

As Passed by the House

133rd General Assembly

Regular Session

2019-2020

Am. Sub. H. B. No. 673

Representative Roemer

**Cosponsors: Representatives Wiggam, Crossman, Galonski, Hambley, Rogers,
Seitz**

A BILL

To amend sections 4709.02, 4709.05, 4709.12, 1
4709.13, and 4729.41 and to enact sections 2
4709.071, 4713.351, and 4729.42 of the Revised 3
Code and to amend Section 30 of H.B. 197 of the 4
133rd General Assembly regarding the operation 5
of businesses, practice of certain professions, 6
and completion of education as it relates to 7
COVID-19. 8

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

Section 1. That sections 4709.02, 4709.05, 4709.12, 9
4709.13, and 4729.41 be amended and sections 4709.071, 4713.351, 10
and 4729.42 of the Revised Code be enacted to read as follows: 11

Sec. 4709.02. Except as provided in this chapter, no 12
person shall do any of the following: 13

(A) Engage in or attempt to engage in the practice of 14
barbering, hold themselves out as a practicing barber, or 15
advertise in a manner that indicates they are a barber, without 16
a barber license or a temporary pre-examination work permit 17
issued pursuant to this chapter; 18

(B) Operate or attempt to operate a barber shop without a barber shop license issued pursuant to this chapter;	19 20
(C) Engage in or attempt to engage in the teaching of or assist in the teaching of the practice of barbering without a barber teacher or assistant barber teacher license issued pursuant to this chapter;	21 22 23 24
(D) Advertise barbering services unless the establishment and personnel employed therein are licensed <u>or hold a permit</u> pursuant to this chapter;	25 26 27
(E) Use or display a barber pole for the purpose of offering barber services to the consuming public without a barber shop license issued pursuant to this chapter;	28 29 30
(F) Operate or attempt to operate a barber school without a barber school license issued pursuant to this chapter;	31 32
(G) Teach or attempt to teach any phase of barbering for pay, free, or otherwise without approval from the state cosmetology and barber board;	33 34 35
(H) Being a barber, knowingly continue the practice of barbering, or being a student, knowingly continue as a student in any barber school, while such person has an infectious, contagious, or communicable disease;	36 37 38 39
(I) Obtain or attempt to obtain a license <u>or permit</u> by fraudulent misrepresentation for money, other than the required fee, or any other thing of value;	40 41 42
(J) Practice or attempt to practice barbering by fraudulent misrepresentation;	43 44
(K) Employ <u>Perform, or employ</u> another person to perform or himself perform, the practice of barbering in a licensed barber	45 46

shop unless that person ~~is licensed as a barber holds a license~~ 47
~~or permit to practice barbering under this chapter;~~ 48

~~(L) Use any room or place for barbering which is also used 49~~
~~for residential or other business purposes, unless it is 50~~
~~separated by a substantial ceiling-high partition. This does not 51~~
~~exclude hair care products used and sold in barber shops or the 52~~
~~sale of clothing and related accessories as authorized by 53~~
~~division (F) of section 4709.09 of the Revised Code. 54~~

~~(M) Violate any rule adopted by the board or department of 55~~
health for barber shops or barber schools. 56

Sec. 4709.05. In addition to any other duty imposed on the 57
state cosmetology and barber board under this chapter or Chapter 58
4713. of the Revised Code, the board shall do all of the 59
following: 60

(A) Hold regular meetings, at the times and places as it 61
determines for the purpose of conducting the examinations 62
required under this chapter, and hold additional meetings for 63
the transaction of necessary business; 64

(B) Maintain a record of its proceedings and a register of 65
persons licensed as barbers. The register shall include each 66
licensee's name, place of business, residence, and licensure 67
date and number, and a record of all licenses issued, refused, 68
renewed, suspended, or revoked. The records are open to public 69
inspection at all reasonable times. 70

(C) Ensure that the practice of barbering is conducted 71
only in a licensed barber shop, except when the practice of 72
barbering is performed on a person whose physical or mental 73
disability prevents that person from going to a licensed barber 74
shop; 75

