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Sub. S. B. No. 131

Senators Roegner, McColley

Cosponsors: Senators Cirino, Hackett, Lang, Romanchuk, Johnson, Antonio, Blessing, Brenner, Craig, Dolan, Gavarone, Hoagland, Peterson, Reineke, Sykes, Thomas, Williams, Yuko Representatives Grendell, Humphrey

A BILL

To amend sections 109.73, 109.77, 109.771, 109.78, 1
109.804, 147.01, 147.63, 169.16, 173.21, 2
173.391, 173.422, 503.41, 715.27, 903.07, 3
905.321, 917.09, 917.091, 921.06, 921.11, 4
921.12, 921.24, 921.26, 926.30, 928.02, 943.09, 5
956.05, 956.06, 1315.23, 1321.04, 1321.37, 6
1321.53, 1321.64, 1321.74, 1322.10, 1322.21, 7
1513.07, 1513.161, 1514.12, 1514.47, 1531.40, 8
1533.051, 1533.51, 1561.14, 1561.15, 1561.16, 9
1561.17, 1561.18, 1561.19, 1561.20, 1561.21, 10
1561.22, 1565.06, 1565.15, 1707.15, 1707.151, 11
1707.16, 1707.161, 1707.163, 1707.165, 1717.06, 12
3101.10, 3301.071, 3301.074, 3307.01, 3309.011, 13
3319.088, 3319.22, 3319.226, 3319.229, 3319.26, 14
3319.261, 3319.262, 3319.27, 3319.28, 3319.301, 15
3319.303, 3319.361, 3327.10, 3703.21, 3704.14, 16
3713.05, 3717.09, 3723.03, 3723.06, 3737.83, 17
3737.881, 3742.05, 3743.03, 3743.16, 3743.40, 18
3743.51, 3748.07, 3748.12, 3769.03, 3772.13, 19
3772.131, 3773.36, 3773.421, 3781.10, 3781.102, 20
3781.105, 3916.03, 3951.03, 3951.05, 3951.09, 21
4104.07, 4104.101, 4104.19, 4105.02, 4169.03, 22

4301.10, 4508.03, 4508.04, 4508.08, 4511.763,	23
4701.06, 4701.07, 4701.10, 4703.08, 4703.10,	24
4703.33, 4703.35, 4703.37, 4707.07, 4707.072,	25
4707.101, 4709.07, 4709.08, 4709.10, 4712.02,	26
4713.10, 4713.28, 4713.30, 4713.31, 4713.34,	27
4713.37, 4713.69, 4715.03, 4715.09, 4715.10,	28
4715.16, 4715.27, 4715.362, 4715.363, 4715.39,	29
4715.42, 4715.421, 4715.53, 4715.62, 4717.05,	30
4717.051, 4717.07, 4717.10, 4723.08, 4723.09,	31
4723.26, 4723.32, 4723.41, 4723.651, 4723.75,	32
4723.76, 4723.85, 4725.13, 4725.18, 4725.26,	33
4725.48, 4725.52, 4725.57, 4725.591, 4727.03,	34
4728.03, 4729.09, 4729.11, 4729.15, 4729.901,	35
4729.921, 4730.10, 4731.151, 4731.19, 4731.293,	36
4731.294, 4731.295, 4731.297, 4731.299, 4731.52,	37
4731.572, 4732.10, 4732.12, 4732.22, 4733.18,	38
4733.19, 4734.23, 4734.27, 4734.283, 4735.023,	39
4735.07, 4735.08, 4735.09, 4735.10, 4735.27,	40
4735.28, 4736.10, 4736.14, 4740.05, 4740.06,	41
4741.12, 4741.13, 4741.14, 4741.15, 4741.19,	42
4743.04, 4743.041, 4747.04, 4747.05, 4747.10,	43
4749.12, 4751.01, 4751.15, 4751.20, 4751.201,	44
4751.202, 4751.21, 4751.32, 4752.05, 4752.12,	45
4753.07, 4753.071, 4753.072, 4753.073, 4753.08,	46
4753.09, 4753.12, 4755.08, 4755.09, 4755.411,	47
4755.44, 4755.441, 4755.45, 4755.451, 4755.48,	48
4755.482, 4755.62, 4755.65, 4757.18, 4758.25,	49
4759.05, 4759.06, 4760.03, 4760.031, 4761.04,	50
4761.05, 4762.03, 4763.05, 4764.10, 4765.10,	51
4765.11, 4765.30, 4765.55, 4767.031, 4771.08,	52
4773.03, 4774.03, 4775.07, 4778.03, 4778.08,	53
4778.09, 4779.17, 4779.18, 4781.07, 4781.08,	54

4781.17, 4783.04, 5123.161, 5123.45, 5126.25, 55
5902.02, 5903.04, 6109.04, and 6111.46; to enact 56
sections 3746.041, 4796.01, 4796.02, 4796.03, 57
4796.04, 4796.05, 4796.08, 4796.10, 4796.11, 58
4796.12, 4796.13, 4796.20, 4796.21, 4796.22, 59
4796.23, 4796.24, 4796.25, 4796.26, 4796.30, and 60
4796.35; and to repeal sections 921.08, 1322.24, 61
4707.12, 4740.08, and 4757.25 of the Revised 62
Code to require an occupational licensing 63
authority to issue a license or government 64
certification to an applicant who holds a 65
license, government certification, or private 66
certification or has satisfactory work 67
experience in another state under certain 68
circumstances, to specify that individuals may 69
not register as credit services organizations, 70
to specify that individuals may not be licensed 71
as manufacturers or wholesalers of fireworks, to 72
maintain State Teacher Retirement System 73
membership for certain school psychologists, and 74
to revise continuing education requirements for 75
licensed auctioneers. 76

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

Section 1. That sections 4796.01, 4796.02, 4796.03, 77
4796.04, 4796.05, 4796.08, 4796.10, 4796.11, 4796.12, 4796.13, 78
4796.20, 4796.21, 4796.22, 4796.23, 4796.24, 4796.25, 4796.26, 79
4796.30, and 4796.35 of the Revised Code be enacted to read as 80
follows: 81

Sec. 4796.01. As used in this chapter: 82

(A) "License" means an authorization evidenced by a 83
license, certificate, registration, permit, card, or other 84
authority that is issued or conferred by a licensing authority 85
to an individual by which the individual has or claims the 86
privilege to engage in a profession, occupation, or occupational 87
activity over which the licensing authority has jurisdiction. 88

(B) "Licensing authority" means a state agency or 89
political subdivision that issues licenses or government 90
certifications. 91

(C) "State agency" has the same meaning as in section 1.60 92
of the Revised Code. 93

(D) "Political subdivision" means a county, township, 94
municipal corporation, or any other body corporate and politic 95
that is responsible for government activities in a geographic 96
area smaller than that of the state. 97

(E) "Out-of-state occupational license" means a license, 98
certificate, registration, permit, card, or other authority that 99
is issued or conferred by one of the uniformed services or the 100
government of another state to an individual by which the 101
individual has or claims the privilege to engage in a 102
profession, occupation, or occupational activity over which that 103
service or state has jurisdiction. 104

(F)(1) "Government certification" means authorization from 105
a licensing authority, one of the uniformed services, or the 106
government of another state to an individual who meets 107
qualifications related to a profession, occupation, or 108
occupational activity to which both of the following apply: 109

(a) Only an individual holding the authorization may use a 110

specific title or titles when advertising or holding the 111
individual's self out to engage in the profession, occupation, 112
or occupational activity. 113

(b) An individual is not required to have the 114
authorization to engage in the profession, occupation, or 115
occupational activity in the respective jurisdiction. 116

(2) "Government certification" does not include a license 117
or an out-of-state occupational license. 118

(G) "Private certification" means authorization from a 119
private organization to an individual who meets qualifications 120
determined by the organization related to the performance of a 121
profession, occupation, or occupational activity and by which 122
the individual may hold the individual's self out as certified 123
by the organization. 124

(H) "National standard" means a standard declared by a 125
national organization to be the preferred standard for licensure 126
of a profession if both of the following apply: 127

(1) The standard is required by at least forty-five 128
states, including this state, to receive a license or government 129
certification for the respective profession, occupation, or 130
occupational activity. 131

(2) The standard includes both of the following: 132

(a) A uniform quantitative minimum education or experience 133
requirement; 134

(b) A requirement to pass a national examination. 135

(I) "Uniform quantitative minimum education or experience 136
requirement" means a quantitative minimum education or 137
experience requirement that is identical in all states that 138

adopt a national standard. 139

(J) "National examination" means an examination that is 140
substantially similar in all states that adopt a national 141
standard. 142

(K) "Good standing" means that the individual's out-of- 143
state occupational license, government certification, or private 144
certification, as applicable, is not restricted or limited by 145
the entity that regulates the out-of-state license, government 146
certification, or private certification. 147

(L) "Armed forces of the United States" means the army, 148
navy, air force, marine corps, space force, coast guard, or any 149
other reserve components of those forces. 150

(M) "Uniformed services" means the armed forces of the 151
United States; the commissioned corps of the national oceanic 152
and atmospheric administration; the commissioned corps of the 153
public health service; or any reserve components of those 154
forces; and such other service as may be designated by congress. 155

Sec. 4796.02. For purposes of any law requiring a 156
licensing authority to issue a license or government 157
certification under this chapter to an individual who holds a 158
license or government certification issued by another state, 159
"another state," "any other state," and "home state" include the 160
uniformed services. This section does not apply to any provision 161
of a law governing a profession, occupation, or occupational 162
activity that does not require an individual who holds a license 163
or government certification in another state to be issued a 164
license or government certification under this chapter. 165

Sec. 4796.03. Except as otherwise provided in this 166
chapter, a licensing authority shall issue a license or 167

government certification to an applicant if the licensing 168
authority determines that all of the following apply: 169

(A) The applicant holds either of the following: 170

(1) A substantially similar out-of-state occupational 171
license that authorizes the applicant to engage in the same 172
profession, occupation, or occupational activity as the license 173
or government certification for which the applicant is applying 174
in this state; 175

(2) A government certification in the same profession, 176
occupation, or occupational activity as the license or 177
government certification for which the applicant is applying in 178
this state from one of the uniformed services or a state that 179
does not issue an out-of-state occupational license for the 180
respective profession, occupation, or occupational activity. 181

(B) (1) Except as provided in division (B) (2) of this 182
section, the applicant has held the out-of-state occupational 183
license or government certification for at least one year 184
immediately preceding the date the application is submitted and 185
has been actively engaged in the practice of the same 186
profession, occupation, or occupational activity as the license 187
or government certification for which the applicant is applying 188
in this state for at least one of the five years immediately 189
preceding the date the application is submitted. 190

(2) A licensing authority may waive the requirement that 191
an applicant has held the out-of-state occupational license or 192
government certification for at least one year immediately 193
preceding the date the application is submitted and has been 194
actively engaged in the practice of the profession, occupation, 195
or occupational activity for one of the five years immediately 196

<u>preceding the date the application is submitted.</u>	197
<u>(C) The applicant is in good standing in all jurisdictions</u>	198
<u>in which the applicant holds an out-of-state occupational</u>	199
<u>license or government certification to practice the same</u>	200
<u>profession, occupation, or occupational activity for which the</u>	201
<u>applicant is applying in this state.</u>	202
<u>(D) (1) Except as provided in division (D) (2) of this</u>	203
<u>section, the applicant was required to satisfy minimum</u>	204
<u>education, training, or experience requirements or pass an</u>	205
<u>examination to receive the out-of-state occupational license or</u>	206
<u>government certification.</u>	207
<u>(2) Division (D) (1) of this section does not apply if the</u>	208
<u>applicable law governing the license or government certification</u>	209
<u>for which the applicant is applying in this state does not</u>	210
<u>require an applicant to do at least one of the following to</u>	211
<u>receive the license or government certification:</u>	212
<u>(a) Satisfy minimum education, training, or experience</u>	213
<u>requirements;</u>	214
<u>(b) Pass an examination.</u>	215
<u>(E) The applicant has not surrendered or had revoked a</u>	216
<u>license, out-of-state occupational license, or government</u>	217
<u>certification because of negligence or intentional misconduct</u>	218
<u>related to the applicant's work in the same profession,</u>	219
<u>occupation, or occupational activity for which the applicant is</u>	220
<u>applying in this state.</u>	221
<u>(F) The applicant pays a fee to the licensing authority</u>	222
<u>that is equal to one of the following, as determined by the</u>	223
<u>licensing authority:</u>	224

<u>(1) The renewal fee for license or government</u>	225
<u>certification holders under the applicable law;</u>	226
<u>(2) The initial licensure fee for applicants to be issued</u>	227
<u>the license or government certification under the applicable</u>	228
<u>law;</u>	229
<u>(3) The fee in effect before the effective date of this</u>	230
<u>section for applicants who hold an out-of-state occupational</u>	231
<u>license or government certification to be issued the license or</u>	232
<u>government certification under the applicable law.</u>	233
<u>(G) The applicant has not been convicted of, found guilty</u>	234
<u>pursuant to a judicial finding of, or plead guilty to a criminal</u>	235
<u>offense for which a licensing authority may deny an application</u>	236
<u>for a license or government certification or that would</u>	237
<u>otherwise disqualify the applicant for the license or government</u>	238
<u>certification under the applicable law of this state governing</u>	239
<u>the profession, occupation, or occupational activity for which</u>	240
<u>the applicant is applying.</u>	241
<u>Sec. 4796.04. Except as otherwise provided in this</u>	242
<u>chapter, a licensing authority shall issue a license or</u>	243
<u>government certification to an applicant if the licensing</u>	244
<u>authority determines that all of the following apply:</u>	245
<u>(A) (1) Except as provided in division (A) (2) of this</u>	246
<u>section, the applicant has held a private certification for at</u>	247
<u>least two years immediately preceding the date the application</u>	248
<u>is submitted and has been actively engaged in the same</u>	249
<u>profession, occupation, or occupational activity as the license</u>	250
<u>or government certification for which the applicant is applying</u>	251
<u>in this state in a state that does not issue an out-of-state</u>	252
<u>occupational license or government certification for the</u>	253

respective profession, occupation, or occupational activity for 254
at least two of the five years immediately preceding the date 255
the application is submitted. 256

(2) A licensing authority may waive the requirement that 257
an applicant has held the private certification for at least two 258
years immediately preceding the date the application is 259
submitted and has been actively engaged in the practice of the 260
profession, occupation, or occupational activity for two of the 261
five years immediately preceding the date the application is 262
submitted. 263

