convicted of, pleaded guilty to, been found guilty of, or been found guilty based on a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code.
Revised Code."

After line 81161, insert:

"Sec. 5903.12. (A) As used in this section:

"Continuing education" means continuing education required of a licensee by law and includes, but is not limited to, the continuing education required of licensees under sections 3737.881, 3781.10, 4701.11, 4715.141, 4715.25, 4717.09, 4723.24, 4725.16, 4725.51, 4730.14, 4730.49, 4731.155, 4731.282, 4734.25, 4735.141, 4736.11, 4741.16, 4741.19, 4751.07, 4751.24, 4751.25, 4755.63, 4757.33, 4759.06, 4761.06, and 4763.07 of the Revised Code.

"Reporting period" means the period of time during which a licensee must complete the number of hours of continuing education required of the licensee by law.

(B) A licensee may submit an application to a licensing agency, stating that the licensee requires an extension of the current reporting period because the licensee has served on active duty during the current or a prior reporting period. The licensee shall submit proper documentation certifying the active duty service and the length of that active duty service. Upon receiving the application and proper documentation, the licensing agency shall extend the current reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current reporting period. For purposes of this division, any portion of a month served on active duty shall be considered one full month."

In line 82826, after "991.02," insert "1347.08,"

In line 82832, after "2923.20," insert "2925.01,"
In line 82873, after "4737.045," insert "4743.02,"; after "4745.04," insert "4751.01, 4751.03, 4751.041, 4751.042, 4751.043, 4751.044, 4751.05, 4751.06, 4751.07, 4751.08, 4751.10, 4751.11, 4751.12, 4751.13, 4751.14, 4751.99,"

In line 82883, after "4776.01," insert "4776.20,"

In line 82912, after "5903.04," insert "5903.12,"

In line 82922, after "4731.296," insert "4751.02, 4751.04, 4751.09,"

After line 96558, insert:

"Section 747.30. As used in this section, "authorizing statute" means a Revised Code section or provision of a Revised Code section that is cited in the Ohio Administrative Code as the statute that authorizes the adoption of a rule.

The Board of Executives of Long-Term Services and Supports is not required to amend any rule for the sole purpose of updating the citation in the Ohio Administrative Code to the rule's authorizing statute to reflect that this act renumbers the authorizing statute or relocates it to another Revised Code section. Such citations shall be updated as the Board amends the rules for other purposes."

After line 97672, insert:


The motion was __________ agreed to.
Health services executive license; other changes

R.C. 4751.01 (primary), 109.572, 149.43, 1347.08, 2925.01, 4743.02, 4751.041, 4751.043, 4751.044, 4751.05, 4751.06, 4751.07, 4751.08, 4751.10, 4751.11, 4751.12, 4751.14, 4751.99, 4776.01, 4776.20, and 5903.12 (amended); R.C. 4751.03 (4751.02), 4751.041 (4751.151), 4751.042 (4751.021), 4751.043 (4751.381), 4751.044 (4751.26), 4751.05 (4751.15), 4751.06 (4751.20), 4751.07 (4751.24), 4751.08 (4751.201), 4751.10 (4751.32), 4751.11 (4751.33), 4751.12 (4751.35), 4751.13 (4751.36), and 4751.14 (4751.03) (amended, for the purpose of adopting new section numbers); R.C. 4751.04 and 4751.10 (enacted new); R.C. 4751.101, 4751.102, 4751.202, 4751.21, 4751.22, 4751.23, 4751.25, 4751.30, 4751.31, 4751.37, 4751.38, 4751.40, 4751.41, and 4751.45 (enacted); R.C. 4751.02, 4751.04, and 4751.09 (repealed); Section 747.30

Health services executive license

Restores House-added provisions removed by the Senate that:

- Task the Board of Executives of Long-Term Services and Supports with issuing health services executive licenses and sets the requirements for issuance, renewal, and reinstatement of the license.

- Prohibit a person from knowingly using words or other devices to indicate that the person holds a health services executive license unless the person holds the license.

- Specify that a health services executive license is not required to practice nursing home administration or serve in a
leadership position in a long-term services and supports setting.

Nursing home administrator license

Restores House-added provisions removed by the Senate that:

- Revise the requirements for a standard nursing home administrator license, including raising the minimum age to 21 (from 18) and establishing a criminal records check requirement.

- Revise the requirements for an out-of-state and temporary nursing home administrator license, including establishing age, education, character, and criminal records check requirements.

- Eliminate annual certificates of registration for nursing home administrator licenses and instead makes standard and out-of-state licenses valid for one year.

- Establish renewal procedures for the license.

Criminal records checks

Restores House-added provisions that require applicants for a nursing home administrator license or health services executive license to use the same criminal records check process as for various occupational licenses.

Complaints

Restores House-added provisions that:

- Revise the law governing complaints about nursing home administrators and extends it to health services executives.

- Permit any person to submit to the Board a complaint about a violation of the law governing nursing home administrators or health services executives.

- Require the Board to receive, investigate, and take appropriate action for complaints.
- Authorize the Board to question witnesses, conduct interviews, inspect and copy documents, issue subpoenas, and compel the attendance of witnesses and the production of documents and testimony.

**Disciplinary action**

Restores House-added provisions that:

- Permit, rather than require, the Board to take certain disciplinary actions regarding individuals who apply for or hold a nursing home administrator license or a health services executive license.

- Revise the reasons for which disciplinary action may be taken and the types of disciplinary actions that may be taken.

**Reissuance and restoration of licenses**

Restores House-added provisions that apply the Board's authority to reissue a license that has been revoked for at least one year or to restore a felon's license when the felon is pardoned or receives a final release to the three types of nursing home administrator licenses (standard, out-of-state, and temporary) and health services executive licenses.

**Display of licenses**

Restores House-added provisions that revise requirements regarding the display of licenses to require licensed nursing home administrators and licensed health services executives to display their license in the place where they practice.

**Prohibitions**

Restores House-added provisions that revise the prohibitions regarding the practice of nursing home administration and the licenses needed to engage in that practice, including specifying...
that a person must *knowingly* violate a prohibition to be subject to a penalty.

**Board membership**

Restores House-added provisions specifying that an administrator, owner, or officer of a hospice care program may be one of the Board's members who work in long-term services and supports settings, understand person-centered care, and have experience with a range of long-term services and supports settings.

**Relocation and reorganization of statutes**

Restores House-added provisions that:

- Relocate and reorganize many statutory provisions governing the Board to modernize and clarify those statutes.

- Provide that the Board is not required to amend its rules for the sole purposes of updating citations to the authorizing statutes.