(D) Conduct or have conducted the examination for	76
applicants to practice as licensed barbers at least four times	77
per year at the times and places the board determines;	78
(E) Adopt rules, in accordance with Chapter 119. of the	79
Revised Code, to administer and enforce this chapter and which	80
cover all of the following:	81
(1) Sanitary standards for the operation of barber shops	82
and barber schools that conform to guidelines established by the	83
department of health;	84
(2) The content of the examination required of an	85
applicant for a barber license. The examination shall include a	86
practical demonstration and a written test, shall relate only to	87
the practice of barbering, and shall require the applicant to	88
demonstrate that the applicant has a thorough knowledge of and	89
competence in the proper techniques in the safe use of chemicals	90
used in the practice of barbering.	91
(3) Continuing education requirements for persons licensed	92
pursuant to this chapter. The board may impose continuing	93
education requirements upon a licensee for a violation of this	94
chapter or the rules adopted pursuant thereto or if the board	95
determines that the requirements are necessary to preserve the	96
health, safety, or welfare of the public.	97
(4) Requirements for the licensure of barber schools,	98
barber teachers, and assistant barber teachers;	99
(5) Requirements for students of barber schools;	100
(6) Any other area the board determines appropriate to	101
administer or enforce this chapter;	102
<u>(7) Conditions an individual must satisfy to qualify for a</u>	103

temporary pre-examination work permit under section 4709.071 of 104
the Revised Code and the conditions and method of renewing a 105
temporary pre-examination work permit under that section. The 106
board may establish additional conditions for a temporary pre- 107
examination work permit under section 4709.071 of the Revised 108
Code that is applicable to individuals who are licensed to 109
practice barbering in another state or country. 110

(F) Prior to adopting any rule under this chapter, 111
indicate at a formal hearing the reasons why the rule is 112
necessary as a protection of the persons who use barber services 113
or as an improvement of the professional standing of barbers in 114
this state; 115

(G) Furnish each owner or manager of a barber shop and 116
barber school with a copy of all sanitary rules adopted pursuant 117
to division (E) of this section; 118

(H) Conduct such investigations and inspections of persons 119
and establishments licensed or unlicensed pursuant to this 120
chapter and for that purpose, any member of the board or any of 121
its authorized agents may enter and inspect any place of 122
business of a licensee or a person suspected of violating this 123
chapter or the rules adopted pursuant thereto, during normal 124
business hours; 125

(I) Upon the written request of an applicant and the 126
payment of the appropriate fee, provide to the applicant 127
licensure information concerning the applicant; 128

(J) Do all things necessary for the proper administration 129
and enforcement of this chapter. 130

Sec. 4709.071. (A) The state cosmetology and barber board 131
shall issue a temporary pre-examination work permit to practice 132

barbering to an individual who applies for and is eligible to 133
take an examination conducted under section 4709.07 of the 134
Revised Code, if the individual satisfies all of the following 135
conditions: 136

(1) The individual has not previously failed an 137
examination conducted under section 4709.07 of the Revised Code. 138

(2) The individual pays to the board the applicable fee. 139

(3) The individual satisfies all other conditions 140
established by rules adopted under section 4709.05 of the 141
Revised Code. 142

(B) An individual issued a temporary pre-examination work 143
permit under this section may practice until the date the 144
individual is scheduled to take an examination under section 145
4709.07 of the Revised Code. The individual shall practice under 146
the supervision of an individual holding a current, valid barber 147
license. 148

(C) A temporary pre-examination work permit is renewable 149
in accordance with rules adopted under section 4709.05 of the 150
Revised Code. 151

Sec. 4709.12. (A) The state cosmetology and barber board 152
shall charge and collect the following fees: 153

(1) For the application to take the barber examination, 154
ninety dollars; 155

(2) For an application to retake any part of the barber 156
examination, forty-five dollars; 157

(3) For the initial issuance of a license to practice as a 158
barber, thirty dollars; 159

(4) For the biennial renewal of the license to practice as a barber, one hundred ten dollars;	160 161
(5) For the restoration of an expired barber license, one hundred dollars, and seventy-five dollars for each lapsed year, provided that the total fee shall not exceed six hundred ninety dollars;	162 163 164 165
(6) For the issuance of a duplicate barber or shop license, forty-five dollars;	166 167
(7) For the inspection of a new barber shop, change of ownership, or reopening of premises or facilities formerly operated as a barber shop, and issuance of a shop license, one hundred ten dollars;	168 169 170 171
(8) For the biennial renewal of a barber shop license, seventy-five dollars;	172 173
(9) For the restoration of a barber shop license, one hundred ten dollars;	174 175
(10) For each inspection of premises for location of a new barber school, or each inspection of premises for relocation of a currently licensed barber school, seven hundred fifty dollars;	176 177 178
(11) For the initial barber school license, one thousand dollars, and one thousand dollars for the renewal of the license;	179 180 181
(12) For the restoration of a barber school license, one thousand dollars;	182 183
(13) For the issuance of a student registration, forty dollars;	184 185
(14) For the examination and issuance of a biennial	186

