

**As Passed by the House**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 374**

**Representatives Plummer, Manchester**

**Cosponsors: Representatives Manning, G., Abrams, Carruthers, Cutrona, Holmes, A., Lepore-Hagan, Miller, J., O'Brien, Richardson, Roemer, Scherer, Sheehy, Strahorn**

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**A BILL**

To amend sections 503.40, 503.41, 503.42, 503.43, 1  
503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2  
2927.17, 4731.04, 4731.15, and 4731.41; to enact 3  
section 503.411; and to repeal sections 503.45 4  
and 503.46 of the Revised Code to make changes 5  
to the massage therapy licensing law. 6

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

**Section 1.** That sections 503.40, 503.41, 503.42, 503.43, 7  
503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 8  
4731.04, 4731.15, and 4731.41 be amended and section 503.411 of 9  
the Revised Code be enacted to read as follows: 10

**Sec. 503.40.** As used in sections 503.40 to 503.49 of the 11  
Revised Code: 12

(A) "Massage therapy" ~~means any method of exerting~~ 13  
~~pressure on, stroking, kneading, rubbing, tapping, pounding,~~ 14  
~~vibrating, or stimulating the external soft tissue of the body~~ 15  
~~with the hands, or with the aid of any mechanical or electrical~~ 16

~~apparatus or appliance~~ has the same meaning as in section 17  
4731.04 of the Revised Code. 18

(B) "Massage establishment" means any fixed place of 19  
business where ~~a person offers massages~~ massage therapy is 20  
provided: 21

(1) In exchange for anything of value; or 22

(2) In connection with the provision of another legitimate 23  
service. 24

(C) ~~"Masseur" or "masseuse"~~ "Massage therapist" means any 25  
~~individual person who performs massages at a massage~~ 26  
~~establishment~~ massage therapy. 27

(D) ~~"Sexual or genital area" includes the genitalia, pubic~~ 28  
~~area, anus, perineum of any person, and the breasts of a~~ 29  
~~female~~ "Registration" means to provide information to the board 30  
of township trustees to indicate the location of the 31  
establishment, the names of individuals employed there, and 32  
evidence of current state licensure or student status of anyone 33  
providing massage therapy at the establishment as provided in 34  
division (A) of section 503.411 of the Revised Code. 35

**Sec. 503.41.** (A) A board of township trustees, by 36  
resolution, may regulate ~~and require the registration of~~ massage 37  
establishments ~~and their employees~~ within the unincorporated 38  
territory of the township and may require the registration of 39  
persons performing massage therapy at the massage 40  
establishments. In accordance with sections 503.40 to 503.49 of 41  
the Revised Code, ~~for that purpose~~ those purposes, the board, by 42  
a majority vote of all members, may adopt, amend, administer, 43  
and enforce such establishment regulations and registration 44  
requirements within the unincorporated territory of the 45

township. 46

(B) A board may adopt establishment regulations, 47  
registration requirements, and amendments under this section 48  
only after public hearing at not fewer than two regular sessions 49  
of the board. The board shall cause to be published in a 50  
newspaper of general circulation in the township, or as provided 51  
in section 7.16 of the Revised Code, notice of the public 52  
hearings, including the time, date, and place, once a week for 53  
two weeks immediately preceding the hearings. The board shall 54  
make available proposed establishment regulations, registration 55  
requirements, or amendments to the public at the office of the 56  
board. 57

(C) ~~Regulations~~ Establishment regulations, registration 58  
requirements, or amendments adopted by the board are effective 59  
thirty days after the date of adoption unless, within thirty 60  
days after the adoption of the regulations, requirements, or 61  
amendments, the township fiscal officer receives a petition, 62  
signed by a number of qualified electors residing in the 63  
unincorporated area of the township equal to not less than ten 64  
per cent of the total vote cast for all candidates for governor 65  
in the area at the most recent general election at which a 66  
governor was elected, requesting the board to submit the 67  
regulations, requirements, or amendments to the electors of the 68  
area for approval or rejection at the next primary or general 69  
election occurring at least ninety days after the board receives 70  
the petition. 71