(B) The applicant is in good standing with the private 264
organization that issued the private certification. 265

(C) The applicant meets the requirements specified under 266
divisions (E) to (G) of section 4796.03 of the Revised Code. 267

Sec. 4796.05. (A) Except as otherwise provided in this 268
chapter, a licensing authority shall issue a license or 269
government certification to an applicant if the licensing 270
authority determines that an applicant satisfies divisions (B) 271
and (C) of this section. 272

(B) (1) Except as provided in division (B) (2) of this 273
section, the applicant has been actively engaged in the same 274
profession, occupation, or occupational activity as the license 275
or government certification for which the applicant is applying 276
in this state for at least three of the five years immediately 277
preceding the date the application is submitted in either of the 278
following: 279

(a) A state that does not issue an out-of-state 280
occupational license or government certification for the 281
respective profession, occupation, or occupational activity; 282

<u>(b) Service of the uniformed services.</u>	283
<u>(2) A licensing authority may waive the requirement that an applicant has been actively engaged in the practice of the profession, occupation, or occupational activity for three of the five years immediately preceding the date the application is submitted.</u>	284 285 286 287 288
<u>(C) The applicant meets the requirements under divisions (E) to (G) of section 4796.03 of the Revised Code.</u>	289 290
Sec. 4796.08. <u>(A) If a licensing authority requires an applicant to pass an examination on this state's laws and rules governing the applicable profession, occupation, or occupational activity to receive a license or government certification under the applicable law, a licensing authority may require an applicant to pass the examination to receive a license or government certification under this chapter.</u>	291 292 293 294 295 296 297
<u>(B) If a licensing authority requires an applicant under the law governing the applicable profession, occupation, or occupational activity to submit to a criminal records check to receive a license or government certification, the licensing authority shall require an applicant to submit to the criminal records check to receive a license or government certification under this chapter.</u>	298 299 300 301 302 303 304
<u>(C) If a licensing authority requires an applicant under the law governing the applicable profession, occupation, or occupational activity to satisfy a financial responsibility requirement to receive a license or government certification, the licensing authority shall require an applicant to satisfy the requirement to receive a license or government certification under this chapter.</u>	305 306 307 308 309 310 311

(D) If a federal law, rule, or regulation requires the 312
state to impose a requirement on an applicant with which the 313
applicant must comply to receive a license or government 314
certification as a condition for the state to receive federal 315
funding, the licensing authority may require an applicant to 316
satisfy that requirement to receive a license or government 317
certification under this chapter. 318

Sec. 4796.10. If an applicant would be disqualified from 319
obtaining a license or government certification under this 320
chapter because of a conviction, judicial finding of guilt, or 321
plea of guilty to a disqualifying criminal offense as described 322
in division (G) of section 4796.03 of the Revised Code, the 323
licensing authority may, in accordance with rules adopted under 324
section 4796.30 of the Revised Code, issue a restricted or 325
limited license or government certification to the applicant, 326
provided the limitation or restriction is relevant to the 327
offense. 328

Sec. 4796.11. If the law governing the applicable 329
profession, occupation, or occupational activity allows or 330
requires a licensing authority to take disciplinary action 331
against an applicant, including but not limited to refusing to 332
issue, limiting, or restricting a license or government 333
certification for a reason that is not related to minimum 334
education, training, or experience requirements or an 335
examination requirement, the licensing authority may apply the 336
applicable provision of law to an applicant under this chapter 337
in the same manner as to an applicant for an initial license 338
under the applicable law. 339

Sec. 4796.12. If the law governing the applicable 340
profession, occupation, or occupational activity allows a 341

licensing authority to determine the fitness to practice of an 342
applicant who has not been engaged in the practice of the 343
profession, occupation, or occupational activity for a period of 344
time specified in that law and to impose terms and conditions on 345
the applicant to receive a license or government certification, 346
the licensing authority may apply the requirements of that law 347
to an applicant under this chapter. 348

Sec. 4796.13. If the law governing the applicable 349
profession, occupation, or occupational activity allows or 350
requires a licensing authority to deny an applicant a license or 351
government certification if the applicant was subject to 352
discipline by an entity that regulates a license, out-of-state 353
occupational license, or government certification, the licensing 354
authority may apply the applicable provision of law to an 355
applicant under this chapter. 356

Sec. 4796.20. (A) Except as provided in division (B) of 357
this section, a licensing authority shall provide an applicant 358
with a written decision to issue or reject a license or 359
government certification under this chapter or take any other 360
action under this chapter within sixty days after receiving a 361
complete application. For purposes of this division, an 362
application shall not be considered complete until any required 363
examination or criminal records check under divisions (A) and 364
(B) of section 4796.08 of the Revised Code is complete. 365

(B) If an applicant is the subject of a complaint, 366
allegation, or investigation that relates to information 367
provided in the application, unprofessional conduct, a violation 368
of a law regulating a profession, occupation, or occupational 369
activity, or an alleged crime pending before a court, 370
administrative agency, licensing authority, or other entity that 371

regulates a license, out-of-state occupational license, or 372
government certification, a licensing authority shall not issue 373
or deny a license or government certification to the applicant 374
under this chapter until the complaint, allegation, or 375
investigation is resolved to the satisfaction of the licensing 376
authority. A licensing authority shall provide the applicant 377
with a written decision to issue or reject a license or 378
government certification under this chapter or take any other 379
action under this chapter within sixty days after the complaint, 380
allegation, or investigation is resolved to the satisfaction of 381
the licensing authority. 382

Sec. 4796.21. An applicant who is issued a license or 383
government certification under this chapter is subject to the 384
laws regulating the practice of the applicable occupation or 385
profession in this state and is subject to the licensing 386
authority's jurisdiction. 387

An applicant who is issued a license or government 388
certification under this chapter may practice the applicable 389
occupation or profession in this state only within the scope and 390
practice that is permitted under Ohio law and that does not 391
exceed the applicant's training. 392

Sec. 4796.22. (A) Except as provided in division (B) of 393
this section, a license or government certification issued under 394
this chapter shall be considered a license or government 395
certification issued under the laws regulating the practice of 396
the applicable occupation or profession in this state. 397
Provisions of law applicable to a license or government 398
certification issued to an applicant who does not obtain a 399
license or government certification under this chapter apply in 400
the same manner to licenses and government certifications issued 401

under this chapter. 402

(B) A licensing authority may, for purposes of verifying 403
licensure status in this state with an entity that licenses the 404
same profession, occupation, or occupational activity in another 405
state, require an applicant issued a license or government 406
certification under this chapter to satisfy a national standard 407
to have that license or government certification verified as a 408
license or government certification issued by this state. A 409
licensing authority may require satisfaction of a national 410
standard under this division only if both of the following 411
apply: 412

(1) An applicant for a license or government certification 413
under the laws of this state governing the profession, 414
occupation, or occupational activity is required to satisfy the 415
national standard to receive the license or government 416
certification. 417

(2) The licensing authority posts notice of the 418
requirement to satisfy the national standard on the web site 419
maintained by the licensing authority. 420

(C) If a licensing authority elects to require 421
satisfaction of a national standard under division (B) of this 422
section and the law governing the license or government 423
certification in effect immediately before the effective date of 424
this section required an applicant who holds an out-of-state 425
occupational license or government certification to satisfy a 426
requirement that is less restrictive than a requirement 427
described in division (B), (C), (D), (E), or (F) of section 428
4796.03 of the Revised Code to receive the license or government 429
certification, the licensing authority shall do the following: 430

(1) Apply the less restrictive requirement to an applicant 431
who satisfied the national standard; 432

(2) Apply the requirements of section 4796.03, 4796.04, or 433
4796.05 of the Revised Code to an applicant who did not satisfy 434
the national standard. 435

Sec. 4796.23. A licensing authority may prohibit an 436
individual who is issued a license or government certification 437
under this chapter from using the license or government 438
certification to obtain a substantially similar license or 439
government certification in another state if the licensing 440
authority determines that allowing the individual to do so would 441
jeopardize any reciprocal licensing agreement with the other 442
state that is in effect on the effective date of this section. 443

Sec. 4796.24. An individual who holds a license issued 444
pursuant to an interstate licensure compact to which Ohio is a 445
party is not required to obtain a license under this chapter to 446
practice in this state. 447

A licensing authority may prohibit an individual who is 448
issued a license under this chapter from using the license to 449
obtain a license through an interstate licensure compact if the 450
licensing authority determines that allowing the individual to 451
do so would jeopardize the state's membership in the compact. 452

Sec. 4796.25. This chapter does not apply to any of the 453
following: 454

(A) Licenses issued under Chapter 3796. of the Revised 455
Code; 456

(B) Licenses issued pursuant to rules prescribed under 457
Section 5 of Article IV, Ohio Constitution; 458

<u>(C) Commercial fishing licenses issued under section</u>	459
<u>1533.342 of the Revised Code;</u>	460
<u>(D) Licenses issued under Chapter 4506. of the Revised</u>	461
<u>Code;</u>	462
<u>(E) Physician certificates to recommend treatment with</u>	463
<u>medical marijuana issued under section 4731.30 of the Revised</u>	464
<u>Code;</u>	465
<u>(F) Money transmitter licenses issued under section</u>	466
<u>1315.04 of the Revised Code;</u>	467
<u>(G) Lottery sales agent licenses issued under section</u>	468
<u>3770.05 of the Revised Code;</u>	469
<u>(H) Licenses issued under Chapter 3905. of the Revised</u>	470
<u>Code;</u>	471
<u>(I) Fantasy contest operator licenses issued under section</u>	472
<u>3774.02 of the Revised Code;</u>	473
<u>(J) Teledentistry permits issued under section 4715.43 of</u>	474
<u>the Revised Code;</u>	475
<u>(K) Physician training certificates issued under section</u>	476
<u>4731.291 of the Revised Code;</u>	477
<u>(L) Podiatrist training certificates issued under section</u>	478
<u>4731.573 of the Revised Code;</u>	479
<u>(M) Licenses issued under Chapter 4740. of the Revised</u>	480
<u>Code;</u>	481
<u>(N) Licenses issued by a political subdivision to an</u>	482
<u>individual by which the individual has or claims the privilege</u>	483
<u>to act as a tradesperson as defined in section 4740.01 of the</u>	484
<u>Revised Code in the political subdivision's jurisdiction.</u>	485

Sec. 4796.26. Notwithstanding any requirement in the 486
Revised Code that a licensing authority grant a license or 487
government certification in accordance with this chapter, the 488
licensing authority shall not grant the license or government 489
certification under this chapter unless both of the following 490
apply: 491

(A) The applicant is applying for the license or 492
government certification in the applicant's capacity as an 493
individual; 494

(B) One of the following applies: 495

(1) If the applicant seeks licensure or certification 496
under section 4796.03 or 4796.04 of the Revised Code, the 497
applicant held the applicable out-of-state occupational license, 498
government certification, or private certification in the 499
applicant's capacity as an individual; 500

(2) If the applicant seeks licensure or certification 501
under section 4796.05 of the Revised Code, the applicant 502
personally engaged in the profession, occupation, or 503
occupational activity in a state that does not issue the 504
occupational license or government certification for which the 505
applicant is applying in this state. 506

Sec. 4796.30. Each licensing authority shall adopt rules 507
as necessary to implement this chapter, including rules 508
regarding issuing restricted or limited licenses or government 509
certifications under section 4796.10 of the Revised Code. 510

Sec. 4796.35. A political subdivision shall not prohibit 511
an individual who holds a license or government certification 512
issued by a state agency under this chapter from engaging in the 513
respective profession, occupation, or occupational activity in 514

<u>the political subdivision's jurisdiction.</u>	515
Section 2. That sections 109.73, 109.77, 109.771, 109.78,	516
109.804, 147.01, 147.63, 169.16, 173.21, 173.391, 173.422,	517
503.41, 715.27, 903.07, 905.321, 917.09, 917.091, 921.06,	518
921.11, 921.12, 921.24, 921.26, 926.30, 928.02, 943.09, 956.05,	519
956.06, 1315.23, 1321.04, 1321.37, 1321.53, 1321.64, 1321.74,	520
1322.10, 1322.21, 1513.07, 1513.161, 1514.12, 1514.47, 1531.40,	521
1533.051, 1533.51, 1561.14, 1561.15, 1561.16, 1561.17, 1561.18,	522
1561.19, 1561.20, 1561.21, 1561.22, 1565.06, 1565.15, 1707.15,	523
1707.151, 1707.16, 1707.161, 1707.163, 1707.165, 1717.06,	524
3101.10, 3301.071, 3301.074, 3307.01, 3309.011, 3319.088,	525
3319.22, 3319.226, 3319.229, 3319.26, 3319.261, 3319.262,	526
3319.27, 3319.28, 3319.301, 3319.303, 3319.361, 3327.10,	527
3703.21, 3704.14, 3713.05, 3717.09, 3723.03, 3723.06, 3737.83,	528
3737.881, 3742.05, 3743.03, 3743.16, 3743.40, 3743.51, 3748.07,	529
3748.12, 3769.03, 3772.13, 3772.131, 3773.36, 3773.421, 3781.10,	530
3781.102, 3781.105, 3916.03, 3951.03, 3951.05, 3951.09, 4104.07,	531
4104.101, 4104.19, 4105.02, 4169.03, 4301.10, 4508.03, 4508.04,	532
4508.08, 4511.763, 4701.06, 4701.07, 4701.10, 4703.08, 4703.10,	533
4703.33, 4703.35, 4703.37, 4707.07, 4707.072, 4707.101, 4709.07,	534
4709.08, 4709.10, 4712.02, 4713.10, 4713.28, 4713.30, 4713.31,	535
4713.34, 4713.37, 4713.69, 4715.03, 4715.09, 4715.10, 4715.16,	536
4715.27, 4715.362, 4715.363, 4715.39, 4715.42, 4715.421,	537
4715.53, 4715.62, 4717.05, 4717.051, 4717.07, 4717.10, 4723.08,	538
4723.09, 4723.26, 4723.32, 4723.41, 4723.651, 4723.75, 4723.76,	539
4723.85, 4725.13, 4725.18, 4725.26, 4725.48, 4725.52, 4725.57,	540
4725.591, 4727.03, 4728.03, 4729.09, 4729.11, 4729.15, 4729.901,	541
4729.921, 4730.10, 4731.151, 4731.19, 4731.293, 4731.294,	542
4731.295, 4731.297, 4731.299, 4731.52, 4731.572, 4732.10,	543
4732.12, 4732.22, 4733.18, 4733.19, 4734.23, 4734.27, 4734.283,	544
4735.023, 4735.07, 4735.08, 4735.09, 4735.10, 4735.27, 4735.28,	545

