

As Reported by the Senate Health, Human Services and Aging  
Committee

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Sub. 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  
specify requirements for obtaining and renewing a  
clinical research faculty certificate and to  
declare an emergency.

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

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

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

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

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

(b) That the applicant has been appointed to serve in this  
state on the academic staff of a medical school accredited by the

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 is proficient in spoken English as 23  
demonstrated by passing the examination described in section 24  
4731.142 of the Revised Code. 25

(2) An affidavit and supporting documentation from the dean 26  
of the medical school or the department director or chairperson of 27  
a teaching hospital affiliated with the school that the applicant 28  
is qualified to perform teaching and research activities and will 29  
be permitted to work only under the authority of the department 30  
director or chairperson of a teaching hospital affiliated with the 31  
medical school where the applicant's teaching and research 32  
activities will occur; 33

(3) A description from the medical school or teaching 34  
hospital of the scope of practice in which the applicant will be 35  
involved, including the types of teaching, research, and 36  
procedures in which the applicant will be engaged; 37

(4) A description from the medical school or teaching 38  
hospital of the type and amount of patient contact that will occur 39  
in connection with the applicant's teaching and research 40  
activities. Except as provided in division (E) of this section, 41  
the board shall not issue more than one visiting medical faculty 42  
certificate to any particular person. 43

(B) An applicant for ~~a visiting medical~~ an initial clinical 44  
research faculty certificate ~~shall submit evidence satisfactory to~~ 45  
~~the board that the applicant meets the requirements of division~~ 46  
~~(A) of this section. The applicant shall pay a fee of three~~ 47  
~~hundred seventy-five dollars. The board shall maintain a register~~ 48

~~of all persons who hold a visiting medical faculty certificate.~~ 49

(C) The holder of a ~~visiting medical~~ clinical research 50  
faculty certificate may practice medicine and surgery or 51  
osteopathic medicine and surgery only as is incidental to the 52  
certificate holder's teaching or research duties at the medical 53  
school or ~~the a teaching hospitals~~ hospital affiliated with the 54  
school. The board may revoke a certificate on receiving proof 55  
satisfactory to the board that the certificate holder ~~of the~~ 56  
~~certificate~~ has engaged in practice in this state outside the 57  
scope of the certificate or that there are grounds for action 58  
against the certificate holder under section 4731.22 of the 59  
Revised Code. 60

(D) A ~~visiting medical~~ clinical research faculty certificate 61  
is valid for ~~the shorter of three years or the duration of,~~ except 62  
that the certificate ceases to be valid if the holder's 63  
appointment to the academic staff of the school is no longer valid 64  
or the certificate is revoked pursuant to division (C) of this 65  
section. ~~The certificate may not be renewed.~~ 66

(E) ~~If a person was granted a visiting medical faculty~~ 67  
~~certificate before the effective date of this amendment, the~~ 68  
~~person may apply for a second visiting medical faculty~~ 69  
~~certificate, unless the person's first certificate was revoked.~~ 70  
~~The board may issue the second certificate if the applicant~~ 71  
~~complies with division (B) of this section~~ (1) Three months before 72  
a clinical research faculty certificate expires, the board shall 73  
mail or cause to be mailed to the certificate holder a notice of 74  
renewal addressed to the certificate holder's last known address. 75  
Failure of a certificate holder to receive a notice of renewal 76  
from the board shall not excuse the certificate holder from the 77  
requirements contained in this section. The notice shall inform 78  
the certificate holder of the renewal procedure. The notice also 79  
shall inform the certificate holder of the reporting requirement 80

established by division (H) of section 3701.79 of the Revised 81  
Code. At the discretion of the board, the information may be 82  
included on the application for renewal or on an accompanying 83  
page. 84

(2) A clinical research faculty certificate may be renewed 85  
for an additional three-year period. There is no limit on the 86  
number of times a certificate may be renewed. A person seeking 87  
renewal of a certificate shall apply to the board. The board shall 88  
provide the application for renewal in a form determined by the 89  
board. 90

(3) An applicant is eligible for renewal if the applicant 91  
does all of the following: 92

(a) Pays a renewal fee of three hundred seventy-five dollars; 93

(b) Reports any criminal offense to which the applicant has 94  
pleaded guilty, of which the applicant has been found guilty, or 95  
for which the applicant has been found eligible for intervention 96  
in lieu of conviction, since last filing an application for a 97  
clinical research faculty certificate; 98

(c) Provides to the board an affidavit and supporting 99  
documentation from the dean of the medical school or the 100  
department director or chairperson of a teaching hospital 101  
affiliated with the school that the applicant is in compliance 102  
with the applicant's current clinical research faculty 103  
certificate; 104

(d) Provides evidence satisfactory to the board of all of the 105  
following: 106

(i) That the applicant continues to maintain a current, 107  
unrestricted license to practice medicine and surgery or 108  
osteopathic medicine and surgery issued by another state or 109  
country; 110

(ii) That the applicant's initial appointment to serve in 111  
this state on the academic staff of a medical school is still 112  
valid or has been renewed; 113

(iii) That the applicant has completed one hundred fifty 114  
hours of continuing medical education that meet the requirements 115  
set forth in section 4731.281 of the Revised Code. 116

(4) Regardless of whether the certificate has expired, a 117  
person who was granted a visiting medical faculty certificate 118  
under this section as it existed immediately prior to the 119  
effective date of this amendment may apply for a clinical research 120  
faculty certificate as a renewal. The board may issue the clinical 121  
research faculty certificate if the applicant meets the 122  
requirements of division (E)(3) of this section. The board may not 123  
issue a clinical research faculty certificate if the visiting 124  
medical faculty certificate was revoked. 125

(F) The board shall maintain a register of all persons who 126  
hold clinical research faculty certificates. 127

(G) The board may adopt any rules it considers necessary to 128  
implement this section. The rules shall be adopted in accordance 129  
with Chapter 119. of the Revised Code. 130

**Section 2.** That existing section 4731.293 of the Revised Code 131  
is hereby repealed. 132

**Section 3.** This act is hereby declared to be an emergency 133  
measure necessary for the immediate preservation of the public 134  
peace, health, and safety. The reason for this necessity is that 135  
swift enactment will allow several extraordinary doctors to renew 136  
their certificates and continue their work in Ohio without 137  
interruption. Otherwise, these doctors will not be permitted to 138  
work in Ohio and will leave the state. Therefore, this act shall 139  
go into immediate effect. 140