No establishment regulation, registration requirement, or 72  
amendment for which the referendum vote has been requested is 73  
effective unless a majority of the votes cast on the issue is in 74  
favor of the regulation, requirement, or amendment. Upon 75

certification by the board of elections that a majority of the 76  
votes cast on the issue was in favor of the regulation, 77  
requirement, or amendment, the regulation, requirement, or 78  
amendment takes immediate effect. 79

(D) The board shall make available establishment 80  
regulations and registration requirements it adopts or amends to 81  
the public at the office of the board and shall cause to be 82  
published once a notice of the availability of the regulations 83  
and requirements in a newspaper of general circulation in the 84  
township within ten days after their adoption or amendment. 85

(E) Nothing in sections 503.40 to 503.49 of the Revised 86  
Code shall be construed to allow a board of township trustees to 87  
license any massage therapist or otherwise regulate the practice 88  
of any limited branch of medicine specified in section 4731.15 89  
of the Revised Code or the practice of providing therapeutic 90  
massage by a licensed physician, a licensed podiatrist, a 91  
licensed chiropractor, ~~a licensed podiatrist~~, a licensed nurse, 92  
or any other licensed health professional. ~~As~~ 93

As used in this division, "licensed" means licensed, 94  
certified, or registered to practice in this state. 95

**Sec. 503.411.** If a board of township trustees has adopted 96  
a resolution under section 503.41 of the Revised Code to 97  
regulate massage establishments, all of the following apply: 98

(A) The massage establishment regulations shall include a 99  
requirement that all massage therapy performed in a massage 100  
establishment be performed by a person who meets one or more of 101  
the following conditions and that does not exclude any such 102  
person: 103

(1) Is licensed by the state cosmetology and barber board, 104

or its predecessors or successors, and provides massage therapy 105  
as a portion of, and incidental to, barber services in 106  
accordance with Chapter 4709. of the Revised Code or cosmetology 107  
services in accordance with Chapter 4713. of the Revised Code; 108

(2) Is licensed by the board of nursing, or its 109  
predecessors or successors, and provides massage therapy as a 110  
portion of, and incidental to, nursing services in accordance 111  
with Chapter 4723. of the Revised Code; 112

(3) Is licensed by the state medical board, or its 113  
predecessors or successors, and provides massage therapy as a 114  
portion of, and incidental to, medical services in accordance 115  
with Chapter 4730. or 4731. of the Revised Code or acupuncture 116  
or oriental medicine in accordance with Chapter 4762. of the 117  
Revised Code; 118

(4) Is licensed by the state chiropractic board, or its 119  
predecessors or successors, and provides massage therapy as a 120  
portion of, and incidental to, chiropractic services in 121  
accordance with Chapter 4734. of the Revised Code; 122

(5) Is licensed by the state medical board, or its 123  
predecessors or successors, as a massage therapist in accordance 124  
with Chapter 4731. of the Revised Code; 125

(6) Is licensed by the Ohio occupational therapy, physical 126  
therapy, and athletic trainers board, or its predecessors or 127  
successors, and provides massage therapy as a portion of, and 128  
incidental to, services provided as an occupational therapist, 129  
physical therapist, or athletic trainer in accordance with 130  
Chapter 4755. of the Revised Code; 131

(7) Is enrolled and regularly and actively participating 132  
in a program of study to achieve the training necessary to 133

obtain the massage therapist license specified in division (A) 134  
(5) of this section and the program of study is in good standing 135  
as determined by the state medical board. 136

(B) No person shall knowingly act as a massage therapist 137  
for a massage establishment located in the unincorporated area 138  
of the township without first having obtained a license from a 139  
board specified in division (A) of this section or without being 140  
a student as provided in division (A) (7) of this section. 141

(C) The massage establishment regulations may include any 142  
of the following: 143

(1) A requirement that the massage establishment fully 144  
comply with any applicable zoning resolution and amendments to 145  
the resolution that are adopted by the board under Chapter 519. 146  
of the Revised Code; 147

(2) Designated hours as prohibited hours of operation; 148

(3) The prohibitions set forth in division (B) of section 149  
503.42 of the Revised Code; 150

(4) Any other regulation considered by the board to be 151  
necessary for the health, safety, and welfare of the township 152  
residents, subject to division (E) of section 503.41 of the 153  
Revised Code. 154