4736.10, 4736.14, 4740.05, 4740.06, 4741.12, 4741.13, 4741.14, 546
4741.15, 4741.19, 4743.04, 4743.041, 4747.04, 4747.05, 4747.10, 547
4749.12, 4751.01, 4751.15, 4751.20, 4751.201, 4751.202, 4751.21, 548
4751.32, 4752.05, 4752.12, 4753.07, 4753.071, 4753.072, 549
4753.073, 4753.08, 4753.09, 4753.12, 4755.08, 4755.09, 4755.411, 550
4755.44, 4755.441, 4755.45, 4755.451, 4755.48, 4755.482, 551
4755.62, 4755.65, 4757.18, 4758.25, 4759.05, 4759.06, 4760.03, 552
4760.031, 4761.04, 4761.05, 4762.03, 4763.05, 4764.10, 4765.10, 553
4765.11, 4765.30, 4765.55, 4767.031, 4771.08, 4773.03, 4774.03, 554
4775.07, 4778.03, 4778.08, 4778.09, 4779.17, 4779.18, 4781.07, 555
4781.08, 4781.17, 4783.04, 5123.161, 5123.45, 5126.25, 5902.02, 556
5903.04, 6109.04, and 6111.46 be amended and section 3746.041 of 557
the Revised Code be enacted to read as follows: 558

Sec. 109.73. (A) The Ohio peace officer training 559
commission shall recommend rules to the attorney general with 560
respect to all of the following: 561

(1) The approval, or revocation of approval, of peace 562
officer training schools administered by the state, counties, 563
municipal corporations, public school districts, technical 564
college districts, and the department of natural resources; 565

(2) Minimum courses of study, attendance requirements, and 566
equipment and facilities to be required at approved state, 567
county, municipal, and department of natural resources peace 568
officer training schools; 569

(3) Minimum qualifications for instructors at approved 570
state, county, municipal, and department of natural resources 571
peace officer training schools; 572

(4) The requirements of minimum basic training that peace 573
officers appointed to probationary terms shall complete before 574

being eligible for permanent appointment, which requirements 575
shall include training in the handling of the offense of 576
domestic violence, other types of domestic violence-related 577
offenses and incidents, and protection orders and consent 578
agreements issued or approved under section 2919.26 or 3113.31 579
of the Revised Code; crisis intervention training; and training 580
in the handling of missing children and child abuse and neglect 581
cases; and training in handling violations of section 2905.32 of 582
the Revised Code; and the time within which such basic training 583
shall be completed following appointment to a probationary term; 584

(5) The requirements of minimum basic training that peace 585
officers not appointed for probationary terms but appointed on 586
other than a permanent basis shall complete in order to be 587
eligible for continued employment or permanent appointment, 588
which requirements shall include training in the handling of the 589
offense of domestic violence, other types of domestic violence- 590
related offenses and incidents, and protection orders and 591
consent agreements issued or approved under section 2919.26 or 592
3113.31 of the Revised Code, crisis intervention training, and 593
training in the handling of missing children and child abuse and 594
neglect cases, and training in handling violations of section 595
2905.32 of the Revised Code, and the time within which such 596
basic training shall be completed following appointment on other 597
than a permanent basis; 598

(6) Categories or classifications of advanced in-service 599
training programs for peace officers, including programs in the 600
handling of the offense of domestic violence, other types of 601
domestic violence-related offenses and incidents, and protection 602
orders and consent agreements issued or approved under section 603
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 604
and in the handling of missing children and child abuse and 605

neglect cases, and in handling violations of section 2905.32 of 606
the Revised Code, and minimum courses of study and attendance 607
requirements with respect to such categories or classifications; 608

(7) Permitting persons, who are employed as members of a 609
campus police department appointed under section 1713.50 of the 610
Revised Code; who are employed as police officers by a qualified 611
nonprofit corporation police department pursuant to section 612
1702.80 of the Revised Code; who are appointed and commissioned 613
as bank, savings and loan association, savings bank, credit 614
union, or association of banks, savings and loan associations, 615
savings banks, or credit unions police officers, as railroad 616
police officers, or as hospital police officers pursuant to 617
sections 4973.17 to 4973.22 of the Revised Code; or who are 618
appointed and commissioned as amusement park police officers 619
pursuant to section 4973.17 of the Revised Code, to attend 620
approved peace officer training schools, including the Ohio 621
peace officer training academy, and to receive certificates of 622
satisfactory completion of basic training programs, if the 623
private college or university that established the campus police 624
department; qualified nonprofit corporation police department; 625
bank, savings and loan association, savings bank, credit union, 626
or association of banks, savings and loan associations, savings 627
banks, or credit unions; railroad company; hospital; or 628
amusement park sponsoring the police officers pays the entire 629
cost of the training and certification and if trainee vacancies 630
are available; 631

(8) Permitting undercover drug agents to attend approved 632
peace officer training schools, other than the Ohio peace 633
officer training academy, and to receive certificates of 634
satisfactory completion of basic training programs, if, for each 635
undercover drug agent, the county, township, or municipal 636

corporation that employs that undercover drug agent pays the 637
entire cost of the training and certification; 638

(9) (a) The requirements for basic training programs for 639
bailiffs and deputy bailiffs of courts of record of this state 640
and for criminal investigators employed by the state public 641
defender that those persons shall complete before they may carry 642
a firearm while on duty; 643

(b) The requirements for any training received by a 644
bailiff or deputy bailiff of a court of record of this state or 645
by a criminal investigator employed by the state public defender 646
prior to June 6, 1986, that is to be considered equivalent to 647
the training described in division (A) (9) (a) of this section. 648

(10) Establishing minimum qualifications and requirements 649
for certification for dogs utilized by law enforcement agencies; 650

(11) Establishing minimum requirements for certification 651
of persons who are employed as correction officers in a full- 652
service jail, five-day facility, or eight-hour holding facility 653
or who provide correction services in such a jail or facility; 654

(12) Establishing requirements for the training of humane 655
society agents under section 1717.061 of the Revised Code, 656
including, without limitation, a requirement that the agents 657
receive instruction on traditional animal husbandry methods and 658
training techniques, including customary owner-performed 659
practices; 660

(13) Permitting tactical medical professionals to attend 661
approved peace officer training schools, including the Ohio 662
peace officer training academy, to receive training of the type 663
described in division (A) (14) of this section and to receive 664
certificates of satisfactory completion of training programs 665

described in that division; 666

(14) The requirements for training programs that tactical 667
medical professionals shall complete to qualify them to carry 668
firearms while on duty under section 109.771 of the Revised 669
Code, which requirements shall include at least the firearms 670
training specified in division (A) of section 109.748 of the 671
Revised Code; 672

(15) Procedures and requirements for a portion of basic 673
training that peace officers complete in proper interactions 674
with civilians during traffic stops and other in-person 675
encounters as specified in division (B) (4) of section 109.803 of 676
the Revised Code and including the topics of instruction listed 677
for active duty peace officers under divisions (B) (4) (a) to (d) 678
of that section. 679

(B) The commission shall appoint an executive director, 680
with the approval of the attorney general, who shall hold office 681
during the pleasure of the commission. The executive director 682
shall perform such duties assigned by the commission. The 683
executive director shall receive a salary fixed pursuant to 684
Chapter 124. of the Revised Code and reimbursement for expenses 685
within the amounts available by appropriation. The executive 686
director may appoint officers, employees, agents, and 687
consultants as the executive director considers necessary, 688
prescribe their duties, and provide for reimbursement of their 689
expenses within the amounts available for reimbursement by 690
appropriation and with the approval of the commission. 691

(C) The commission may do all of the following: 692

(1) Recommend studies, surveys, and reports to be made by 693
the executive director regarding the carrying out of the 694

objectives and purposes of sections 109.71 to 109.77 of the Revised Code;	695 696
(2) Visit and inspect any peace officer training school that has been approved by the executive director or for which application for approval has been made;	697 698 699
(3) Make recommendations, from time to time, to the executive director, the attorney general, and the general assembly regarding the carrying out of the purposes of sections 109.71 to 109.77 of the Revised Code;	700 701 702 703
(4) Report to the attorney general from time to time, and to the governor and the general assembly at least annually, concerning the activities of the commission;	704 705 706
(5) Establish fees for the services the commission offers under sections 109.71 to 109.79 of the Revised Code, including, but not limited to, fees for training, certification, and testing;	707 708 709 710
(6) Perform such other acts as are necessary or appropriate to carry out the powers and duties of the commission as set forth in sections 109.71 to 109.77 of the Revised Code.	711 712 713
(D) In establishing the requirements, under division (A) (12) of this section, the commission may consider any portions of the curriculum for instruction on the topic of animal husbandry practices, if any, of the Ohio state university college of veterinary medicine. No person or entity that fails to provide instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices, shall qualify to train a humane society agent for appointment under section 1717.06 of the Revised Code.	714 715 716 717 718 719 720 721 722
<u>(E) (1) As used in this division, "license" has the same</u>	723

meaning as in section 4796.01 of the Revised Code, except that 724
it includes a certificate of completion of a training program 725
required under sections 109.71 to 109.804 of the Revised Code. 726
"License" does not include a certificate of completion of a 727
firearm basic training program under division (B)(1) of section 728
109.78 of the Revised Code or a certificate of completion of any 729
firearm requalification training program. 730

(2) Notwithstanding any requirement for a license issued 731
by the commission, the commission shall issue a license in 732
accordance with Chapter 4796. of the Revised Code to an 733
individual if either of the following applies: 734

(a) The individual holds a license in another state. 735

(b) The individual has satisfactory work experience, a 736
government certification, or a private certification as 737
described in that chapter in the same profession, occupation, or 738
occupational activity as the profession, occupation, or 739
occupational activity for which the license is required in this 740
state in a state that does not require such a license. 741

Sec. 109.77. (A) As used in this section: 742

(1) "Felony" has the same meaning as in section 109.511 of 743
the Revised Code. 744

(2) "Companion animal" has the same meaning as in section 745
959.131 of the Revised Code. 746

(B) (1) Notwithstanding any general, special, or local law 747
or charter to the contrary, and except as otherwise provided in 748
this section, no person shall receive an original appointment on 749
a permanent basis as any of the following unless the person 750
previously has been awarded a certificate by the executive 751
director of the Ohio peace officer training commission attesting 752

to the person's satisfactory completion of an approved state, 753
county, municipal, or department of natural resources peace 754
officer basic training program: 755

(a) A peace officer of any county, township, municipal 756
corporation, regional transit authority, or metropolitan housing 757
authority; 758

(b) A natural resources law enforcement staff officer, 759
forest-fire investigator, wildlife officer, or natural resources 760
officer of the department of natural resources; 761

(c) An employee of a park district under section 511.232 762
or 1545.13 of the Revised Code; 763

(d) An employee of a conservancy district who is 764
designated pursuant to section 6101.75 of the Revised Code; 765

(e) A state university law enforcement officer; 766

(f) A special police officer employed by the department of 767
mental health and addiction services pursuant to section 5119.08 768
of the Revised Code or the department of developmental 769
disabilities pursuant to section 5123.13 of the Revised Code; 770

(g) An enforcement agent of the department of public 771
safety whom the director of public safety designates under 772
section 5502.14 of the Revised Code; 773

(h) A special police officer employed by a port authority 774
under section 4582.04 or 4582.28 of the Revised Code; 775

(i) A special police officer employed by a municipal 776
corporation at a municipal airport, or other municipal air 777
navigation facility, that has scheduled operations, as defined 778
in section 119.3 of Title 14 of the Code of Federal Regulations, 779
14 C.F.R. 119.3, as amended, and that is required to be under a 780

security program and is governed by aviation security rules of 781
the transportation security administration of the United States 782
department of transportation as provided in Parts 1542. and 783
1544. of Title 49 of the Code of Federal Regulations, as 784
amended; 785

(j) A gaming agent employed under section 3772.03 of the 786
Revised Code. 787

(2) Every person who is appointed on a temporary basis or 788
for a probationary term or on other than a permanent basis as 789
any of the following shall forfeit the appointed position unless 790
the person previously has completed satisfactorily or, within 791
the time prescribed by rules adopted by the attorney general 792
pursuant to section 109.74 of the Revised Code, satisfactorily 793
completes a state, county, municipal, or department of natural 794
resources peace officer basic training program for temporary or 795
probationary officers and is awarded a certificate by the 796
director attesting to the satisfactory completion of the 797
program: 798

(a) A peace officer of any county, township, municipal 799
corporation, regional transit authority, or metropolitan housing 800
authority; 801

(b) A natural resources law enforcement staff officer, 802
park officer, forest officer, preserve officer, wildlife 803
officer, or state watercraft officer of the department of 804
natural resources; 805

(c) An employee of a park district under section 511.232 806
or 1545.13 of the Revised Code; 807

(d) An employee of a conservancy district who is 808
designated pursuant to section 6101.75 of the Revised Code; 809

(e) A special police officer employed by the department of 810
mental health and addiction services pursuant to section 5119.08 811
of the Revised Code or the department of developmental 812
disabilities pursuant to section 5123.13 of the Revised Code; 813

(f) An enforcement agent of the department of public 814
safety whom the director of public safety designates under 815
section 5502.14 of the Revised Code; 816

(g) A special police officer employed by a port authority 817
under section 4582.04 or 4582.28 of the Revised Code; 818

(h) A special police officer employed by a municipal 819
corporation at a municipal airport, or other municipal air 820
navigation facility, that has scheduled operations, as defined 821
in section 119.3 of Title 14 of the Code of Federal Regulations, 822
14 C.F.R. 119.3, as amended, and that is required to be under a 823
security program and is governed by aviation security rules of 824
the transportation security administration of the United States 825
department of transportation as provided in Parts 1542. and 826
1544. of Title 49 of the Code of Federal Regulations, as 827
amended. 828

