

Sub. S. B. No. 68
As Passed by the Senate

_____ moved to amend as follows:

In line 1 of the title, delete "section" and insert "sections"; 1
after "4510.10" insert ", 4779.08, 4779.10, 4779.11, 4779.12, 4779.17, 2
4779.18, and 4779.35" 3

In line 6 of the title, delete "and" and insert "," 4

In line 7 of the title, after "plan" insert ", and to allow an 5
applicant with unique and exceptional qualifications to be issued an 6
orthotics, prosthetics, or orthotics and prosthetics license" 7

In line 8, delete "section" and insert "sections"; after "4510.10" 8
insert ", 4779.08, 4779.10, 4779.11, 4779.12, 4779.17, 4779.18, and 9
4779.35" 10

After line 141, insert: 11

"Sec. 4779.08. (A) The Ohio occupational therapy, 12
physical therapy, and athletic trainers board shall adopt rules 13
in accordance with Chapter 119. of the Revised Code to carry out 14
the purposes of this chapter, including rules prescribing all of 15
the following: 16

(1) The form and manner of filing of applications to be 17



admitted to examinations and for licensure and license renewal;	18
(2) Standards and procedures for formulating, evaluating, approving, and administering licensing examinations or recognizing other entities that conduct examinations;	19 20 21
(3) The form, scoring, and scheduling of licensing examinations;	22 23
(4) Fees for examinations and applications for licensure and license renewal;	24 25
(5) Fees for approval of continuing education courses;	26
(6) Procedures for issuance, renewal, suspension, and revocation of licenses and the conduct of disciplinary hearings;	27 28
(7) The schedule to be used for biennial renewal of licenses;	29 30
(8) Standards of ethical and professional conduct in the practice of orthotics, prosthetics, and pedorthics;	31 32
(9) Standards for approving national certification organizations in orthotics, prosthetics, and pedorthics;	33 34
(10) Fines for violations of this chapter;	35
(11) Standards for the recognition and approval of educational programs required for licensure, including standards for approving foreign educational credentials;	36 37 38
(12) Standards for continuing education programs required for license renewal;	39 40
(13) The amount, scope, and nature of continuing education activities required for license renewal, including waivers of the continuing education requirements;	41 42 43

(14) Provisions for making available the information described in section 4779.22 of the Revised Code;	44 45
(15) Requirements for criminal records checks of applicants under section 4776.03 of the Revised Code;	46 47
(16) Requirements for an individual who is not licensed under this chapter to practice prosthetics or orthotics and prosthetics to engage in the 3-D printing of open-source prosthetic kits;	48 49 50 51
<u>(17) Requirements for an applicant to be eligible for an orthotics, prosthetics, or orthotics and prosthetics license because of the applicant's unique and exceptional qualifications based on the recommendations submitted to the board by the orthotics, prosthetics, and pedorthics advisory council under section 4779.35 of the Revised Code, including standards for satisfactory evidence that demonstrate the applicant's qualifications through the applicant's education, experience, or training.</u>	52 53 54 55 56 57 58 59 60
(B) The board may adopt any other rules necessary for the administration of this chapter.	61 62
(C) All fees received by the board under this section shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund established in section 4743.05 of the Revised Code.	63 64 65 66
Sec. 4779.10. To <u>(A) Except as provided in division (B) of this section, to be eligible for a license to practice orthotics, an applicant must meet the following requirements:</u>	67 68 69
(A) <u>(1)</u> On the date of application, the applicant has practiced orthotics for not less than eight months under the	70 71

supervision of an individual licensed under this chapter to 72
practice orthotics. 73

~~(B)~~ (2) The applicant has completed an orthotics residency 74
program approved by the Ohio occupational therapy, physical 75
therapy, and athletic trainers board under section 4779.27 of 76
the Revised Code. 77