**Sec. 503.42.** If a board of township trustees has adopted a 155  
resolution under section 503.41 of the Revised Code that 156  
includes a permit requirement to operate a massage 157  
establishment: 158

(A) No person shall ~~engage in, conduct or carry on, or~~ 159  
~~permit to be engaged in, conducted or carried on in the~~ 160  
~~unincorporated areas of the township, the operation of~~ operate a 161

massage establishment in the unincorporated areas of a township 162  
without first having obtained a permit from the board of 163  
township trustees as provided in section 503.43 of the Revised 164  
Code. 165

~~(B) No individual shall act as a masseur or masseuse for a 166  
massage establishment located in the unincorporated areas of the 167  
township without first having obtained a license from the board 168  
of township trustees as provided in section 503.45 of the 169  
Revised Code. 170~~

~~(C) No owner or operator of a massage establishment 171  
located in the unincorporated areas area of the township shall 172  
knowingly do any of the following: 173~~

~~(1) Employ an unlicensed masseur or masseuse as a massage 174  
therapist a person who does not meet one of the criteria listed 175  
in division (A) of section 503.411 of the Revised Code; 176~~

~~(2) Refuse to allow appropriate state or local 177  
authorities, including police officers, access to the massage 178  
establishment for any health or safety inspection conducted 179  
pursuant to a massage establishment regulation or massage 180  
therapist registration requirement adopted by the township under 181  
section 503.41 of the Revised Code; 182~~

~~(3) Operate during the hours designated as prohibited 183  
hours of operation by the board of township trustees; 184~~

~~(4) Employ any person under the age of eighteen. 185~~

~~(D) No person employed in a massage establishment located 186  
in the unincorporated area of the township shall knowingly do 187  
any of the following in the performance of duties at the massage 188  
establishment: 189~~

~~(1) Place his or her hand upon, touch with any part of his or her body, fondle in any manner, or massage the sexual or genital area of any other person;~~ 190  
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~~(2) Perform, offer, or agree to perform any act which would require the touching of the sexual or genital area of any other person;~~ 193  
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~~(3) Touch, offer, or agree to touch the sexual or genital area of any other person with any mechanical or electrical apparatus or appliance;~~ 196  
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~~(4) Wear unclean clothing, no clothing, transparent clothing, or clothing that otherwise reveals the sexual or genital areas of the masseur or masseuse;~~ 199  
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~~(5) Uncover or allow the sexual or genital area of any other person to be uncovered while providing massages.~~ 202  
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~~(E) No licensed masseur or masseuse shall accept or continue employment at a massage establishment that does not have a current, valid permit issued by the board of township trustees.~~ 204  
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**Sec. 503.43.** If a board of township trustees has adopted a resolution under section 503.41 of the Revised Code that includes a permit requirement to operate a massage establishment, the application for a permit to operate a massage establishment shall be made to the board and shall include the following: 208  
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(A) An initial, nonrefundable filing fee of two hundred fifty dollars and an annual nonrefundable renewal fee of one hundred twenty-five dollars; 214  
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216

(B) A health and safety report of an inspection of the 217



premises performed within thirty days of the application to 218  
determine compliance with applicable health and safety codes, 219  
which inspection appropriate state or local authorities acting 220  
pursuant to an agreement with the board shall perform; 221

(C) The full name and address of any person applying for a 222  
permit, including any partner or limited partner of a 223  
partnership applicant, any officer or director of a corporate 224  
applicant, and any stock holder holding more than two per cent 225  
of the stock of a corporate applicant having less than a total 226  
of fifty employees or any stock holder holding more than twenty- 227  
five per cent of the stock of a corporate applicant having more 228  
than a total of fifty employees, the date of birth ~~and social-~~ 229  
~~security number~~ of each individual, and the federal 230  
identification number of any partnership or corporation; 231

(D) Authorization for an investigation into the criminal 232  
record of any person applying for a permit; 233

(E) Proof that the massage establishment fully complies 234  
with any applicable zoning resolution and amendments to the 235  
resolution adopted by the board under Chapter 519. of the 236  
Revised Code; 237

(F) Any other information determined by the board to be 238  
necessary for the health, safety, and welfare of the township 239  
residents, subject to division (E) of section 503.41 of the 240  
Revised Code. 241