(3) For purposes of division (B) of this section, a state, 829
county, municipal, or department of natural resources peace 830
officer basic training program, regardless of whether the 831
program is to be completed by peace officers appointed on a 832
permanent or temporary, probationary, or other nonpermanent 833
basis, shall include training in the handling of the offense of 834
domestic violence, other types of domestic violence-related 835
offenses and incidents, protection orders and consent agreements 836
issued or approved under section 2919.26 or 3113.31 of the 837
Revised Code, crisis intervention training, and training on 838
companion animal encounters and companion animal behavior. The 839

requirement to complete training in the handling of the offense 840
of domestic violence, other types of domestic violence-related 841
offenses and incidents, and protection orders and consent 842
agreements issued or approved under section 2919.26 or 3113.31 843
of the Revised Code does not apply to any person serving as a 844
peace officer on March 27, 1979, and the requirement to complete 845
training in crisis intervention does not apply to any person 846
serving as a peace officer on April 4, 1985. Any person who is 847
serving as a peace officer on April 4, 1985, who terminates that 848
employment after that date, and who subsequently is hired as a 849
peace officer by the same or another law enforcement agency 850
shall complete training in crisis intervention as prescribed by 851
rules adopted by the attorney general pursuant to section 852
109.742 of the Revised Code. No peace officer shall have 853
employment as a peace officer terminated and then be reinstated 854
with intent to circumvent this section. 855

(4) Division (B) of this section does not apply to any 856
person serving on a permanent basis on March 28, 1985, as a park 857
officer, forest officer, preserve officer, wildlife officer, or 858
state watercraft officer of the department of natural resources 859
or as an employee of a park district under section 511.232 or 860
1545.13 of the Revised Code, to any person serving on a 861
permanent basis on March 6, 1986, as an employee of a 862
conservancy district designated pursuant to section 6101.75 of 863
the Revised Code, to any person serving on a permanent basis on 864
January 10, 1991, as a preserve officer of the department of 865
natural resources, to any person employed on a permanent basis 866
on July 2, 1992, as a special police officer by the department 867
of mental health and addiction services pursuant to section 868
5119.08 of the Revised Code or by the department of 869
developmental disabilities pursuant to section 5123.13 of the 870

Revised Code, to any person serving on a permanent basis on May 871
17, 2000, as a special police officer employed by a port 872
authority under section 4582.04 or 4582.28 of the Revised Code, 873
to any person serving on a permanent basis on March 19, 2003, as 874
a special police officer employed by a municipal corporation at 875
a municipal airport or other municipal air navigation facility 876
described in division (A)(19) of section 109.71 of the Revised 877
Code, to any person serving on a permanent basis on June 19, 878
1978, as a state university law enforcement officer pursuant to 879
section 3345.04 of the Revised Code and who, immediately prior 880
to June 19, 1978, was serving as a special police officer 881
designated under authority of that section, or to any person 882
serving on a permanent basis on September 20, 1984, as a liquor 883
control investigator, known after June 30, 1999, as an 884
enforcement agent of the department of public safety, engaged in 885
the enforcement of Chapters 4301. and 4303. of the Revised Code. 886

(5) Division (B) of this section does not apply to any 887
person who is appointed as a regional transit authority police 888
officer pursuant to division (Y) of section 306.35 of the 889
Revised Code if, on or before July 1, 1996, the person has 890
completed satisfactorily an approved state, county, municipal, 891
or department of natural resources peace officer basic training 892
program and has been awarded a certificate by the executive 893
director of the Ohio peace officer training commission attesting 894
to the person's satisfactory completion of such an approved 895
program and if, on July 1, 1996, the person is performing peace 896
officer functions for a regional transit authority. 897

(C) No person, after September 20, 1984, shall receive an 898
original appointment on a permanent basis as a veterans' home 899
police officer designated under section 5907.02 of the Revised 900
Code unless the person previously has been awarded a certificate 901

by the executive director of the Ohio peace officer training 902
commission attesting to the person's satisfactory completion of 903
an approved police officer basic training program. Every person 904
who is appointed on a temporary basis or for a probationary term 905
or on other than a permanent basis as a veterans' home police 906
officer designated under section 5907.02 of the Revised Code 907
shall forfeit that position unless the person previously has 908
completed satisfactorily or, within one year from the time of 909
appointment, satisfactorily completes an approved police officer 910
basic training program. 911

(D) No bailiff or deputy bailiff of a court of record of 912
this state and no criminal investigator who is employed by the 913
state public defender shall carry a firearm, as defined in 914
section 2923.11 of the Revised Code, while on duty unless the 915
bailiff, deputy bailiff, or criminal investigator has done or 916
received one of the following: 917

(1) Has been awarded a certificate by the executive 918
director of the Ohio peace officer training commission, which 919
certificate attests to satisfactory completion of an approved 920
state, county, or municipal basic training program for bailiffs 921
and deputy bailiffs of courts of record and for criminal 922
investigators employed by the state public defender that has 923
been recommended by the Ohio peace officer training commission; 924

(2) Has successfully completed a firearms training program 925
approved by the Ohio peace officer training commission prior to 926
employment as a bailiff, deputy bailiff, or criminal 927
investigator; 928

(3) Prior to June 6, 1986, was authorized to carry a 929
firearm by the court that employed the bailiff or deputy bailiff 930
or, in the case of a criminal investigator, by the state public 931

defender and has received training in the use of firearms that 932
the Ohio peace officer training commission determines is 933
equivalent to the training that otherwise is required by 934
division (D) of this section. 935

(E) (1) Before a person seeking a certificate completes an 936
approved peace officer basic training program, the executive 937
director of the Ohio peace officer training commission shall 938
request the person to disclose, and the person shall disclose, 939
any previous criminal conviction of or plea of guilty of that 940
person to a felony. 941

(2) Before a person seeking a certificate completes an 942
approved peace officer basic training program, the executive 943
director shall request a criminal history records check on the 944
person. The executive director shall submit the person's 945
fingerprints to the bureau of criminal identification and 946
investigation, which shall submit the fingerprints to the 947
federal bureau of investigation for a national criminal history 948
records check. 949

Upon receipt of the executive director's request, the 950
bureau of criminal identification and investigation and the 951
federal bureau of investigation shall conduct a criminal history 952
records check on the person and, upon completion of the check, 953
shall provide a copy of the criminal history records check to 954
the executive director. The executive director shall not award 955
any certificate prescribed in this section unless the executive 956
director has received a copy of the criminal history records 957
check on the person to whom the certificate is to be awarded. 958

(3) The executive director of the commission shall not 959
award a certificate prescribed in this section to a person who 960
has been convicted of or has pleaded guilty to a felony or who 961

fails to disclose any previous criminal conviction of or plea of 962
guilty to a felony as required under division (E)(1) of this 963
section. 964

(4) The executive director of the commission shall revoke 965
the certificate awarded to a person as prescribed in this 966
section, and that person shall forfeit all of the benefits 967
derived from being certified as a peace officer under this 968
section, if the person, before completion of an approved peace 969
officer basic training program, failed to disclose any previous 970
criminal conviction of or plea of guilty to a felony as required 971
under division (E)(1) of this section. 972

(F)(1) Regardless of whether the person has been awarded 973
the certificate or has been classified as a peace officer prior 974
to, on, or after October 16, 1996, the executive director of the 975
Ohio peace officer training commission shall revoke any 976
certificate that has been awarded to a person as prescribed in 977
this section if the person does either of the following: 978

(a) Pleads guilty to a felony committed on or after 979
January 1, 1997; 980

(b) Pleads guilty to a misdemeanor committed on or after 981
January 1, 1997, pursuant to a negotiated plea agreement as 982
provided in division (D) of section 2929.43 of the Revised Code 983
in which the person agrees to surrender the certificate awarded 984
to the person under this section. 985

(2) The executive director of the commission shall suspend 986
any certificate that has been awarded to a person as prescribed 987
in this section if the person is convicted, after trial, of a 988
felony committed on or after January 1, 1997. The executive 989
director shall suspend the certificate pursuant to division (F) 990

(2) of this section pending the outcome of an appeal by the 991
person from that conviction to the highest court to which the 992
appeal is taken or until the expiration of the period in which 993
an appeal is required to be filed. If the person files an appeal 994
that results in that person's acquittal of the felony or 995
conviction of a misdemeanor, or in the dismissal of the felony 996
charge against that person, the executive director shall 997
reinstate the certificate awarded to the person under this 998
section. If the person files an appeal from that person's 999
conviction of the felony and the conviction is upheld by the 1000
highest court to which the appeal is taken or if the person does 1001
not file a timely appeal, the executive director shall revoke 1002
the certificate awarded to the person under this section. 1003

(G) (1) If a person is awarded a certificate under this 1004
section and the certificate is revoked pursuant to division (E) 1005
(4) or (F) of this section, the person shall not be eligible to 1006
receive, at any time, a certificate attesting to the person's 1007
satisfactory completion of a peace officer basic training 1008
program. 1009

(2) The revocation or suspension of a certificate under 1010
division (E) (4) or (F) of this section shall be in accordance 1011
with Chapter 119. of the Revised Code. 1012

(H) (1) A person who was employed as a peace officer of a 1013
county, township, or municipal corporation of the state on 1014
January 1, 1966, and who has completed at least sixteen years of 1015
full-time active service as such a peace officer, or equivalent 1016
service as determined by the executive director of the Ohio 1017
peace officer training commission, may receive an original 1018
appointment on a permanent basis and serve as a peace officer of 1019
a county, township, or municipal corporation, or as a state 1020

university law enforcement officer, without complying with the 1021
requirements of division (B) of this section. 1022

(2) Any person who held an appointment as a state highway 1023
trooper on January 1, 1966, may receive an original appointment 1024
on a permanent basis and serve as a peace officer of a county, 1025
township, or municipal corporation, or as a state university law 1026
enforcement officer, without complying with the requirements of 1027
division (B) of this section. 1028

(I) No person who is appointed as a peace officer of a 1029
county, township, or municipal corporation on or after April 9, 1030
1985, shall serve as a peace officer of that county, township, 1031
or municipal corporation unless the person has received training 1032
in the handling of missing children and child abuse and neglect 1033
cases from an approved state, county, township, or municipal 1034
police officer basic training program or receives the training 1035
within the time prescribed by rules adopted by the attorney 1036
general pursuant to section 109.741 of the Revised Code. 1037

(J) No part of any approved state, county, or municipal 1038
basic training program for bailiffs and deputy bailiffs of 1039
courts of record and no part of any approved state, county, or 1040
municipal basic training program for criminal investigators 1041
employed by the state public defender shall be used as credit 1042
toward the completion by a peace officer of any part of the 1043
approved state, county, or municipal peace officer basic 1044
training program that the peace officer is required by this 1045
section to complete satisfactorily. 1046

(K) This section does not apply to any member of the 1047
police department of a municipal corporation in an adjoining 1048
state serving in this state under a contract pursuant to section 1049
737.04 of the Revised Code. 1050

(L) The executive director of the commission shall issue a certificate of completion of a training program required under this section in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies: 1051
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1053
1054

(1) The individual holds a certificate of completion of such a program in another state. 1055
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(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter in the same profession, occupation, or occupational activity as the profession, occupation, or occupational activity for which the certificate is required in this state in a state that does not require completion of such a training program. 1057
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Sec. 109.771. (A) A tactical medical professional may carry firearms while on duty in the same manner, to the same extent, and in the same areas as a law enforcement officer of the law enforcement agency the professional is serving, if all of the following apply: 1064
1065
1066
1067
1068

(1) The law enforcement agency that the tactical medical professional is serving has specifically authorized the professional to carry firearms while on duty. 1069
1070
1071

(2) The tactical medical professional has done or received one of the following: 1072
1073

(a) The professional has been awarded a certificate by the executive director of the Ohio peace officer training commission, which certificate attests to satisfactory completion of an approved state, county, or municipal basic training program or a program at the Ohio peace officer training academy that qualifies the professional to carry firearms while on duty 1074
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and that conforms to the rules adopted under section 109.748 of 1080
the Revised Code. 1081

(b) Prior to or during employment as a tactical medical 1082
professional and prior to ~~the effective date of this section~~ 1083
June 1, 2018, the professional has successfully completed a 1084
firearms training program, other than one described in division 1085
(A) (2) (a) of this section, that was approved by the Ohio peace 1086
officer training commission. 1087

(B) A tactical medical professional to whom division (A) 1088
of this section applies and who is carrying one or more firearms 1089
under authority of that division has protection from potential 1090
civil or criminal liability for any conduct occurring while 1091
carrying the firearm or firearms to the same extent as a law 1092
enforcement officer of the law enforcement agency the 1093
professional is serving has such protection. 1094

(C) The executive director of the commission shall issue a 1095
certificate of completion of a training program required under 1096
this section in accordance with Chapter 4796. of the Revised 1097
Code to an individual if either of the following applies: 1098

(1) The individual holds a certificate of completion of 1099
such a program in another state. 1100

(2) The individual has satisfactory work experience, a 1101
government certification, or a private certification as 1102
described in that chapter as a tactical medical professional who 1103
carries a firearm while on duty in a state that does not require 1104
completion of such a training program. 1105

Sec. 109.78. (A) The executive director of the Ohio peace 1106
officer training commission, on behalf of the commission and in 1107
accordance with rules promulgated by the attorney general, shall 1108

certify persons who have satisfactorily completed approved 1109
training programs designed to qualify persons for positions as 1110
special police, security guards, or persons otherwise privately 1111
employed in a police capacity and issue appropriate certificates 1112
to such persons. Application for approval of a training program 1113
designed to qualify persons for such positions shall be made to 1114
the commission. An application for approval shall be submitted 1115
to the commission with a fee of one hundred twenty-five dollars, 1116
which fee shall be refunded if the application is denied. Such 1117
programs shall cover only duties and jurisdiction of such 1118
security guards and special police privately employed in a 1119
police capacity when such officers do not qualify for training 1120
under section 109.71 of the Revised Code. A person attending an 1121
approved basic training program administered by the state shall 1122
pay to the agency administering the program the cost of the 1123
person's participation in the program as determined by the 1124
agency. A person attending an approved basic training program 1125
administered by a county or municipal corporation shall pay the 1126
cost of the person's participation in the program, as determined 1127
by the administering subdivision, to the county or the municipal 1128
corporation. A person who is issued a certificate for 1129
satisfactory completion of an approved basic training program 1130
shall pay to the commission a fee of fifteen dollars. A 1131
duplicate of a lost, spoliated, or destroyed certificate may be 1132
issued upon application and payment of a fee of fifteen dollars. 1133
Such certificate or the completion of twenty years of active 1134
duty as a peace officer shall satisfy the educational 1135
requirements for appointment or commission as a special police 1136
officer or special deputy of a political subdivision of this 1137
state. 1138