~~(C)~~ (3) One of the following is the case: 78

~~(1)~~ (a) The applicant holds a bachelor's degree in 79
orthotics and prosthetics from an accredited college or 80
university whose orthotics and prosthetics program is recognized 81
by the board under section 4779.25 of the Revised Code or an 82
equivalent educational credential from a foreign educational 83
institution recognized by the board. 84

~~(2)~~ (b) The applicant holds a bachelor's degree in a 85
subject other than orthotics and prosthetics or an equivalent 86
educational credential from a foreign educational institution 87
recognized by the board and has completed a certificate program 88
in orthotics recognized by the board under section 4779.26 of 89
the Revised Code. 90

(B) The board may issue a license to practice orthotics to 91
an applicant with unique and exceptional qualifications who 92
meets the requirements to be issued the license established by 93
rules adopted under section 4779.08 of the Revised Code. 94

Sec. 4779.11. ~~To~~ (A) Except as provided in division (B) 95
of this section, to be eligible for a license to practice 96
prosthetics, an applicant must meet the following requirements: 97

~~(A)~~ (1) On the date of application, the applicant has 98
practiced prosthetics for not less than eight months under the 99

supervision of an individual licensed under this chapter to 100
practice prosthetics. 101

~~(B)~~ (2) The applicant has completed a prosthetics 102
residency program approved by the Ohio occupational therapy, 103
physical therapy, and athletic trainers board under section 104
4779.27 of the Revised Code. 105

~~(C)~~ (3) One of the following is the case: 106

~~(1)~~ (a) The applicant holds a bachelor's degree in 107
orthotics and prosthetics from an accredited college or 108
university whose orthotics and prosthetics program is recognized 109
by the board under section 4779.25 of the Revised Code or an 110
equivalent educational credential from a foreign educational 111
institution recognized by the board. 112

~~(2)~~ (b) The applicant holds a bachelor's degree in a 113
subject other than orthotics and prosthetics or an equivalent 114
educational credential from a foreign educational institution 115
recognized by the board and has completed a certificate program 116
in prosthetics recognized by the board under section 4779.26 of 117
the Revised Code. 118

(B) The board may issue a license to practice prosthetics 119
to an applicant with unique and exceptional qualifications who 120
meets the requirements to be issued the license established by 121
rules adopted under section 4779.08 of the Revised Code. 122

Sec. 4779.12. ~~To~~ (A) Except as provided in division (B) 123
of this section, to be eligible for a license to practice 124
orthotics and prosthetics, an applicant must meet the following 125
requirements: 126

~~(A)~~ (1) On the date of application, the applicant has 127

practiced orthotics and prosthetics for not less than eight 128
months under the supervision of an individual licensed under 129
this chapter to practice orthotics and prosthetics. 130

~~(B)~~ (2) The applicant has completed an orthotics and 131
prosthetics residency program approved by the Ohio occupational 132
therapy, physical therapy, and athletic trainers board under 133
section 4779.27 of the Revised Code. 134

~~(C)~~ (3) One of the following is the case: 135

~~(1)~~ (a) The applicant holds a bachelor's degree in 136
orthotics and prosthetics from an accredited college or 137
university whose orthotics and prosthetics program is recognized 138
by the board under section 4779.25 of the Revised Code or an 139
equivalent educational credential from a foreign educational 140
institution recognized by the board. 141

~~(2)~~ (b) The applicant holds a bachelor's degree in a 142
subject other than orthotics and prosthetics or an equivalent 143
educational credential from a foreign educational institution 144
recognized by the board and has completed a certificate program 145
in orthotics and prosthetics recognized by the board under 146
section 4779.26 of the Revised Code. 147

(B) The board may issue a license to practice orthotics 148
and prosthetics to an applicant with unique and exceptional 149
qualifications who meets the requirements to be issued the 150
license established by rules adopted under section 4779.08 of 151
the Revised Code. 152

