

As Introduced

**129th General Assembly
Regular Session
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S. B. No. 297

Senator Patton

Cosponsor: Senator Tavares

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A B I L L

To amend section 4731.293 of the Revised Code to 1
specify requirements for obtaining and renewing a 2
clinical research faculty certificate and to 3
declare an emergency. 4

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

Section 1. That section 4731.293 of the Revised Code be 5
amended to read as follows: 6

Sec. 4731.293. (A) The state medical board may issue, without 7
examination, a ~~visiting medical~~ clinical research faculty 8
certificate to any person who applies for the certificate and 9
provides to the board all of the following: 10

(1) Evidence satisfactory to the board of all of the 11
following: 12

(a) That the applicant holds a current, unrestricted license 13
to practice medicine and surgery or osteopathic medicine and 14
surgery issued by another state or country ~~and;~~ 15

(b) That the applicant has been appointed to serve in this 16
state on the academic staff of a medical school accredited by the 17
liaison committee on medical education or an osteopathic medical 18

school accredited by the American osteopathic association; 19

(c) That the applicant is an international medical graduate 20
who holds a medical degree from an educational institution listed 21
in the international medical education directory; 22

(d) That the applicant will be permitted to work only under 23
the authority of the department director or chairperson of a 24
teaching hospital affiliated with the medical school where the 25
applicant's teaching and research activities will occur. 26

(2) An affidavit and supporting documentation from the dean 27
of the medical school or the department director or chairperson of 28
a teaching hospital affiliated with the school that the applicant 29
is qualified to perform teaching and research activities; 30

(3) A description from the medical school or teaching 31
hospital of the scope of practice in which the applicant will be 32
involved, including the types of teaching, research, and 33
procedures in which the applicant will be engaged; 34

(4) A description of the type and amount of patient contact 35
that will occur in connection with the applicant's teaching and 36
research activities. Except as provided in division (E) of this 37
section, the board shall not issue more than one visiting medical 38
faculty certificate to any particular person. 39

(B) An applicant for a ~~visiting medical~~ an initial clinical 40
research faculty certificate ~~shall submit evidence satisfactory to~~ 41
~~the board that the applicant meets the requirements of division~~ 42
~~(A) of this section. The applicant shall pay a fee of three~~ 43
~~hundred seventy-five dollars. The board shall maintain a register~~ 44
~~of all persons who hold a visiting medical faculty certificate.~~ 45

(C) The holder of a ~~visiting medical~~ clinical research 46
faculty certificate may practice medicine and surgery or 47
osteopathic medicine and surgery only as is incidental to the 48
certificate holder's teaching or research duties at the medical 49

school or ~~the~~ a teaching ~~hospitals~~ hospital affiliated with the 50
school. The board may revoke a certificate on receiving proof 51
satisfactory to the board that the certificate holder ~~of the~~ 52
~~certificate~~ has engaged in practice in this state outside the 53
scope of the certificate or that there are grounds for action 54
against the certificate holder under section 4731.22 of the 55
Revised Code. 56

(D) A ~~visiting medical~~ clinical research faculty certificate 57
is valid for ~~the shorter of three years or the duration of, except~~ 58
that the certificate ceases to be valid if the holder's 59
appointment to the academic staff of the school is no longer 60
valid. ~~The certificate may not be renewed.~~ 61

(E) ~~If a person was granted a visiting medical faculty~~ 62
~~certificate before the effective date of this amendment, the~~ 63
~~person may apply for a second visiting medical faculty~~ 64
~~certificate, unless the person's first certificate was revoked.~~ 65
~~The board may issue the second certificate if the applicant~~ 66
~~complies with division (B) of this section~~ (1) A clinical research 67
faculty certificate may be renewed for an additional three-year 68
period. There is no limit on the number of times a certificate may 69
be renewed. A person seeking renewal of a certificate shall apply 70
to the board and is eligible for renewal if the applicant does all 71
of the following: 72

(a) Pays a renewal fee of three hundred seventy-five dollars; 73

(b) Provides to the board an affidavit and supporting 74
documentation from the dean of the medical school or the 75
department director or chairperson of a teaching hospital 76
affiliated with the school that the applicant is in compliance 77
with the applicant's current clinical research faculty 78
certificate; 79

(c) Provides evidence satisfactory to the board of all of the 80

<u>following:</u>	81
<u>(i) That the applicant continues to maintain a current,</u>	82
<u>unrestricted license to practice medicine and surgery or</u>	83
<u>osteopathic medicine and surgery issued by another state or</u>	84
<u>country;</u>	85
<u>(ii) That the applicant's initial appointment to serve in</u>	86
<u>this state on the academic staff of a medical school is still</u>	87
<u>valid or has been renewed;</u>	88
<u>(iii) That the applicant has satisfied the same continuing</u>	89
<u>medical education requirements set forth in section 4731.281 of</u>	90
<u>the Revised Code that apply to a person who holds a certificate to</u>	91
<u>practice medicine and surgery or osteopathic medicine and surgery</u>	92
<u>issued under this chapter.</u>	93
<u>(2) Regardless of whether the certificate has expired, a</u>	94
<u>person who was granted a visiting medical faculty certificate</u>	95
<u>under this section as it existed immediately prior to the</u>	96
<u>effective date of this amendment may apply for a clinical research</u>	97
<u>faculty certificate as a renewal. The board may issue the clinical</u>	98
<u>research faculty certificate if the applicant meets the</u>	99
<u>requirements of division (E)(1) of this section. The board may not</u>	100
<u>issue a clinical research faculty certificate if the visiting</u>	101
<u>medical faculty certificate was revoked.</u>	102
<u>(F) The board shall maintain a register of all persons who</u>	103
<u>hold clinical research faculty certificates.</u>	104
<u>(G) The board may adopt any rules it considers necessary to</u>	105
<u>implement this section. The rules shall be adopted in accordance</u>	106
<u>with Chapter 119. of the Revised Code.</u>	107
Section 2. That existing section 4731.293 of the Revised Code	108
is hereby repealed.	109
Section 3. This act is hereby declared to be an emergency	110

measure necessary for the immediate preservation of the public 111
peace, health, and safety. The reason for this necessity is that 112
swift enactment will allow several extraordinary doctors to renew 113
their certificates and continue their work in Ohio without 114
interruption. Otherwise, these doctors will not be permitted to 115
work in Ohio and will leave the state. Therefore, this act shall 116
go into immediate effect. 117