(B) (1) The executive director of the Ohio peace officer 1139

training commission, on behalf of the commission and in 1140
accordance with rules promulgated by the attorney general, shall 1141
certify basic firearms training programs, and shall issue 1142
certificates to class A, B, or C licensees or prospective class 1143
A, B, or C licensees under Chapter 4749. of the Revised Code and 1144
to registered or prospective employees of such class A, B, or C 1145
licensees who have satisfactorily completed a basic firearms 1146
training program of the type described in division (A)(1) of 1147
section 4749.10 of the Revised Code. 1148

Application for approval of a basic firearms training 1149
program shall be made to the commission. An application shall be 1150
submitted to the commission with a fee of one hundred dollars, 1151
which fee shall be refunded if the application is denied. 1152

A person who is issued a certificate for satisfactory 1153
completion of an approved basic firearms training program shall 1154
pay a fee of ten dollars to the commission. A duplicate of a 1155
lost, spoliated, or destroyed certificate may be issued upon 1156
application and payment of a fee of five dollars. 1157

(2) The executive director, on behalf of the commission 1158
and in accordance with rules promulgated by the attorney 1159
general, also shall certify firearms requalification training 1160
programs and instructors for the annual requalification of class 1161
A, B, or C licensees under Chapter 4749. of the Revised Code and 1162
registered or prospective employees of such class A, B, or C 1163
licensees who are authorized to carry a firearm under section 1164
4749.10 of the Revised Code. Application for approval of a 1165
training program or instructor for such purpose shall be made to 1166
the commission. Such an application shall be submitted to the 1167
commission with a fee of fifty dollars, which fee shall be 1168
refunded if the application is denied. 1169

(3) The executive director, upon request, also shall 1170
review firearms training received within three years prior to 1171
November 23, 1985, by any class A, B, or C licensee or 1172
prospective class A, B, or C licensee, or by any registered or 1173
prospective employee of any class A, B, or C licensee under 1174
Chapter 4749. of the Revised Code to determine if the training 1175
received is equivalent to a basic firearms training program that 1176
includes twenty hours of handgun training and five hours of 1177
training in the use of other firearms, if any other firearm is 1178
to be used. If the executive director determines the training 1179
was received within the three-year period and that it is 1180
equivalent to such a program, the executive director shall issue 1181
written evidence of approval of the equivalency training to the 1182
licensee or employee. 1183

(C) There is hereby established in the state treasury the 1184
peace officer private security fund, which shall be used by the 1185
Ohio peace officer training commission to administer the 1186
training program to qualify persons for positions as special 1187
police, security guards, or other private employment in a police 1188
capacity, as described in division (A) of this section, and the 1189
training program in basic firearms and the training program for 1190
firearms requalification, both as described in division (B) of 1191
this section. All fees paid to the commission by applicants for 1192
approval of a training program designed to qualify persons for 1193
such private police positions, basic firearms training program, 1194
or a firearms requalification training program or instructor, as 1195
required by division (A) or (B) of this section, by persons who 1196
satisfactorily complete a private police training program or a 1197
basic firearms training program, as required by division (A) or 1198
(B) of this section, or by persons who satisfactorily requalify 1199
in firearms use, as required by division (B) (2) of section 1200

4749.10 of the Revised Code, shall be transmitted to the 1201
treasurer of state for deposit in the fund. The fund shall be 1202
used only for the purpose set forth in this division. 1203

(D) (1) Subject to division (D) (2) of this section, no 1204
public or private educational institution or superintendent of 1205
the state highway patrol shall employ a person as a special 1206
police officer, as a security guard, or for a similar law 1207
enforcement or security position, who has not received a 1208
certificate of having satisfactorily completed an approved basic 1209
peace officer training program, unless the person has completed 1210
twenty years of active duty as a peace officer. 1211

(2) Division (D) (1) of this section does not apply to a 1212
person who is employed by a school district board of education 1213
or governing body of a community school established under 1214
Chapter 3314. of the Revised Code, STEM school established under 1215
Chapter 3326. of the Revised Code, or chartered nonpublic school 1216
and who has been authorized by a board or governing body to 1217
voluntarily go armed within a school safety zone within which 1218
the board or governing body has authority, if both of the 1219
following apply with respect to the employment and person: 1220

(a) The person is within the category of persons 1221
authorized to go armed within a school safety zone specified 1222
under division (D) (1) (d) of section 2923.122 of the Revised 1223
Code. 1224

(b) The person is not being employed as a special police 1225
officer or security officer. 1226

(E) The general assembly, in amending division (D) of this 1227
section pursuant to H.B. 99 of the 134th general assembly, 1228
hereby declares that the purpose of those amendments is to 1229

expressly overrule the decision of the Ohio Supreme Court in the 1230
case *Gabbard v. Madison Local School Dist. Bd. of Edn., Slip* 1231
Opinion No. 2021-Ohio-2067. 1232

(F) The executive director of the commission shall issue a 1233
certificate of completion of a training program required under 1234
division (A) of this section in accordance with Chapter 4796. of 1235
the Revised Code to an individual if either of the following 1236
applies: 1237

(1) The individual holds a certificate of completion of 1238
such a program in another state. 1239

(2) The individual has satisfactory work experience, a 1240
government certification, or a private certification as 1241
described in that chapter in the same profession, occupation, or 1242
occupational activity as the profession, occupation, or 1243
occupational activity for which the certificate is required in 1244
this state in a state that does not require completion of such a 1245
training program. 1246

Sec. 109.804. (A) (1) The Ohio peace officer training 1247
commission shall develop and conduct a chief of police training 1248
course lasting forty hours for newly appointed chiefs of police 1249
appointed on or after January 1, 2018. The commission shall 1250
determine the course topics, which shall include diversity 1251
training with an emphasis on historical perspectives and 1252
community-police relations, and shall establish criteria for 1253
what constitutes successful completion of the course. The 1254
commission shall conduct the course at the Ohio peace officer 1255
training academy and shall offer the course at least 1256
semiannually. 1257

(2) The executive director of the commission shall issue a 1258

certificate of completion of a training program required under 1259
this section in accordance with Chapter 4796. of the Revised 1260
Code to a newly appointed chief of police if either of the 1261
following applies: 1262

(a) The person holds a certificate of completion of such a 1263
program in another state. 1264

(b) The person has satisfactory work experience, a 1265
government certification, or a private certification as 1266
described in that chapter as a chief of police in a state that 1267
does not require completion of such a training program. 1268

(B) A newly appointed chief of police may request an 1269
equivalency exemption from a portion of the forty hours of the 1270
chief of police training course by submitting to the Ohio peace 1271
officer training commission, not more than ten calendar days 1272
following the person's appointment as a chief of police, 1273
evidence of training or qualification in the subject area of the 1274
exempted portion. 1275

(C) Upon presentation of evidence by a newly appointed 1276
chief of police that because of a medical disability or other 1277
good cause the newly appointed chief of police is unable to 1278
complete the chief of police training course, the Ohio peace 1279
officer training commission may defer the requirement for the 1280
newly appointed chief of police to complete the chief of police 1281
training course until the disability or cause terminates. 1282

(D) A newly appointed chief of police appointed on or 1283
after January 1, 2018, shall attend a chief of police training 1284
course conducted by the Ohio peace officer training commission 1285
pursuant to division (A) of this section not later than six 1286
months after the person's appointment as a chief of police. 1287

While attending the chief of police training course, a newly 1288
appointed chief of police shall receive compensation in the same 1289
manner and amounts as if carrying out the powers and duties of 1290
the office of chief of police. The costs of conducting the chief 1291
of police training course shall be paid from state funds 1292
appropriated to the attorney general. The cost of meals, 1293
lodging, and travel of a newly appointed chief of police 1294
attending the chief of police training course shall be paid from 1295
the budget of the entity for which the newly appointed chief of 1296
police was appointed. 1297

(E) As used in this section: 1298

"Newly appointed chief of police" means a person appointed 1299
chief of police under section 505.49, 737.05, or 737.15 of the 1300
Revised Code or any administrative official that is responsible 1301
for the daily administration and supervision of peace officers 1302
in a law enforcement agency who did not hold the office of chief 1303
of police on the date the person was appointed chief of police. 1304

"Law enforcement agency" means a municipal or township 1305
police department, or any other entity authorized by statute to 1306
appoint peace officers to enforce criminal laws and who have the 1307
statutory power of arrest. "Law enforcement agency" does not 1308
include a county sheriff's office, the state highway patrol, or 1309
the bureau of criminal identification and investigation. 1310

Sec. 147.01. (A) The secretary of state may appoint and 1311
commission as notaries public as many persons who meet the 1312
qualifications of division (B) of this section as the secretary 1313
of state considers necessary. 1314

(B) In order for a person to qualify to be appointed and 1315
commissioned as a notary public, except as provided in division 1316

(F) of this section, the person shall demonstrate to the 1317
secretary of state that the person satisfies all of the 1318
following: 1319

(1) The person has attained the age of eighteen years. 1320

(2) (a) Except as provided in division (B) (2) (b) of this 1321
section, the person is a legal resident of this state. 1322

(b) The person is not a legal resident of this state, but 1323
is an attorney admitted to the practice of law in this state by 1324
the Ohio supreme court, and has the person's principal place of 1325
business or the person's primary practice in this state. 1326

(3) (a) Except as provided in division (B) (3) (b) of this 1327
section, the person has submitted a criminal records check 1328
report completed within the preceding six months in accordance 1329
with section 147.022 of the Revised Code demonstrating that the 1330
applicant has not been convicted of or pleaded guilty or no 1331
contest to a disqualifying offense as determined in accordance 1332
with section 9.79 of the Revised Code. 1333

(b) An attorney admitted to the practice of law in this 1334
state shall not be required to submit a criminal records check 1335
when applying to be appointed a notary public. 1336

(4) (a) Except as provided in divisions (B) (4) (b) and (c) 1337
of this section, the person has successfully completed an 1338
educational program and passed a test administered by the 1339
entities authorized by the secretary of state as required under 1340
section 147.021 of the Revised Code. 1341

(b) An attorney who is commissioned as a notary public in 1342
this state prior to September 20, 2019, shall not be required to 1343
complete an education program or pass a test as required in 1344
division (B) (4) (a) of this section. 1345

(c) Any attorney who applies to become commissioned as a notary public in this state after September 20, 2019, shall not be required to pass a test as required in division (B) (4) (a) of this section, but shall be required to complete an education program required by that division.

(C) A notary public shall be appointed and commissioned as a notary public for the state. The secretary of state may revoke a commission issued to a notary public upon presentation of satisfactory evidence of official misconduct or incapacity.

(D) The secretary of state shall oversee the processing of notary public applications and shall issue all notary public commissions. The secretary of state shall oversee the creation and maintenance of the online database of notaries public commissioned in this state pursuant to section 147.051 of the Revised Code. The secretary of state may perform all other duties as required by this section. The entities authorized by the secretary of state pursuant to section 147.021 or 147.63 of the Revised Code shall administer the educational program and required test or course of instruction and examination, as applicable.

(E) All submissions to the secretary of state for receiving and renewing commissions, or notifications made under section 147.05 of the Revised Code, shall be done electronically.

(F) The secretary of state shall appoint and commission as a notary public for the state an applicant who is commissioned or licensed as a notary public in another state in accordance with Chapter 4796. of the Revised Code.

Sec. 147.63. (A) A notary public who has been duly

appointed and commissioned under section 147.01 of the Revised Code, and who is a resident of this state, may apply to the secretary of state to be authorized to act as an online notary public during the term of that notary public's commission. A state resident commissioned as a notary public qualifies to be an online notary public by paying the fee described in section 147.631 of the Revised Code and submitting to the secretary of state an application in the form prescribed by the secretary that demonstrates to the satisfaction of the secretary that the applicant will comply with the standards adopted in rules under section 147.62 of the Revised Code and that the applicant is otherwise qualified to be an online notary.

(B) (1) Before an individual may be authorized to act as an online notary public, that individual shall successfully complete a course of instruction approved by the secretary of state and pass an examination based on the course. The content of the course shall include notarial rules, procedures, and ethical obligations pertaining to online notarization contained in sections 147.60 to 147.66 of the Revised Code or in any other law or rules of this state. The course may be taken in conjunction with the educational program required under section 147.021 of the Revised Code for a notary public commission.

(2) The secretary of state shall approve one business entity comprised of bar associations with statewide scope and regional presence that have expertise and experience in notary laws and processes to provide the course and administer the examination to become an online notary.

(C) The application required under division (A) of this section shall be transmitted electronically to the secretary of state and shall include all of the following information:

(1) The applicant's full legal name and official notary public name to be used in acting as an online notary public;	1405 1406
(2) A description of the technology the applicant intends to use in performing online notarizations;	1407 1408
(3) A certification that the applicant will comply with the rules adopted under section 147.62 of the Revised Code;	1409 1410
(4) An electronic mail address of the applicant;	1411
(5) Any decrypting instructions, keys, codes, or software necessary to enable the application to be read;	1412 1413
(6) Proof of successful completion of the course and passage of the examination required under division (B) of this section;	1414 1415 1416
(7) A disclosure of any and all license or commission revocations or other professional disciplinary actions taken against the applicant;	1417 1418 1419
(8) Any other information that the secretary of state may require.	1420 1421
(D) (1) If the secretary of state is satisfied that an applicant meets the standards adopted in rules under section 147.62 of the Revised Code, and that the applicant is otherwise qualified to be an online notary public, then the secretary shall issue to the applicant a written authorization to perform online notarizations.	1422 1423 1424 1425 1426 1427
<u>The secretary of state shall issue a written authorization to perform online notarizations to an applicant who holds an authorization or license to perform online notarizations in another state in accordance with Chapter 4796. of the Revised Code.</u>	1428 1429 1430 1431 1432

(2) Except as provided in division (D) (4) of this section, 1433
the authorization shall expire when the notary public's 1434
commission expires or is revoked under section 147.03, 147.031, 1435
or 147.032 of the Revised Code. 1436

(3) (a) Except as provided in division (D) (5) of this 1437
section, the authorization shall be renewed when the notary 1438
public's commission is renewed. 1439

(b) An authorization to perform online notarizations that 1440
is set to expire shall not be renewed unless the notary submits 1441
to the secretary of state through the entity authorized in this 1442
section all of the following: 1443

(i) A fee, set by the secretary of state, of not more than 1444
four times the fee prescribed in division (B) (2) of section 1445
147.031 of the Revised Code; 1446

(ii) An application for renewal on a form prescribed by 1447
the secretary; 1448

(iii) Evidence of having completed continuing education, 1449
as required under division (G) of this section. 1450