Sec. 4779.17. The Ohio occupational therapy, physical 153
therapy, and athletic trainers board shall issue a license under 154
section 4779.09 of the Revised Code to practice orthotics, 155
prosthetics, orthotics and prosthetics, or pedorthics without 156

examination to an applicant who meets all of the following	157
requirements:	158
(A) Applies to the board in accordance with section	159
4779.09 of the Revised Code;	160
(B) Holds a license to practice orthotics, prosthetics,	161
orthotics and prosthetics, or pedorthics issued by the	162
appropriate authority of another state;	163
(C) One of the following applies:	164
(1) In the case of an applicant for a license to practice	165
orthotics, the applicant meets the requirements in divisions (B)	166
and (C) <u>(A) (2) and (3)</u> of section 4779.10 of the Revised Code.	167
(2) In the case of an applicant for a license to practice	168
prosthetics, the applicant meets the requirements in divisions	169
(B) and (C) <u>(A) (2) and (3)</u> of section 4779.11 of the Revised	170
Code.	171
(3) In the case of an applicant for a license to practice	172
orthotics and prosthetics, the applicant meets the requirements	173
in divisions (B) and (C) <u>(A) (2) and (3)</u> of section 4779.12 of	174
the Revised Code.	175
(4) In the case of an applicant for a license to practice	176
pedorthics, the applicant meets the requirements in divisions	177
(B) and (C) of section 4779.13 of the Revised Code.	178
(D) All fees received by the board under this section	179
shall be deposited in the state treasury to the credit of the	180
occupational licensing and regulatory fund established in	181
section 4743.05 of the Revised Code.	182
Sec. 4779.18. (A) The Ohio occupational therapy, physical	183
therapy, and athletic trainers board shall issue a temporary	184

license to an individual who meets all of the following	185
requirements:	186
(1) Applies to the board in accordance with rules adopted	187
under section 4779.08 of the Revised Code and pays the	188
application fee specified in the rules;	189
(2) Is eighteen years of age or older;	190
(3) Is of good moral character;	191
(4) One of the following applies:	192
(a) In the case of an applicant for a license to practice	193
orthotics, the applicant meets the requirements in divisions (B)	194
and (C) <u>(A) (2) and (3)</u> of section 4779.10 of the Revised Code.	195
(b) In the case of an applicant for a license to practice	196
prosthetics, the applicant meets the requirements in divisions	197
(B) and (C) <u>(A) (2) and (3)</u> of section 4779.11 of the Revised	198
Code.	199
(c) In the case of an applicant for a license to practice	200
orthotics and prosthetics, the applicant meets the requirements	201
in divisions (B) and (C) <u>(A) (2) and (3)</u> of section 4779.12 of	202
the Revised Code.	203
(d) In the case of an applicant for a license to practice	204
pedorthics, the applicant meets the requirements in divisions	205
(B) and (C) of section 4779.13 of the Revised Code.	206
(B) A temporary license issued under this section is valid	207
for one year and may be renewed once in accordance with rules	208
adopted by the board under section 4779.08 of the Revised Code.	209
An individual who holds a temporary license may practice	210
orthotics, prosthetics, orthotics and prosthetics, or pedorthics	211

only under the supervision of an individual who holds a license 212
issued under section 4779.09 of the Revised Code in the same 213
area of practice. 214

(C) All fees received by the board under this section 215
shall be deposited in the state treasury to the credit of the 216
occupational licensing and regulatory fund established in 217
section 4743.05 of the Revised Code. 218

Sec. 4779.35. (A) The Ohio occupational therapy, physical 219
therapy, and athletic trainers board shall appoint an orthotics, 220
prosthetics, and pedorthics advisory council for the purpose of 221
advising the board on issues relating to the practice of 222
orthotics, prosthetics, and pedorthics and the investigation of 223
complaints regarding the practice of orthotics, prosthetics, and 224
pedorthics. 225