A permit issued under this section to a massage 242  
establishment shall expire one year after the date of issuance, 243  
except that no massage establishment shall be required to 244  
discontinue business because of the failure of the board to act 245  
on a renewal application filed in a timely manner and pending 246

before the board on the expiration date of the establishment's 247  
permit. Each permit shall contain the name of the applicant, the 248  
address of the massage establishment, and the expiration date of 249  
the permit. 250

**Sec. 503.44.** If a board of township trustees has adopted a 251  
resolution under section 503.41 of the Revised Code that 252  
includes a permit requirement to operate a massage 253  
establishment, it shall deny any application for a permit to 254  
operate a massage establishment or revoke, at any time, a 255  
previously issued permit, for any of the following reasons: 256

(A) Falsification of any of the information required for 257  
the application or failure to fully complete the application; 258

(B) Failure to cooperate with any required health or 259  
safety inspection; 260

(C) Any one of the persons named on the application is 261  
under the age of eighteen; 262

(D) Any one of the persons named on the application has 263  
been convicted of or pleaded guilty to any violation of Chapter 264  
2907. of the Revised Code, or any violation of any municipal 265  
ordinance that is substantially equivalent to any offense 266  
contained in Chapter 2907. of the Revised Code, within five 267  
years preceding the application; 268

~~(E) Any masseur or masseuse employed at the licensed~~ 269  
~~massage establishment has been convicted of or pleaded guilty to~~ 270  
~~a violation of division (D) of section 503.42 of the Revised~~ 271  
~~Code.~~ 272

**Sec. 503.47.** If a board of township trustees has adopted a 273  
resolution under section 503.41 of the Revised Code that 274  
includes a permit requirement to operate a massage 275

establishment, the regulations adopted for that purpose may 276  
require any of the following: 277

(A) A massage establishment to display its current permit 278  
in an area open to the public; 279

(B) ~~Each massager~~ A massage establishment to display the 280  
~~massager's license~~ massage therapists' licenses to practice at 281  
all times in the areas of the massage establishment where the 282  
~~licensee is providing massages~~ massage therapy is provided; 283

(C) Massage establishments to undergo periodic health and 284  
safety inspections to determine continual compliance with 285  
applicable health and safety codes; 286

(D) ~~Massagers to undergo periodic physical examinations~~ 287  
~~performed by a licensed physician, a physician assistant, a~~ 288  
~~clinical nurse specialist, a certified nurse practitioner, or a~~ 289  
~~certified nurse midwife certifying that the massager continues~~ 290  
~~to be free from communicable diseases;~~ 291

~~(E)~~ Any other requirement reasonably thought necessary by 292  
the board for the health, safety, and welfare of township 293  
residents, subject to division (E) of section 503.41 of the 294  
Revised Code. 295

**Sec. 503.48.** A board of township trustees acting under 296  
sections 503.40 to 503.49 of the Revised Code that has adopted a 297  
resolution under section 503.41 of the Revised Code need not 298  
hold any hearing in connection with an order denying or revoking 299  
a permit to operate a massage establishment ~~or masseur or~~ 300  
~~masseuse~~ license. The board shall maintain a complete record of 301  
each proceeding and shall notify the applicant in writing of its 302  
order. Any person adversely affected by an order of the board 303  
denying or revoking a permit to operate a massage establishment 304

~~or masseur or masseuse license~~ may appeal from the order of the 305  
board to the court of common pleas of the county in which the 306  
township is located, ~~the place of business of the permit holder~~  
~~is located, or the person is a resident.~~ The appeal shall be in 307  
accordance with Chapter 2506. of the Revised Code. 308  
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**Sec. 503.49.** If a board of township trustees has adopted a 310  
resolution under section 503.41 of the Revised Code that 311  
includes a permit requirement to operate a massage  
establishment, the board shall deposit the fees collected by the 312  
township for massage establishment permits ~~and masseur and~~  
~~masseuse licenses~~ in the township general fund and first use the 313  
fees for the cost of administering and enforcing massage  
establishment regulations and massage therapist registration  
requirements adopted under section 503.41 of the Revised Code. 314  
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**Sec. 503.50.** (A) Whoever violates division (A) ~~or (B)~~ of 319  
section 503.42 of the Revised Code is guilty of a misdemeanor of 320  
the first degree. 321