(c) If a notary public's online notarization authorization 1451
expires before the notary submits the application for renewal, 1452
the secretary of state shall not renew that expired 1453
authorization but shall permit that person to apply for a new 1454
online notarization authorization. 1455

(4) An authorization to perform online notarizations 1456
granted to an attorney admitted to the practice of law in this 1457
state by the Ohio supreme court shall expire on the earlier of 1458
five years after the date the authorization is granted or when 1459
the attorney's term of office as a notary public ends. 1460

(5) An attorney authorized to perform online notarizations 1461
may apply to renew the attorney's authorization three months 1462
prior to the authorization's expiration date. 1463

(6) (a) The secretary may deny an application for an online 1464
notary public if any of the required information is missing or 1465
incorrect on the application form. 1466

(b) The secretary may also deny an application if the 1467
technology the applicant identifies pursuant to division (C) (2) 1468
of this section does not conform to the standards developed by 1469
the secretary pursuant to section 147.62 of the Revised Code. 1470

(E) Nothing in this section shall be construed as 1471
prohibiting an online notary public from receiving, installing, 1472
and utilizing a software update to the technology that the 1473
online notary public disclosed pursuant to division (C) (2) of 1474
this section if that software update does not result in a 1475
technology that is materially different from the technology that 1476
the online notary public disclosed pursuant to division (C) (2) 1477
of this section. 1478

(F) (1) If a notary public changes either the hardware or 1479
the software that the notary intends to use to carry out online 1480
notarizations, then the notary shall inform the secretary of 1481
this intent on a form prescribed by the secretary. 1482

(2) If the secretary determines that the new hardware or 1483
software does not meet the standards prescribed in rules under 1484
section 147.62 of the Revised Code, then the secretary may 1485
suspend or revoke the notary's authority to perform online 1486
notarizations. 1487

(G) (1) The secretary of state shall not renew an online 1488
notarization authorization unless the applicant has completed 1489

continuing education as required under rules adopted pursuant to 1490
division (G) (2) of this section. 1491

(2) The secretary shall adopt rules in accordance with 1492
Chapter 119. of the Revised Code related to continuing education 1493
requirements for an online notarization authorization. The rules 1494
shall specify the number of hours of continuing education a 1495
notary must complete over the duration of the notary's license 1496
and may specify content to be included in the continuing 1497
education. 1498

Sec. 169.16. (A) No person, on behalf of any other person, 1499
shall engage in any activity for the purpose of locating, 1500
delivering, recovering, or assisting in the recovery of 1501
unclaimed funds or contents of a safe deposit box, and receive a 1502
fee, compensation, commission, or other remuneration for such 1503
activity, without first having obtained a certificate of 1504
registration from the director of commerce in accordance with 1505
this section. 1506

(B) An application for a certificate of registration shall 1507
be in writing and in the form prescribed by the director. The 1508
application shall be accompanied by a recent full-face color 1509
photograph of the applicant and notarized reference letters from 1510
two reputable witnesses. The application shall, at a minimum, 1511
provide all of the following: 1512

(1) The applicant's full name, home address, and work 1513
address; 1514

(2) The name, address, and telephone number of the two 1515
witnesses who have provided the reference letters; 1516

(3) A statement that the applicant has not, during the 1517
five-year period immediately preceding the submission of the 1518

application, violated division (A) of this section on or after 1519
the effective date of this section, or division (C) of section 1520
169.13 of the Revised Code; 1521

(4) A statement that the applicant has not been convicted 1522
of, or pleaded guilty to, any disqualifying offense as 1523
determined in accordance with section 9.79 of the Revised Code; 1524

(5) The notarized signature of the applicant immediately 1525
following an acknowledgment that any false or perjured statement 1526
subjects the applicant to criminal liability under section 1527
2921.13 of the Revised Code. 1528

(C) Upon the filing of the application with the division 1529
of unclaimed funds, the division may investigate the applicant 1530
to verify the information provided in the application and to 1531
determine the applicant's eligibility for a certificate of 1532
registration under this section. False information on an 1533
application is grounds for the denial or revocation of the 1534
applicant's certificate of registration. 1535

~~(D) The~~ (1) Except as provided in division (D) (2) of this 1536
section, the director shall issue a certificate of registration 1537
to an applicant if the director finds that the following 1538
conditions are met: 1539

~~(1) (a)~~ The applicant has not, during the five-year period 1540
immediately preceding the submission of the application, 1541
violated division (A) of this section on or after the effective 1542
date of this section, or division (C) of section 169.13 of the 1543
Revised Code; 1544

~~(2) (b)~~ The applicant has not been convicted of, or 1545
pleaded guilty to, any disqualifying offense as determined in 1546
accordance with section 9.79 of the Revised Code. 1547

~~(3)-(c)~~ The applicant's general fitness command the 1548
confidence of the public and warrant the belief that the 1549
applicant's business will be conducted honestly and fairly. 1550

(2) The director shall issue a certificate of registration 1551
in accordance with Chapter 4796. of the Revised Code to an 1552
applicant if either of the following applies: 1553

(a) The applicant holds a license or certificate of 1554
registration in another state. 1555

(b) The applicant has satisfactory work experience, a 1556
government certification, or a private certification as 1557
described in that chapter in the same profession, occupation, or 1558
occupational activity as the profession, occupation, or 1559
occupational activity for which the certificate of registration 1560
is required in this state in a state that does not issue such a 1561
license or certificate of registration. 1562

~~(E) The A certificate of registration issued pursuant to~~ 1563
~~division (D) of this section~~ may be renewed annually if the 1564
director finds that the following conditions are met: 1565

(1) The applicant submits a renewal application form 1566
prescribed by the director. 1567

(2) The applicant meets the conditions set forth in 1568
divisions (D) (1) (a) and ~~(3)-(c)~~ of this section. 1569

(3) The applicant has not, during the ten-year period 1570
immediately preceding the submission of the renewal application 1571
but excluding any time before the initial issuance of the 1572
certificate of registration, been convicted of, or pleaded 1573
guilty to, any felony or any offense involving moral turpitude, 1574
including theft, attempted theft, falsification, tampering with 1575
records, securing writings by deception, fraud, forgery, and 1576

perjury. 1577

(4) The applicant's certificate of registration is not 1578
subject to an order of revocation by the director. 1579

Sec. 173.21. (A) The office of the state long-term care 1580
ombudsman program, through the state long-term care ombudsman 1581
and the regional long-term care ombudsman programs, shall 1582
require each representative of the office to complete a training 1583
and certification program in accordance with this section and to 1584
meet the continuing education requirements established under 1585
this section. 1586

(B) The department of aging shall adopt rules in 1587
accordance with Chapter 119. of the Revised Code specifying the 1588
content of training programs for representatives of the office 1589
of the state long-term care ombudsman program. Training for 1590
representatives other than those who are volunteers providing 1591
services through regional long-term care ombudsman programs 1592
shall include instruction regarding federal, state, and local 1593
laws, rules, and policies on long-term care facilities and 1594
community-based long-term care services; investigative 1595
techniques; and other topics considered relevant by the 1596
department and shall consist of the following: 1597

(1) A minimum of forty clock hours of basic instruction, 1598
which shall be completed before the trainee is permitted to 1599
handle complaints without the supervision of a representative of 1600
the office certified under this section; 1601

(2) An additional sixty clock hours of instruction, which 1602
shall be completed within the first fifteen months of 1603
employment; 1604

(3) An internship of twenty clock hours, which shall be 1605

completed within the first twenty-four months of employment, 1606
including instruction in, and observation of, basic nursing care 1607
and long-term care provider operations and procedures. The 1608
internship shall be performed at a site that has been approved 1609
as an internship site by the state long-term care ombudsman. 1610

(4) One of the following, which shall be completed within 1611
the first twenty-four months of employment: 1612

(a) Observation of a survey conducted by the director of 1613
health to certify a nursing facility to participate in the 1614
medicaid program; 1615

(b) Observation of an inspection conducted by the director 1616
of mental health and addiction services to license a residential 1617
facility under section 5119.34 of the Revised Code that provides 1618
accommodations, supervision, and personal care services for 1619
three to sixteen unrelated adults. 1620

(5) Any other training considered appropriate by the 1621
department. 1622

(C) Any person who for a period of at least six months 1623
prior to June 11, 1990, served as an ombudsman through the long- 1624
term care ombudsman program established by the department of 1625
aging under section 173.01 of the Revised Code shall not be 1626
required to complete a training program. Such a person and 1627
persons who complete a training program shall take an 1628
examination administered by the department of aging. On 1629
attainment of a passing score, the person shall be certified by 1630
the department as a representative of the office. The department 1631
shall issue the person an identification card, which the 1632
representative shall show at the request of any person with whom 1633
the representative deals while performing the representative's 1634

duties and which shall be surrendered at the time the 1635
representative separates from the office. 1636

(D) The state ombudsman and each regional program shall 1637
conduct training programs for volunteers on their respective 1638
staffs in accordance with the rules of the department of aging 1639
adopted under division (B) of this section. Training programs 1640
may be conducted that train volunteers to complete some, but not 1641
all, of the duties of a representative of the office. Each 1642
regional office shall bear the cost of training its 1643
representatives who are volunteers. On completion of a training 1644
program, the representative shall take an examination 1645
administered by the department of aging. On attainment of a 1646
passing score, a volunteer shall be certified by the department 1647
as a representative authorized to perform services specified in 1648
the certification. The department shall issue an identification 1649
card, which the representative shall show at the request of any 1650
person with whom the representative deals while performing the 1651
representative's duties and which shall be surrendered at the 1652
time the representative separates from the office. Except as a 1653
supervised part of a training program, no volunteer shall 1654
perform any duty unless the volunteer is certified as a 1655
representative having received appropriate training for that 1656
duty. 1657

(E) The state ombudsman shall provide technical assistance 1658
to regional programs conducting training programs for volunteers 1659
and shall monitor the training programs. 1660

(F) Prior to scheduling an observation of a certification 1661
survey or licensing inspection for purposes of division (B) (4) 1662
of this section, the state ombudsman shall obtain permission to 1663
have the survey or inspection observed from both the long-term 1664

care facility at which the survey or inspection is to take place 1665
and, as the case may be, the director of health or director of 1666
mental health and addiction services. 1667

(G) Notwithstanding the requirements for a certification 1668
under this section, the department shall issue a certificate as 1669
a representative of the office of the state long-term care 1670
ombudsman program in accordance with Chapter 4796. of the 1671
Revised Code to a person if either of the following applies: 1672

(1) The person holds a license or certificate in another 1673
state. 1674

(2) The person has satisfactory work experience, a 1675
government certification, or a private certification as 1676
described in that chapter as a representative of a state long- 1677
term care ombudsman program in a state that does not issue that 1678
license or certificate. 1679

(H) The department of aging shall establish continuing 1680
education requirements for representatives of the office. 1681

Sec. 173.391. (A) Subject to section 173.381 of the 1682
Revised Code and except as provided in division (I) of this 1683
section, the department of aging or its designee shall do all of 1684
the following in accordance with Chapter 119. of the Revised 1685
Code: 1686

(1) Certify a provider to provide services, including 1687
community-based long-term care services, under a program the 1688
department administers if the provider satisfies the 1689
requirements for certification established by rules adopted 1690
under division (B) of this section and pays the fee, if any, 1691
established by rules adopted under division (G) of this section; 1692

(2) When required to do so by rules adopted under division 1693

(B) of this section, take one or more of the following	1694
disciplinary actions against a provider certified under division	1695
(A) (1) of this section:	1696
(a) Issue a written warning;	1697
(b) Require the submission of a plan of correction or	1698
evidence of compliance with requirements identified by the	1699
department;	1700
(c) Suspend referrals;	1701
(d) Remove clients;	1702
(e) Impose a fiscal sanction such as a civil monetary	1703
penalty or an order that unearned funds be repaid;	1704
(f) Suspend the certification;	1705
(g) Revoke the certification;	1706
(h) Impose another sanction.	1707
(3) Except as provided in division (E) of this section,	1708
hold hearings when there is a dispute between the department or	1709
its designee and a provider concerning actions the department or	1710
its designee takes regarding a decision not to certify the	1711
provider under division (A) (1) of this section or a disciplinary	1712
action under divisions (A) (2) (e) to (h) of this section.	1713
(B) The director of aging shall adopt rules in accordance	1714
with Chapter 119. of the Revised Code establishing certification	1715
requirements and standards for determining which type of	1716
disciplinary action to take under division (A) (2) of this	1717
section in individual situations. The rules shall establish	1718
procedures for all of the following:	1719
(1) Ensuring that providers comply with sections 173.38	1720

and 173.381 of the Revised Code;	1721
(2) Evaluating the services provided by the providers to	1722
ensure that the services are provided in a quality manner	1723
advantageous to the individual receiving the services;	1724
(3) In a manner consistent with section 173.381 of the	1725
Revised Code, determining when to take disciplinary action under	1726
division (A) (2) of this section and which disciplinary action to	1727
take;	1728
(4) Determining what constitutes another sanction for	1729
purposes of division (A) (2) (h) of this section.	1730
(C) The procedures established in rules adopted under	1731
division (B) (2) of this section shall require that all of the	1732
following be considered as part of an evaluation described in	1733
division (B) (2) of this section:	1734
(1) The provider's experience and financial	1735
responsibility;	1736
(2) The provider's ability to comply with standards for	1737
the services, including community-based long-term care services,	1738
that the provider provides under a program the department	1739
administers;	1740
(3) The provider's ability to meet the needs of the	1741
individuals served;	1742
(4) Any other factor the director considers relevant.	1743
(D) The rules adopted under division (B) (3) of this	1744
section shall specify that the reasons disciplinary action may	1745
be taken under division (A) (2) of this section include good	1746
cause, including misfeasance, malfeasance, nonfeasance,	1747
confirmed abuse or neglect, financial irresponsibility, or other	1748

conduct the director determines is injurious, or poses a threat, 1749
to the health or safety of individuals being served. 1750

(E) Subject to division (F) of this section, the 1751
department is not required to hold hearings under division (A) 1752
(3) of this section if any of the following conditions apply: 1753

(1) Rules adopted by the director of aging pursuant to 1754
this chapter require the provider to be a party to a provider 1755
agreement; hold a license, certificate, or permit; or maintain a 1756
certification, any of which is required or issued by a state or 1757
federal government entity other than the department of aging, 1758
and either of the following is the case: 1759

(a) The provider agreement has not been entered into or 1760
the license, certificate, permit, or certification has not been 1761
obtained or maintained. 1762