The advisory council shall consist of not more than five 226
individuals knowledgeable in the area of orthotics, prosthetics, 227
and pedorthics. A majority of the council members shall be 228
individuals actively engaged in the practice of orthotics, 229
prosthetics, and pedorthics who meet the requirements for 230
licensure under Chapter 4779. of the Revised Code. 231

The Ohio orthotics and prosthetics association, or its 232
successor organization, may nominate the names of up to three 233
qualified individuals for consideration by the board in making 234
appointments for each vacancy on the council. 235

(B) Not later than ninety days after ~~the effective date of~~ 236
~~this section~~ January 1, 2018, the board shall make initial 237
appointments to the council. Members shall serve three-year 238
staggered terms of office in accordance with rules adopted by 239
the board. Thereafter, terms of office shall be for three years, 240

with each term ending on the same day of the same month as did 241
the term that it succeeds. A council member shall continue in 242
office subsequent to the expiration date of the member's term 243
until a successor is appointed and takes office, or until a 244
period of sixty days has elapsed, whichever occurs first. Each 245
council member shall hold office from the date of appointment 246
until the end of the term for which the member was appointed. 247

(C) With approval from the director of administrative 248
services, members may receive an amount fixed under division (J) 249
of section 124.15 of the Revised Code for each day the member is 250
performing the member's official duties and be reimbursed for 251
actual and necessary expenses incurred in performing those 252
duties. 253

(D) The council shall meet at least four times per year 254
and at such other times as may be necessary to carry out its 255
responsibilities. 256

(E) The council shall submit to the board recommendations 257
concerning all of the following: 258

(1) Requirements for issuing a license to practice 259
orthotics, prosthetics, and pedorthics, including the 260
educational and experience requirements that must be met to 261
receive a license; 262

(2) Existing and proposed rules pertaining to the practice 263
of orthotics, prosthetics, and pedorthics and the administration 264
and enforcement of this chapter; 265

(3) Standards for the approval of educational programs 266
required to qualify for licensure and continuing education 267
programs for licensure renewal; 268

(4) Procedures for the issuance and renewal of licenses;	269
(5) Fees for the issuance and renewal of a license to practice orthotics, prosthetics, and pedorthics;	270 271
(6) Standards of practice and ethical conduct in the practice of orthotics, prosthetics, and pedorthics;	272 273
(7) Complaints concerning alleged violation of Chapter 4779. of the Revised Code or grounds for the suspension, revocation, refusal to issue, or issuance of probationary licenses;	274 275 276 277
(8) The safe and effective practice of orthotics, prosthetics, and pedorthics;	278 279
<u>(9) Requirements for issuing a license to practice orthotics, prosthetics, or orthotics and prosthetics to an applicant with unique and exceptional qualifications, including standards for satisfactory evidence for the applicant to be eligible for the license.</u>	280 281 282 283 284
In line 142, delete "section" and insert "sections"; after "4510.10" insert ", 4779.08, 4779.10, 4779.11, 4779.12, 4779.17, 4779.18, and 4779.35"	285 286 287
In line 143, delete "is" and insert "are"	288

The motion was _____ agreed to.

SYNOPSIS 289

Licensure because of unique and exceptional qualifications 290
291

R.C. 4779.08, 4779.10, 4779.11, 4779.12, 4779.17,	292
4779.18, and 4779.35	293
Permits the Ohio Occupational Therapy, Physical Therapy,	294
and Athletic Trainers Board to issue an orthotics, prosthetics,	295
or orthotics and prosthetics license to an applicant with unique	296
and exceptional qualifications.	297
Requires the Board to adopt rules establishing	298
requirements for an applicant to be eligible for a license	299
because of the applicant's unique and exceptional	300
qualifications, including standards for satisfactory evidence	301
that demonstrate the applicant's qualifications through the	302
applicant's education, experience, or training.	303
Requires the Orthotics, Prosthetics, and Pedorthics	304
Advisory Council to issue recommendations to the Board on	305
requirements to issue a license to an applicant with unique and	306
exceptional qualifications.	307