(B) Whoever violates division (B) of section 503.411 or 322  
~~division (C), (D), or (E)~~ (B) of section 503.42 of the Revised 323  
Code is guilty of a misdemeanor of the third degree. 324

**Sec. 715.61.** (A) As used in this section: 325

(1) "Massage establishment" has the same meaning as in 326  
section 503.40 of the Revised Code. 327

(2) "Massage therapy" has the same meaning as in section 328  
4731.04 of the Revised Code. 329

(B) Any municipal corporation may regulate and license 330  
manufacturers and dealers in explosives, chattel mortgage and 331  
salary loan brokers, peddlers, public ballrooms, scavengers, 332  
intelligence officers, billiard rooms, bowling alleys, livery, 333

sale, and boarding stables, dancing or riding academies or 334  
schools, race courses, ball grounds, street musicians, 335  
secondhand dealers, junk shops, and all persons engaged in the 336  
trade, business, or profession of manicuring, ~~massaging,~~ or 337  
chiroprody. In the granting of any license a municipal 338  
corporation may charge such fees as the legislative authority 339  
deems proper and expedient. 340

(C) (1) A municipal corporation may regulate and license 341  
massage establishments within its jurisdiction and may require 342  
the registration of persons performing massage therapy at the 343  
massage establishment. 344

(2) If a municipal corporation regulates massage 345  
establishments under this section, the regulations shall include 346  
a requirement that all massage therapy performed in the massage 347  
establishment be performed by a person described in division (A) 348  
of section 503.411 of the Revised Code. 349

**Sec. 2927.17.** (A) No person, by means of a statement, 350  
solicitation, or offer in a print or electronic publication, 351  
sign, placard, storefront display, or other medium, shall 352  
advertise massage therapy, relaxation massage, any other massage 353  
technique or method, or any related service, with the suggestion 354  
or promise of sexual activity. 355

(B) Whoever violates this section is guilty of unlawful 356  
advertising of massage, a misdemeanor of the first degree. 357

(C) Nothing in this section prevents the legislative 358  
authority of a municipal corporation or township from enacting 359  
any regulation of the advertising of massage further than and in 360  
addition to the provisions of divisions (A) and (B) of this 361  
section. 362

(D) As used in this section, <del>"sexual:</del>	363
<u>(1) "Massage therapy" has the same meaning as in section</u>	364
<u>4731.04 of the Revised Code.</u>	365
<u>(2) "Sexual activity" has the same meaning as in section</u>	366
<u>2907.01 of the Revised Code.</u>	367
<b>Sec. 4731.04.</b> As used in this chapter:	368
(A) "Cosmetic therapy" means the permanent removal of hair	369
from the human body through the use of electric modalities	370
approved by the state medical board for use in cosmetic therapy	371
and may include the systematic friction, stroking, slapping, and	372
kneading or tapping of the face, neck, scalp, or shoulders.	373
(B) "Fifth pathway training" means supervised clinical	374
training obtained in the United States as a substitute for the	375
internship or social service requirements of a foreign medical	376
school.	377
(C) "Graduate medical education" means education received	378
through any of the following:	379
(1) An internship, residency, or clinical fellowship	380
program conducted in the United States and accredited by either	381
the accreditation council for graduate medical education of the	382
American medical association or the American osteopathic	383
association;	384
(2) A clinical fellowship program that is not accredited	385
as described in division (C) (1) of this section, but is	386
conducted in the United States at an institution with a	387
residency program that is accredited as described in that	388
division and is in a clinical field the same as or related to	389
the clinical field of the fellowship program;	390

(3) An internship program conducted in Canada and 391  
accredited by the committee on accreditation of preregistration 392  
physician training programs of the federation of provincial 393  
medical licensing authorities of Canada; 394

(4) A residency program conducted in Canada and accredited 395  
by either the royal college of physicians and surgeons of Canada 396  
or the college of family physicians of Canada. 397