(b) The provider agreement, license, certificate, permit, 1763
or certification has been denied, revoked, not renewed, or 1764
suspended or has been otherwise restricted. 1765

(2) The provider's certification under this section has 1766
been denied, suspended, or revoked for any of the following 1767
reasons: 1768

(a) A government entity of this state, other than the 1769
department of aging, has terminated or refused to renew any of 1770
the following held by, or has denied any of the following sought 1771
by, a provider: a provider agreement, license, certificate, 1772
permit, or certification. Division (E) (2) (a) of this section 1773
applies regardless of whether the provider has entered into a 1774
provider agreement in, or holds a license, certificate, permit, 1775
or certification issued by, another state. 1776

(b) The provider or a principal owner or manager of the 1777

provider who provides direct care has entered a guilty plea for, 1778
or has been convicted of, an offense materially related to the 1779
medicaid program. 1780

(c) A principal owner or manager of the provider who 1781
provides direct care has entered a guilty plea for, been 1782
convicted of, or been found eligible for intervention in lieu of 1783
conviction for an offense listed or described in divisions (A) 1784
(3) (a) to (e) of section 109.572 of the Revised Code, but only 1785
if the provider, principal owner, or manager does not meet 1786
standards specified by the director in rules adopted under 1787
section 173.38 of the Revised Code. 1788

(d) The department or its designee is required by section 1789
173.381 of the Revised Code to deny or revoke the provider's 1790
certification. 1791

(e) The United States department of health and human 1792
services has taken adverse action against the provider and that 1793
action impacts the provider's participation in the medicaid 1794
program. 1795

(f) The provider has failed to enter into or renew a 1796
provider agreement with the PASSPORT administrative agency, as 1797
that term is defined in section 173.42 of the Revised Code, that 1798
administers programs on behalf of the department of aging in the 1799
region of the state in which the provider is certified to 1800
provide services. 1801

(g) The provider has not billed or otherwise submitted a 1802
claim to the department for payment under the medicaid program 1803
in at least two years. 1804

(h) The provider denied or failed to provide the 1805
department or its designee access to the provider's facilities 1806

during the provider's normal business hours for purposes of 1807
conducting an audit or structural compliance review. 1808

(i) The provider has ceased doing business. 1809

(j) The provider has voluntarily relinquished its 1810
certification for any reason. 1811

(3) The provider's provider agreement with the department 1812
of medicaid has been suspended under section 5164.36 of the 1813
Revised Code. 1814

(4) The provider's provider agreement with the department 1815
of medicaid is denied or revoked because the provider or its 1816
owner, officer, authorized agent, associate, manager, or 1817
employee has been convicted of an offense that caused the 1818
provider agreement to be suspended under section 5164.36 of the 1819
Revised Code. 1820

(F) If the department does not hold hearings when any 1821
condition described in division (E) of this section applies, the 1822
department shall send a notice to the provider describing a 1823
decision not to certify the provider under division (A) (1) of 1824
this section or the disciplinary action the department is taking 1825
under divisions (A) (2) (e) to (h) of this section. The notice 1826
shall be sent to the provider's address that is on record with 1827
the department and may be sent by regular mail. 1828

(G) The director of aging may adopt rules in accordance 1829
with Chapter 119. of the Revised Code establishing a fee to be 1830
charged by the department of aging or its designee for 1831
certification issued under division (A) of this section. 1832

(H) Any amounts collected by the department or its 1833
designee under this section shall be deposited in the state 1834
treasury to the credit of the provider certification fund, which 1835

is hereby created. Money credited to the fund shall be used to 1836
pay for services, including community-based long-term care 1837
services, to pay for administrative costs associated with 1838
provider certification under this section, and to pay for 1839
administrative costs related to the publication of the Ohio 1840
long-term care consumer guide. 1841

(I) The director shall certify a provider in accordance 1842
with Chapter 4796. of the Revised Code if either of the 1843
following applies: 1844

(1) The provider is licensed or certified in another 1845
state. 1846

(2) The provider has satisfactory work experience, a 1847
government certification, or a private certification as 1848
described in that chapter as a provider of community-based long- 1849
term care services under a state program in a state that does 1850
not issue that license or certificate. 1851

Sec. 173.422. (A) The department of aging shall certify 1852
individuals who meet certification requirements established by 1853
rule to provide long-term care consultations for purposes of 1854
sections 173.42 and 173.421 of the Revised Code. The director of 1855
aging shall adopt rules in accordance with Chapter 119. of the 1856
Revised Code governing the certification process and 1857
requirements. The rules shall specify the education, experience, 1858
or training in long-term care a person must have to qualify for 1859
certification. 1860

(B) Notwithstanding the requirements for a certification 1861
under division (A) of this section, the department shall issue a 1862
certification to provide long-term care consultations in 1863
accordance with Chapter 4796. of the Revised Code to a person if 1864

either of the following applies: 1865

(1) The person holds a license or certification in another 1866
state. 1867

(2) The person has satisfactory work experience, a 1868
government certification, or a private certification as 1869
described in that chapter as a provider of long-term care 1870
consultations in a state that does not issue that license or 1871
certification. 1872

Sec. 503.41. (A) A board of township trustees, by 1873
resolution, may regulate and require the registration of massage 1874
establishments and their employees within the unincorporated 1875
territory of the township. In accordance with sections 503.40 to 1876
503.49 of the Revised Code, for that purpose, the board, by a 1877
majority vote of all members, may adopt, amend, administer, and 1878
enforce regulations within the unincorporated territory of the 1879
township. 1880

(B) A board may adopt regulations and amendments under 1881
this section only after public hearing at not fewer than two 1882
regular sessions of the board. The board shall cause to be 1883
published in a newspaper of general circulation in the township, 1884
or as provided in section 7.16 of the Revised Code, notice of 1885
the public hearings, including the time, date, and place, once a 1886
week for two weeks immediately preceding the hearings. The board 1887
shall make available proposed regulations or amendments to the 1888
public at the office of the board. 1889

(C) Regulations or amendments adopted by the board are 1890
effective thirty days after the date of adoption unless, within 1891
thirty days after the adoption of the regulations or amendments, 1892
the township fiscal officer receives a petition, signed by a 1893

number of qualified electors residing in the unincorporated area 1894
of the township equal to not less than ten per cent of the total 1895
vote cast for all candidates for governor in the area at the 1896
most recent general election at which a governor was elected, 1897
requesting the board to submit the regulations or amendments to 1898
the electors of the area for approval or rejection at the next 1899
primary or general election occurring at least ninety days after 1900
the board receives the petition. 1901

No regulation or amendment for which the referendum vote 1902
has been requested is effective unless a majority of the votes 1903
cast on the issue is in favor of the regulation or amendment. 1904
Upon certification by the board of elections that a majority of 1905
the votes cast on the issue was in favor of the regulation or 1906
amendment, the regulation or amendment takes immediate effect. 1907

(D) The board shall make available regulations it adopts 1908
or amends to the public at the office of the board and shall 1909
cause to be published once a notice of the availability of the 1910
regulations in a newspaper of general circulation in the 1911
township within ten days after their adoption or amendment. 1912

(E) Nothing in sections 503.40 to 503.49 of the Revised 1913
Code shall be construed to allow a board of township trustees to 1914
regulate the practice of any limited branch of medicine 1915
specified in section 4731.15 of the Revised Code or the practice 1916
of providing therapeutic massage by a licensed physician, a 1917
licensed chiropractor, a licensed podiatrist, a licensed nurse, 1918
or any other licensed health professional. As used in this 1919
division, "licensed" means licensed, certified, or registered to 1920
practice in this state. 1921

(F) If a township adopts regulations to require the 1922
registration of massage establishments and their employees, the 1923

<u>township shall comply with Chapter 4796. of the Revised Code.</u>	1924
Sec. 715.27. (A) Any municipal corporation may:	1925
(1) Regulate the erection of fences, billboards, signs,	1926
and other structures, within the municipal corporation, and	1927
provide for the removal and repair of insecure billboards,	1928
signs, and other structures;	1929
(2) Regulate the construction and repair of wires, poles,	1930
plants, and all equipment to be used for the generation and	1931
application of electricity;	1932
(3) Provide for the licensing of house movers; plumbers;	1933
sewer tappers; vault cleaners; and specialty contractors who are	1934
not required to hold a valid license issued pursuant to Chapter	1935
4740. of the Revised Code;	1936
(4) Require all specialty contractors other than those who	1937
hold a valid license issued pursuant to Chapter 4740. of the	1938
Revised Code, to successfully complete an examination, test, or	1939
demonstration of technical skills, and may impose a fee and	1940
additional requirements for a license or registration to engage	1941
in their respective occupations within the jurisdiction of the	1942
municipal corporation.	1943
(B) No municipal corporation shall require any specialty	1944
contractor who holds a valid license issued pursuant to Chapter	1945
4740. of the Revised Code to complete an examination, test, or	1946
demonstration of technical skills to engage in the type of	1947
contracting for which the license is held, within the municipal	1948
corporation.	1949
(C) A municipal corporation may require a specialty	1950
contractor who holds a valid license issued pursuant to Chapter	1951
4740. of the Revised Code to register with the municipal	1952

corporation and pay any fee the municipal corporation imposes 1953
before that specialty contractor may engage within the municipal 1954
corporation in the type of contracting for which the license is 1955
held. Any fee shall be the same for all specialty contractors 1956
who engage in the same type of contracting. A municipal 1957
corporation may require a bond and proof of all of the 1958
following: 1959

(1) Insurance pursuant to division (B) (4) of section 1960
4740.06 of the Revised Code; 1961

(2) Compliance with Chapters 4121. and 4123. of the 1962
Revised Code; 1963

(3) Registration with the tax department of the municipal 1964
corporation. 1965

If a municipal corporation requires registration, imposes 1966
such a fee, or requires a bond or proof of the items listed in 1967
divisions (C) (1), (2), and (3) of this section, the municipal 1968
corporation immediately shall permit a contractor who presents 1969
proof of holding a valid license issued pursuant to Chapter 1970
4740. of the Revised Code, who registers, pays the fee, obtains 1971
a bond, and submits the proof described under divisions (C) (1), 1972
(2), and (3) of this section, as required, to engage in the type 1973
of contracting for which the license is held, within the 1974
municipal corporation. 1975

(D) A municipal corporation may revoke the registration of 1976
a contractor registered with that municipal corporation for good 1977
cause shown. Good cause shown includes the failure of a 1978
contractor to maintain a bond or the items listed in divisions 1979
(C) (1), (2), and (3) of this section, if the municipal 1980
corporation requires those. 1981

(E) A municipal corporation that licenses specialty contractors pursuant to division (A) (3) of this section may accept, for purposes of satisfying its licensing requirements, a valid license issued pursuant to Chapter 4740. of the Revised Code that a specialty contractor holds, for the construction, replacement, maintenance, or repair of one-family, two-family, or three-family dwelling houses or accessory structures incidental to those dwelling houses.

(F) A municipal corporation shall not register a specialty contractor who is required to hold a license under Chapter 4740. of the Revised Code but does not hold a valid license issued under that chapter.

(G) If a municipal corporation regulates a profession, occupation, or occupational activity under this section, the municipal corporation shall comply with Chapter 4796. of the Revised Code.

(H) As used in this section, "specialty contractor" means a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronics contractor, as those contractors are described in Chapter 4740. of the Revised Code.

Sec. 903.07. (A) On and after the date that is established in rules by the director of agriculture, both of the following apply:

(1) The management and handling of manure at a major concentrated animal feeding facility, including the land application of manure or the removal of manure from a manure storage or treatment facility, shall be conducted only by or under the supervision of a person holding a livestock manager

certification issued under this section. A person managing or 2011
handling manure who is acting under the instructions and control 2012
of a person holding a livestock manager certification is 2013
considered to be under the supervision of the certificate holder 2014
if the certificate holder is responsible for the actions of the 2015
person and is available when needed even though the certificate 2016
holder is not physically present at the time of the manure 2017
management or handling. 2018

(2) No person shall transport and land apply annually or 2019
buy, sell, or land apply annually the volume of manure 2020
established in rules adopted by the director under division (D) 2021
(5) of section 903.10 of the Revised Code unless the person 2022
holds a livestock manager certification issued under this 2023
section. 2024

(B) ~~The~~ Except as provided in division (D) of this 2025
section, the director shall issue a livestock manager 2026
certification to a person who has submitted a complete 2027
application for certification on a form prescribed and provided 2028
by the director, together with the appropriate application fee, 2029
and who has completed successfully the required training and has 2030
passed the required examination. The director may suspend or 2031
revoke a livestock manager certification and may reinstate a 2032
suspended or revoked livestock manager certification in 2033
accordance with rules. 2034

(C) Information required to be included in an application 2035
for a livestock manager certification, the amount of the 2036
application fee, requirements regarding training and the 2037
examination, requirements governing the management and handling 2038
of manure, including the land application of manure, and 2039
requirements governing the keeping of records regarding the 2040

handling of manure, including the land application of manure, 2041
shall be established in rules. 2042

(D) The director shall issue a livestock manager 2043
certification in accordance with Chapter 4796. of the Revised 2044
Code to an individual if either of the following applies: 2045

(1) The individual holds a certification in another state. 2046

(2) The individual has satisfactory work experience, a 2047
government certification, or a private certification as 2048
described in that chapter as a livestock manager in a state that 2049
does not issue that license. 2050

Sec. 905.321. (A) Beginning September thirtieth of the 2051
third year after ~~the effective date of this section~~ August 21, 2052
2014, no person shall apply fertilizer for the purposes of 2053
agricultural production unless that person has been certified to 2054
do so by the director of agriculture under this section and 2055
rules or is acting under the instructions and control of a 2056
person who is so certified. 2057

(B) ~~A~~ Except as otherwise provided in this division, a 2058
person shall be certified to apply fertilizer for purposes of 2059
agricultural production in accordance with rules. A person that 2060
has been so certified shall comply with requirements and 2061
procedures established in those rules. 2062

The director shall issue a certification to apply 2063
fertilizer for purposes of agricultural production in accordance 2064
with Chapter 4796. of the Revised Code to an individual if 2065
either of the following applies: 2066

(1) The individual holds a license or certification in 2067
another state. 2068

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a fertilizer applicator in a state that does not issue that license or certification.

(C) A person that has been licensed as a commercial applicator under section 921.06 of the Revised Code or as a private applicator under section 921.11 of the Revised Code may apply to be certified under this section, but shall not be required to pay the application fee for certification established in rules adopted under section 905.322 of the Revised Code.