teacher license, one hundred eighty-five dollars;	187
(15) For the renewal of a biennial teacher license, one hundred fifty dollars;	188 189
(16) For the restoration of an expired teacher license, two hundred twenty-five dollars, and sixty dollars for each lapsed year, provided that the total fee shall not exceed four hundred fifty dollars;	190 191 192 193
(17) For the issuance of a barber license by reciprocity pursuant to section 4709.08 of the Revised Code, three hundred dollars;	194 195 196
(18) For providing licensure information concerning an applicant, upon written request of the applicant, forty dollars;	197 198
<u>(19) For a temporary pre-examination work permit under section 4709.071 of the Revised Code, not more than fifteen dollars.</u>	199 200 201
(B) The board, subject to the approval of the controlling board, may establish fees in excess of the amounts provided in this section, provided that the fees do not exceed the amounts permitted by this section by more than fifty per cent.	202 203 204 205
(C) In addition to any other fee charged and collected under this section, the board shall ask each person renewing a license to practice as a barber whether the person wishes to make a two-dollar voluntary contribution to the Ed Jeffers barber museum. The board shall transmit any contributions to the treasurer of state for deposit into the occupational licensing fund.	206 207 208 209 210 211 212
Sec. 4709.13. (A) The state cosmetology and barber board may refuse to issue or renew or may suspend or revoke or impose	213 214

conditions upon any license <u>or permit</u> issued pursuant to this	215
chapter for any one or more of the following causes:	216
(1) Advertising by means of knowingly false or deceptive	217
statements;	218
(2) Habitual drunkenness or possession of or addiction to	219
the use of any controlled drug prohibited by state or federal	220
law;	221
(3) Immoral or unprofessional conduct;	222
(4) Continuing to be employed in a barber shop wherein	223
rules of the board or department of health are violated;	224
(5) Employing any person who does not have a current Ohio	225
license <u>or permit</u> to perform the practice of barbering;	226
(6) Owning, managing, operating, or controlling any barber	227
school or portion thereof, wherein the practice of barbering is	228
carried on, whether in the same building or not, without	229
displaying a sign at all entrances to the places where the	230
barbering is carried on, indicating that the work therein is	231
done by students exclusively;	232
(7) Owning, managing, operating, or controlling any barber	233
shop, unless it displays a recognizable sign or barber pole	234
indicating that it is a barber shop, and the sign or pole is	235
clearly visible at the main entrance to the shop;	236
(8) Violating any sanitary rules approved by the	237
department of health or the board;	238
(9) Employing another person to perform or personally	239
perform the practice of barbering in a licensed barber shop	240
unless that person is licensed as a barber <u>or holds a permit to</u>	241
<u>practice barbering</u> under this chapter;	242

(10) Gross incompetence.	243
(B) (1) The board may refuse to renew or may suspend or	244
revoke or impose conditions upon any license <u>or permit</u> issued	245
pursuant to this chapter for conviction of or plea of guilty to	246
a felony committed after the person has been issued a license <u>or</u>	247
<u>permit</u> under this chapter, shown by a certified copy of the	248
record of the court in which the person was convicted or pleaded	249
guilty.	250
(2) A conviction or plea of guilty to a felony committed	251
prior to being issued a license <u>or permit</u> under this chapter	252
shall not disqualify a person from being issued an initial	253
license under this chapter.	254
(C) Prior to taking any action under division (A) or (B)	255
of this section, the board shall provide the person with a	256
statement of the charges against the person and notice of the	257
time and place of a hearing on the charges. The board shall	258
conduct the hearing according to Chapter 119. of the Revised	259
Code. Any person dissatisfied with a decision of the board may	260
appeal the board's decision to the court of common pleas in	261
Franklin county.	262
(D) The board may adopt rules in accordance with Chapter	263
119. of the Revised Code, specifying additional grounds upon	264
which the board may take action under division (A) of this	265
section.	266
<u>Sec. 4713.351. (A) For purposes of this section, a</u>	267
<u>"limited event" includes, but is not limited to, the following:</u>	268
<u>(1) A charity event;</u>	269
<u>(2) On-location wedding or event preparation;</u>	270