(D) "Massage therapy" means the ~~treatment of disorders of~~ 398  
~~the human body by the~~ manipulation of soft tissue through the 399  
systematic external application of massage techniques including 400  
touch, stroking, friction, vibration, percussion, kneading, 401  
stretching, compression, and joint movements within the normal 402  
physiologic range of motion; and adjunctive thereto, the 403  
external application of water, heat, cold, topical preparations, 404  
and mechanical devices. 405

"Massage therapy" does not include the manipulation of the 406  
reproductive organs, perineum, rectum, or anus unless the action 407  
is undertaken pursuant to a prescription issued by a person who 408  
is authorized under this chapter to practice medicine and 409  
surgery or osteopathic medicine and surgery or the action is 410  
performed under the supervision of such a physician. 411

(E) "Reflexology" means a protocol of manual techniques 412  
that are applied to specific reflex areas on the feet, hands, 413  
and outer ears for the purpose of stimulating the complex neural 414  
pathways linking body systems to achieve optimal body function. 415  
Manual techniques include thumb- and finger-walking, as well as 416  
hook and backup and rotating-on-a-point. 417

**Sec. 4731.15.** (A) The state medical board also shall 418  
regulate the following limited branches of medicine: massage 419

therapy and cosmetic therapy, and to the extent specified in 420  
section 4731.151 of the Revised Code, naprapathy and 421  
mechanotherapy. The board shall adopt rules governing the 422  
limited branches of medicine under its jurisdiction. The rules 423  
shall be adopted in accordance with Chapter 119. of the Revised 424  
Code. 425

(B) A license to practice a limited branch of medicine 426  
issued by the state medical board is valid for a two-year period 427  
unless revoked or suspended and expires on the date that is two 428  
years after the date of issuance. The license may be renewed for 429  
additional two-year periods in accordance with division (C) of 430  
this section. 431

(C) Both of the following apply with respect to the 432  
renewal of licenses to practice a limited branch of medicine: 433

(1) Each person seeking to renew a license to practice a 434  
limited branch of medicine shall apply for biennial renewal with 435  
the state medical board in a manner prescribed by the board. An 436  
applicant for renewal shall pay a biennial renewal fee of one 437  
hundred dollars. 438

(2) At least one month before a license expires, the board 439  
shall provide a renewal notice to the license holder. 440

(D) All persons who hold a license to practice a limited 441  
branch of medicine issued by the state medical board shall 442  
provide the board notice of any change of address. The notice 443  
shall be submitted to the board not later than thirty days after 444  
the change of address. 445

(E) A license to practice a limited branch of medicine 446  
shall be automatically suspended if the license holder fails to 447  
renew the license in accordance with division (C) of this 448



section. Continued practice after the suspension of the license 449  
to practice shall be considered as practicing in violation of 450  
sections 4731.34 and 4731.41 of the Revised Code. 451

If a license has been suspended pursuant to this division 452  
for two years or less, it may be reinstated. The board shall 453  
reinstate the license upon an applicant's submission of a 454  
renewal application and payment of a reinstatement fee of one 455  
hundred twenty-five dollars. With regard to reinstatement of a 456  
license to practice cosmetic therapy, the applicant also shall 457  
submit with the application a certification that the number of 458  
hours of continuing education necessary to have a suspended 459  
license reinstated have been completed, as specified in rules 460  
the board shall adopt in accordance with Chapter 119. of the 461  
Revised Code. 462

If a license has been suspended pursuant to this division 463  
for more than two years, it may be restored. Subject to section 464  
4731.222 of the Revised Code, the board may restore the license 465  
upon an applicant's submission of a restoration application and 466  
a restoration fee of one hundred fifty dollars and compliance 467  
with sections 4776.01 to 4776.04 of the Revised Code. The board 468  
shall not restore to an applicant a license to practice unless 469  
the board, in its discretion, decides that the results of the 470  
criminal records check do not make the applicant ineligible for 471  
a license issued pursuant to section 4731.17 of the Revised 472  
Code. 473

(F) The following persons are not required to hold a 474  
license to practice massage therapy issued under this chapter: 475

(1) A person authorized to practice under Chapter 4709., 476  
4713., 4723., 4730., 4734., 4755., or 4762. of the Revised Code, 477  
provided that the scope of practice authorizes the person to use 478

massage techniques; 479

(2) An enrolled student practicing massage therapy as part 480  
of a program of study at a school, college, or institution in 481  
good standing as determined by the board in accordance with 482  
division (A) of section 4731.16 of the Revised Code; 483