<u>(3) A bridal or hair show;</u>	271
<u>(4) An on-location spa event;</u>	272
<u>(5) An on-location event at a location such as a nursing home, hospital, or other care facility that lacks an on-site salon or barber shop;</u>	273 274 275
<u>(6) An on-location event at the private residence of an individual who is unable to visit a fixed location salon or barber shop.</u>	276 277 278
<u>(B) Notwithstanding any provision of this chapter or Chapter 4709. of the Revised Code, or the rules adopted under either chapter, to the contrary, an individual who is licensed to provide services under Chapter 4709. or 4713. of the Revised Code may provide those services on premises other than a salon or a barber shop licensed under Chapter 4709., as applicable, for limited events only if the services provided are incidental to the licensee's practice in a salon or barber shop.</u>	279 280 281 282 283 284 285 286
<u>(C) The state cosmetology and barber board shall not require an individual who provides incidental services as described in this section to obtain an additional license or permit to provide those services.</u>	287 288 289 290
Sec. 4729.41. (A) (1) A pharmacist licensed under this chapter who meets the requirements of division (B) of this section, and a pharmacy intern licensed under this chapter who meets the requirements of division (B) of this section and is working under the direct supervision of a pharmacist who meets the requirements of that division, may do any of the following:	291 292 293 294 295 296
(a) Administer immunizations for influenza to individuals who are seven years of age or older;	297 298

(b) Only pursuant to a prescription, administer to	299
individuals who are seven years of age or older but not more	300
than thirteen years of age any of the immunizations included in	301
division (A) (2) of this section;	302
(c) Administer to individuals who are thirteen years of	303
age or older any of the immunizations included in division (A)	304
(2) of this section;	305
<u>(d) Administer immunizations for COVID-19, if any, to</u>	306
<u>individuals who are seven years of age or older.</u>	307
(2) A pharmacist or pharmacy intern may administer in	308
accordance with divisions (A) (1) (b) and (c) of this section	309
either of the following:	310
(a) Any immunization that on March 19, 2015, is included	311
in either of the following immunization schedules recommended by	312
the advisory committee on immunization practices of the centers	313
for disease control and prevention in the United States	314
department of health and human services:	315
(i) The recommended immunization schedule for persons aged	316
zero through eighteen years;	317
(ii) The recommended adult immunization schedule.	318
(b) Any other immunization specified in rules adopted	319
under division (E) (1) (d) of this section.	320
(3) As part of engaging in the administration of	321
immunizations or supervising a pharmacy intern's administration	322
of immunizations, a pharmacist may administer epinephrine or	323
diphenhydramine, or both, to individuals in emergency situations	324
resulting from adverse reactions to the immunizations	325
administered by the pharmacist or pharmacy intern.	326

(B) For a pharmacist or pharmacy intern to be authorized 327
to engage in the administration of immunizations pursuant to 328
division (A) of this section, the pharmacist or pharmacy intern 329
shall do all of the following: 330

(1) Successfully complete a course in the administration 331
of immunizations that meets the requirements established in 332
rules adopted under this section for such courses; 333

(2) Receive and maintain certification to perform basic 334
life-support procedures by successfully completing a basic life- 335
support training course that is certified by the American red 336
cross or American heart association or approved by the state 337
board of pharmacy; 338

(3) Practice in accordance with a protocol that meets the 339
requirements of division (C) of this section. 340

(C) All of the following apply with respect to the 341
protocol required by division (B) (3) of this section: 342

(1) The protocol shall be established by a physician 343
authorized under Chapter 4731. of the Revised Code to practice 344
medicine and surgery or osteopathic medicine and surgery. 345

(2) The protocol shall specify a definitive set of 346
treatment guidelines and the locations at which a pharmacist or 347
pharmacy intern may engage in the administration of 348
immunizations. 349

(3) The protocol shall satisfy the requirements 350
established in rules adopted under this section for protocols. 351

(4) The protocol shall include provisions for 352
implementation of the following requirements: 353

(a) The pharmacist or pharmacy intern who administers an 354

immunization shall observe the individual who receives the 355
immunization to determine whether the individual has an adverse 356
reaction to the immunization. The length of time and location of 357
the observation shall comply with the rules adopted under this 358
section establishing requirements for protocols. The protocol 359
shall specify procedures to be followed by a pharmacist when 360
administering epinephrine, diphenhydramine, or both, to an 361
individual who has an adverse reaction to an immunization 362
administered by the pharmacist or a pharmacy intern. 363

(b) For each immunization administered to an individual by 364
a pharmacist or pharmacy intern, other than an immunization for 365
influenza administered to an individual eighteen years of age or 366
older, the pharmacist or pharmacy intern shall notify the 367
individual's family physician or, if the individual has no 368
family physician, the board of health of the health district in 369
which the individual resides or the authority having the duties 370
of a board of health for that district under section 3709.05 of 371
the Revised Code. The notice shall be given not later than 372
thirty days after the immunization is administered. 373

(c) For each immunization administered by a pharmacist or 374
pharmacy intern to an individual younger than eighteen years of 375
age pursuant to division (A) (1) of this section, the pharmacist 376
or a pharmacy intern shall obtain permission from the 377
individual's parent or legal guardian in accordance with the 378
procedures specified in rules adopted under this section. 379

(D) (1) No pharmacist shall do either of the following: 380

(a) Engage in the administration of immunizations unless 381
the requirements of division (B) of this section have been met; 382

(b) Delegate to any person the pharmacist's authority to 383

engage in or supervise the administration of immunizations. 384

(2) No pharmacy intern shall engage in the administration 385
of immunizations unless the requirements of division (B) of this 386
section have been met. 387

(E) (1) The state board of pharmacy shall adopt rules to 388
implement this section. The rules shall be adopted in accordance 389
with Chapter 119. of the Revised Code and shall include the 390
following: 391

(a) Requirements for courses in administration of 392
immunizations, including requirements that are consistent with 393
any standards established for such courses by the centers for 394
disease control and prevention; 395

(b) Requirements for protocols to be followed by 396
pharmacists and pharmacy interns in engaging in the 397
administration of immunizations; 398

(c) Procedures to be followed by pharmacists and pharmacy 399
interns in obtaining from the individual's parent or legal 400
guardian permission to administer immunizations to an individual 401
younger than eighteen years of age pursuant to division (A) (1) 402
of this section; 403

(d) Provisions specifying any immunizations that may be 404
administered under division (A) (2) (b) of this section. 405

(2) Prior to adopting rules regarding requirements for 406
protocols to be followed by pharmacists and pharmacy interns in 407
engaging in the administration of immunizations, the state board 408
of pharmacy shall consult with the state medical board and the 409
board of nursing. 410

(3) Prior to adopting rules specifying any immunizations 411

that may be administered under division (A) (2) (b) of this 412
section, the state board of pharmacy shall consult with the 413
state medical board. 414

(F) In addition to the rules it adopts under division (E) 415
of this section, the state board of pharmacy may adopt rules 416
that change the immunizations authorized by division (A) (2) (a) 417
of this section to reflect changes in the recommendations of the 418
advisory committee on immunization practices. The rules shall be 419
adopted in accordance with Chapter 119. of the Revised Code. 420

Sec. 4729.42. A pharmacist may order and administer 421
diagnostic tests for COVID-19 and tests for COVID-19 antibodies. 422

Both of the following may, under the direct supervision of 423
a pharmacist, administer diagnostic tests for COVID-19 and tests 424
for COVID-19 antibodies: 425

(A) A pharmacy intern; 426

(B) A certified pharmacy technician. 427

Section 2. That existing sections 4709.02, 4709.05, 428
4709.12, 4709.13, and 4729.41 of the Revised Code are hereby 429
repealed. 430

Section 3. That Section 30 of H.B. 197 of the 133rd 431
General Assembly be amended to read as follows: 432

Sec. 30. (A) During the period ~~of beginning on the date~~ 433
that the emergency declared by Executive Order 2020-01D₇ was 434
issued on, March 9, 2020, and ending on July 1, 2021, the 435
requirement of division (A) (2) (a) of section 4723.09 of the 436
Revised Code is suspended. Accordingly, during such period, the 437
Board of Nursing shall grant to an applicant described in 438
division (A) of section 4723.09 of the Revised Code a temporary 439

license to practice nursing as a registered nurse or as a 440
licensed practical nurse if the conditions of divisions (A) (1) 441
and (A) (2) (b) to (d) of section 4723.09 of the Revised Code have 442
been met. 443

For each nurse practicing under a temporary license as 444
authorized by this division, the State Board of Nursing shall 445
recognize any hours the nurse works under the temporary license 446
and count those hours towards any outstanding clinical 447
experience that must be completed before the nurse is eligible 448
to take the examination that is required when division (A) (2) (a) 449
of section 4723.09 of the Revised Code is no longer suspended. 450

(B) A temporary license issued under this section ~~shall be~~ 451
~~is valid until whichever of the following dates occurs first:~~ 452

~~(1) The date that is ninety days after December 1, 2020;~~ 453

~~(2) The date that is ninety days after the duration of the~~ 454
~~period of the emergency described in division (A) of this~~ 455
~~section~~July 1, 2021. 456