(3) A person holding a license to practice cosmetic 484  
therapy issued under this chapter and whose practice may include 485  
massage techniques; 486

(4) A person who holds a certification issued by the 487  
American reflexology certification board or its successor and 488  
who practices reflexology in this state; 489

(5) An enrolled student practicing reflexology as part of 490  
a program of study at a school, college, or institution with a 491  
certificate of registration issued by the state board of career 492  
colleges and schools under section 3332.05 of the Revised Code. 493

**Sec. 4731.41.** (A) ~~No~~ Except as provided in division (F) of 494  
section 4731.15 of the Revised Code, no person shall practice 495  
medicine and surgery, or any of its branches, without the 496  
appropriate license or certificate from the state medical board 497  
to engage in the practice. No person shall advertise or claim to 498  
the public to be a practitioner of medicine and surgery, or any 499  
of its branches, without a license or certificate from the 500  
board. No person shall open or conduct an office or other place 501  
for such practice without a license or certificate from the 502  
board. No person shall conduct an office in the name of some 503  
person who has a license or certificate to practice medicine and 504  
surgery, or any of its branches. No person shall practice 505  
medicine and surgery, or any of its branches, after the person's 506  
license or certificate has been revoked, or, if suspended, 507

during the time of such suspension. 508

A license or certificate signed by the secretary of the 509  
board to which is affixed the official seal of the board to the 510  
effect that it appears from the records of the board that no 511  
such license or certificate to practice medicine and surgery, or 512  
any of its branches, in this state has been issued to the person 513  
specified therein, or that a license or certificate to practice, 514  
if issued, has been revoked or suspended, shall be received as 515  
prima-facie evidence of the record of the board in any court or 516  
before any officer of the state. 517

(B) No license or certificate from the state medical board 518  
is required by a physician who comes into this state to practice 519  
medicine at a free-of-charge camp accredited by the SeriousFun 520  
children's network that specializes in providing therapeutic 521  
recreation, as defined in section 2305.231 of the Revised Code, 522  
for individuals with chronic illnesses as long as all of the 523  
following apply: 524

(1) The physician provides documentation to the medical 525  
director of the camp that the physician is licensed and in good 526  
standing to practice medicine in another state; 527

(2) The physician provides services only at the camp or in 528  
connection with camp events or camp activities that occur off 529  
the grounds of the camp; 530

(3) The physician receives no compensation for the 531  
services; 532

(4) The physician provides those services within this 533  
state for not more than thirty days per calendar year; 534

(5) The camp has a medical director who holds an 535  
unrestricted license to practice medicine issued in accordance 536

with division (A) of this section. 537

(C) Division (A) of this section does not apply to a 538  
person who meets both of the following conditions: 539

(1) The person holds in good standing a valid license to 540  
practice medicine and surgery issued by another state. 541

(2) The person is practicing as a volunteer without 542  
remuneration during a charitable event that lasts not more than 543  
seven days. 544

When a person meets the conditions of this division, the 545  
person shall be deemed authorized by the state medical board, 546  
during the course of the charitable event, to practice medicine 547  
and surgery and shall be subject to the provisions of this 548  
chapter authorizing the board to take disciplinary action 549  
against a physician. Not less than seven calendar days before 550  
the first day of the charitable event, the person or the event's 551  
organizer shall notify the board of the person's intent to 552  
practice medicine and surgery at the event. During the course of 553  
the charitable event, the person's scope of practice is limited 554  
to the procedures that a physician authorized under this chapter 555  
to practice medicine and surgery is authorized to perform unless 556  
the person's scope of practice in the other state is more 557  
restrictive than in this state. If the latter is the case, the 558  
person's scope of practice is limited to the procedures that a 559  
physician in the other state may perform. 560

**Section 2.** That existing sections 503.40, 503.41, 503.42, 561  
503.43, 503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 562  
4731.04, 4731.15, and 4731.41 of the Revised Code are hereby 563  
repealed. 564

**Section 3.** That sections 503.45 and 503.46 of the Revised 565

Code are hereby repealed.

566