(C) (1) An individual is not eligible for a temporary 457
license issued under this section if any of the following apply: 458

(a) The individual has previously taken and failed the 459
examination for licensure to practice as a registered nurse or 460
as a licensed practical nurse; 461

(b) A criminal records check conducted in accordance with 462
section 4723.091 of the Revised Code indicates that the 463
individual has been convicted of, pleaded guilty to, or had a 464
judicial finding of guilt for, any felony; 465

(c) The individual has taken a drug test and failed that 466
test, as determined by the Board. 467

(2) If, while holding a temporary license issued under 468
this section, any of the following occur, the licensee's 469
temporary license is void and has no effect immediately 470
beginning on the date of the occurrence: 471

(a) The licensee fails the examination for licensure to 472
practice as a registered nurse or as a licensed practical nurse; 473

(b) A criminal records check conducted in accordance with 474
section 4723.091 of the Revised Code indicates that the licensee 475
has been convicted of, pleaded guilty to, or had a judicial 476
finding of guilt for, any felony; 477

(c) The licensee fails a drug test, as determined by the 478
Board. 479

Section 4. That existing Section 30 of H.B. 197 of the 480
133rd General Assembly is hereby repealed. 481

Section 5. Notwithstanding any provision of law to the 482
contrary, each educator preparation program approved under 483
section 3333.048 of the Revised Code shall develop and implement 484
a plan to provide its students with alternative experiences, 485
assignments, or instruction in the 2020-2021 academic year to 486
make up any hours or weeks of clinical experiences, including 487
field experiences, student teaching, and internship placements, 488
that the students miss due to the Director of Health's order 489
under section 3701.13 of the Revised Code "In re: Order the 490
Closure of All K-12 Schools in the State of Ohio" issued on 491
March 14, 2020, or any local board of health order, and any 492
extension of any order, based on the implications of COVID-19 or 493
due to any other closure of schools or implementation of limited 494
hours based on the implications of COVID-19. The alternative 495
experiences, assignments, or instruction shall allow students to 496

demonstrate mastery of the expected outcomes of clinical 497
experiences. The alternative experiences, assignments, or 498
instruction may include virtual learning, designing lessons and 499
units of instruction, selecting and implementing instructional 500
strategies, teaching lessons and content, assessing learning to 501
evaluate student progress and inform instructional decisions, 502
creating a supportive learning environment, managing the 503
classroom effectively, and other appropriate activities. The 504
Department of Higher Education and the Department of Education 505
shall consider a student who successfully completes make up 506
hours or weeks in the 2020-2021 academic year using alternative 507
experiences, assignments, or instruction eligible for licensure 508
and endorsement recommendations in the same manner as a student 509
who completes clinical experiences. This section shall not apply 510
to a barber school licensed under Chapter 4709. of the Revised 511
Code or a school of cosmetology licensed under Chapter 4713. of 512
the Revised Code. 513

Section 6. (A) As used in this section: 514

(1) (a) "Occupational license" means any license, 515
certificate, permit, or other authorization issued by a state 516
agency that allows the holder to practice a job or profession. 517

(b) "Occupational license" does not include a license 518
issued pursuant to rules prescribed under Section 5 of Article 519
IV, Ohio Constitution. 520

(2) "State agency" has the same meaning as in section 1.60 521
of the Revised Code. 522

(3) "Distance education" means continuing education 523
courses in which instruction is accomplished through the use of 524
interactive, electronic media and where the teacher and student 525

are separated by distance or time, or both. 526

(B) (1) Except as provided in division (B) (2) of this 527
section and notwithstanding any provision of law to the 528
contrary, beginning on the effective date of this section and 529
ending on December 1, 2020, any requirement that a person must 530
complete continuing education to maintain or renew an 531
occupational license is suspended. 532

(2) Division (B) (1) of this section does not apply if the 533
laws governing the applicable occupational license allow a 534
person to complete continuing education through distance 535
education. 536

Section 7. Section 4729.41 of the Revised Code is 537
presented in this act as a composite of the section as amended 538
by both H.B. 101 and H.B. 541 of the 132nd General Assembly. The 539
General Assembly, applying the principle stated in division (B) 540
of section 1.52 of the Revised Code that amendments are to be 541
harmonized if reasonably capable of simultaneous operation, 542
finds that the composite is the resulting version of the section 543
in effect prior to the effective date of the section as 544
presented in this act. 545