Sec. 917.09. (A) The director of agriculture may issue the following types of licenses:

- (1) Producer;
- (2) Processor;
- (3) Milk dealer;
- (4) Raw milk retailer;
- (5) Weigher, sampler, or tester;
- (6) Milk hauler.

(B) The director may adopt rules establishing categories for each type of license that are based on the grade or type of dairy product with which the licensee is involved.

(C) Except as provided in section 917.091 of the Revised Code and division (J) of this section, no person shall act as or hold the person's self out as a producer; processor; milk dealer; raw milk retailer; weigher, sampler, or tester; or milk hauler unless the person holds a valid license issued by the

director under this section. 2096

(D) Each person desiring a license shall submit to the 2097
director a license application on a form prescribed by the 2098
director, accompanied by a license fee in an amount specified in 2099
rules adopted under section 917.02 of the Revised Code. The 2100
applicant shall specify on the application the type of license 2101
and category requested and shall include any other information 2102
required by rules adopted under section 917.02 of the Revised 2103
Code. 2104

(E) Each applicant for a weigher, sampler, or tester 2105
license or registration, prior to issuance of the license or 2106
registration, shall pass an examination that is given in 2107
accordance with section 917.08 of the Revised Code and rules 2108
adopted under section 917.02 of the Revised Code. 2109

Each applicant for any other type of license issued under 2110
this section, prior to issuance of the license, shall pass an 2111
inspection that is made in accordance with rules adopted under 2112
section 917.02 of the Revised Code. 2113

(F) The director shall not issue a license to an applicant 2114
unless the director determines, through an inspection or 2115
otherwise, that the applicant is in compliance with the 2116
requirements set forth in this chapter and the rules adopted 2117
under it. 2118

(G) Examinations that must be passed prior to issuance of 2119
a weigher, sampler, or tester license, inspections that must be 2120
passed prior to issuance of any other type of license issued 2121
under this section, procedures for issuing and renewing 2122
licenses, and license terms and renewal periods shall comply 2123
with rules adopted under section 917.02 of the Revised Code. 2124

(H) Suspension and revocation of licenses shall comply 2125
with section 917.22 of the Revised Code and rules adopted under 2126
section 917.02 of the Revised Code. 2127

(I) Each licensed weigher, sampler, and tester annually 2128
shall meet the continuing education requirements established in 2129
rules adopted under division (B) of section 917.02 of the 2130
Revised Code. 2131

(J) A person whose religion prohibits the person from 2132
obtaining a license under this section, in place of a license, 2133
shall register with the director as a producer; processor; milk 2134
dealer; raw milk retailer; weigher, sampler, or tester; or milk 2135
hauler. 2136

The person claiming the exemption from licensure shall 2137
register on a form prescribed by the director and shall meet any 2138
other registration requirements contained in rules adopted under 2139
section 917.02 of the Revised Code. Upon receiving the person's 2140
registration form and determining that the person has satisfied 2141
all requirements for registration, the director shall notify the 2142
person that the person is registered to lawfully operate as a 2143
producer; processor; milk dealer; raw milk retailer; weigher, 2144
sampler, or tester; or milk hauler. 2145

A registrant is subject to all provisions governing 2146
licensees, such as provisions concerning testing, sampling, and 2147
inspection of dairy products. A registrant is subject to 2148
provisions governing issuance of a temporary weigher, sampler, 2149
or tester license under section 917.091 of the Revised Code. A 2150
registration shall be renewed, suspended, and revoked under the 2151
same terms as a license. 2152

(K) Notwithstanding the requirements for a license or 2153

registration under this section, the director shall issue a 2154
license or registration to operate as a producer; processor; 2155
milk dealer; raw milk retailer; weigher, sampler, or tester; or 2156
milk hauler, as applicable, in accordance with Chapter 4796. of 2157
the Revised Code to an individual if either of the following 2158
applies: 2159

(1) The individual holds a license or registration in 2160
another state. 2161

(2) The individual has satisfactory work experience, a 2162
government certification, or a private certification as 2163
described in that chapter as a producer; processor; milk dealer; 2164
raw milk retailer; weigher, sampler, or tester; or milk hauler, 2165
as applicable, in a state that does not issue the applicable 2166
license or registration. 2167

Sec. 917.091. The director of agriculture may issue a 2168
temporary weigher, sampler, or tester license to an applicant 2169
upon determining that the applicant has met all qualifications 2170
for licensure under section 917.09 of the Revised Code except 2171
successful completion of an examination. A temporary weigher, 2172
sampler, or tester license is effective for ninety days from the 2173
date of issuance. An applicant who has not taken an examination 2174
for licensure may receive no more than three temporary weigher, 2175
sampler, or tester licenses. An applicant who takes and fails an 2176
examination for licensure may receive no more than two temporary 2177
weigher, sampler, or tester licenses. Chapter 4796. of the 2178
Revised Code does not apply to a temporary license issued under 2179
this section. 2180

Sec. 921.06. (A) (1) No individual shall do any of the 2181
following without having a commercial applicator license issued 2182
by the director of agriculture: 2183

(a) Apply pesticides for a pesticide business without direct supervision;	2184 2185
(b) Apply pesticides as part of the individual's duties while acting as an employee of the United States government, a state, county, township, or municipal corporation, or a park district, port authority, or sanitary district created under Chapter 1545., 4582., or 6115. of the Revised Code, respectively;	2186 2187 2188 2189 2190 2191
(c) Apply restricted use pesticides. Division (A) (1) (c) of this section does not apply to a private applicator or an immediate family member or a subordinate employee of a private applicator who is acting under the direct supervision of that private applicator.	2192 2193 2194 2195 2196
(d) If the individual is the owner of a business other than a pesticide business or an employee of such an owner, apply pesticides at any of the following publicly accessible sites that are located on the property:	2197 2198 2199 2200
(i) Food service operations that are licensed under Chapter 3717. of the Revised Code;	2201 2202
(ii) Retail food establishments that are licensed under Chapter 3717. of the Revised Code;	2203 2204
(iii) Golf courses;	2205
(iv) Rental properties of more than four apartment units at one location;	2206 2207
(v) Hospitals or medical facilities as defined in section 3701.01 of the Revised Code;	2208 2209
(vi) Child day-care centers or school child day-care centers as defined in section 5104.01 of the Revised Code;	2210 2211

(vii) Facilities owned or operated by a school district established under Chapter 3311. of the Revised Code, including an educational service center, a community school established under Chapter 3314. of the Revised Code, or a chartered or nonchartered nonpublic school that meets minimum standards established by the state board of education;	2212 2213 2214 2215 2216 2217
(viii) State institutions of higher education as defined in section 3345.011 of the Revised Code, nonprofit institutions holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code, institutions holding a certificate of registration from the state board of career colleges and schools and program authorization for an associate or bachelor's degree program issued under section 3332.05 of the Revised Code, and private institutions exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code;	2218 2219 2220 2221 2222 2223 2224 2225 2226 2227
(ix) Food processing establishments as defined in section 3715.021 of the Revised Code;	2228 2229
(x) Any other site designated by rule.	2230
(e) Conduct authorized diagnostic inspections.	2231
(2) Divisions (A)(1)(a) to (d) of this section do not apply to an individual who is acting as a trained serviceperson under the direct supervision of a commercial applicator.	2232 2233 2234
(3) Licenses shall be issued for a period of time established by rule and shall be renewed in accordance with deadlines established by rule. The fee for each such license shall be established by rule. If a license is not issued or renewed, the application fee shall be retained by the state as payment for the reasonable expense of processing the	2235 2236 2237 2238 2239 2240

application. The director shall by rule classify by pesticide- 2241
use category licenses to be issued under this section. A single 2242
license may include more than one pesticide-use category. No 2243
individual shall be required to pay an additional license fee if 2244
the individual is licensed for more than one category. 2245

The fee for each license or renewal does not apply to an 2246
applicant who is an employee of the department of agriculture 2247
whose job duties require licensure as a commercial applicator as 2248
a condition of employment. 2249

(B) Application for a commercial applicator license shall 2250
be made on a form prescribed by the director. Each application 2251
for a license shall state the pesticide-use category or 2252
categories of license for which the applicant is applying and 2253
other information that the director determines essential to the 2254
administration of this chapter. 2255

(C) ~~If~~ (1) Except as provided in division (C) (2) of this 2256
section, if the director finds that the applicant is competent 2257
to apply pesticides and conduct diagnostic inspections and that 2258
the applicant has passed both the general examination and each 2259
applicable pesticide-use category examination as required under 2260
division (A) of section 921.12 of the Revised Code, the director 2261
shall issue a commercial applicator license limited to the 2262
pesticide-use category or categories for which the applicant is 2263
found to be competent. If the director rejects an application, 2264
the director may explain why the application was rejected, 2265
describe the additional requirements necessary for the applicant 2266
to obtain a license, and return the application. The applicant 2267
may resubmit the application without payment of any additional 2268
fee. 2269

(2) The director shall issue a commercial applicator 2270

<u>license in accordance with Chapter 4796. of the Revised Code to</u>	2271
<u>an individual if either of the following applies:</u>	2272
<u>(a) The individual holds a commercial applicator license</u>	2273
<u>in another state.</u>	2274
<u>(b) The individual has satisfactory work experience, a</u>	2275
<u>government certification, or a private certification as</u>	2276
<u>described in that chapter as a commercial applicator in a state</u>	2277
<u>that does not issue that license.</u>	2278
<u>A license issued under this division shall be limited to</u>	2279
<u>the pesticide-use category or categories for which the applicant</u>	2280
<u>is licensed in another state or has satisfactory work</u>	2281
<u>experience, a government certification, or a private</u>	2282
<u>certification in that state.</u>	2283
(D) (1) A person who is a commercial applicator shall be	2284
deemed to hold a private applicator's license for purposes of	2285
applying pesticides on agricultural commodities that are	2286
produced by the commercial applicator.	2287
(2) A commercial applicator shall apply pesticides only in	2288
the pesticide-use category or categories in which the applicator	2289
is licensed under this chapter.	2290
(E) All money collected under this section shall be	2291
credited to the pesticide, fertilizer, and lime program fund	2292
created in section 921.22 of the Revised Code.	2293
Sec. 921.11. (A) (1) No individual shall apply restricted	2294
use pesticides unless the individual is one of the following:	2295
(a) Licensed under section 921.06 of the Revised Code;	2296
(b) Licensed under division (B) of this section;	2297

(c) A trained serviceperson who is acting under the direct supervision of a commercial applicator;	2298 2299
(d) An immediate family member or a subordinate employee of a private applicator who is acting under the direct supervision of that private applicator.	2300 2301 2302
(2) No individual shall directly supervise the application of a restricted use pesticide unless the individual is one of the following:	2303 2304 2305
(a) Licensed under section 921.06 of the Revised Code;	2306
(b) Licensed under division (B) of this section.	2307
<u>(B) The (1) Subject to division (B) (2) of this section,</u> <u>the director of agriculture shall adopt rules to establish standards and procedures for the licensure of private applicators. An individual shall apply for a private applicator license to the director, on forms prescribed by the director. The individual shall include in the application the pesticide-use category or categories of the license for which the individual is applying and any other information that the director determines is essential to the administration of this chapter. The fee for each license shall be established by rule. Licenses shall be issued for a period of time established by rule and shall be renewed in accordance with deadlines established by rule. If a license is not issued or renewed, the state shall retain any fee submitted as payment for reasonable expenses of processing the application.</u>	2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322
<u>(2) The director shall issue a private applicator license in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:</u>	2323 2324 2325
<u>(a) The individual holds a private applicator license in</u>	2326

another state. 2327

(b) The individual has satisfactory work experience, a 2328
government certification, or a private certification as 2329
described in that chapter as a private applicator in a state 2330
that does not issue that license. 2331

A license issued under this division shall be limited to 2332
the pesticide-use category or categories for which the applicant 2333
is licensed in another state or has satisfactory work 2334
experience, a government certification, or a private 2335
certification in that state. 2336

(C) An individual who is licensed under this section shall 2337
use or directly supervise the use of a restricted use pesticide 2338
only for the purpose of producing agricultural commodities on 2339
property that is owned or rented by the individual or the 2340
individual's employer. 2341

(D) All money collected under this section shall be 2342
credited to the pesticide, fertilizer, and lime program fund 2343
created in section 921.22 of the Revised Code. 2344

Sec. 921.12. (A) The director of agriculture shall require 2345
each applicant for a license by examination under section 921.06 2346
or 921.11 of the Revised Code to be examined on the applicant's 2347
knowledge and competency in each of the following: 2348

(1) This chapter and rules adopted under it; 2349

(2) The proper use, handling, and application of 2350
pesticides and, if the applicant is applying for a license under 2351
section 921.06 of the Revised Code, in the conducting of 2352
diagnostic inspections in the pesticide-use categories for which 2353
the applicant has applied. 2354

(B) Each application for renewal of a license provided for 2355
in section 921.06 of the Revised Code shall be filed prior to 2356
the deadline established by rule. If filed after the deadline, a 2357
penalty of fifty per cent shall be assessed and added to the 2358
original fee and shall be paid by the applicant before the 2359
renewal license is issued. However, if a license issued under 2360
section 921.06 or 921.11 of the Revised Code is not renewed 2361
within one hundred eighty days after the date of expiration, the 2362
licensee shall be required to take another examination on this 2363
chapter and rules adopted under it and on the proper use, 2364
handling, and application of pesticides and, if applicable, the 2365
proper conducting of diagnostic inspections in the pesticide-use 2366
categories for which the licensee has been licensed. 2367

(C) A person who fails to pass an examination under 2368
division (A) or (B) of this section is not entitled to an 2369
adjudication under Chapter 119. of the Revised Code for that 2370
failure. 2371

(D) The holder of a commercial applicator license may 2372
renew the license within one hundred eighty days after the date 2373
of expiration without re-examination unless the director 2374
determines that a new examination is necessary to insure that 2375
the holder continues to meet the requirements of changing 2376
technology and to assure a continuing level of competence and 2377
ability to use pesticides safely and properly. 2378

(E) The holder of a private applicator license may renew 2379
the license within one hundred eighty days after the date of 2380
expiration without re-examination unless the director determines 2381
that a new examination is necessary to insure that the holder 2382
continues to meet the requirements of changing technology and to 2383
assure a continuing level of competence and ability to use 2384

pesticides safely and properly. 2385

(F) Instead of requiring a commercial applicator or 2386
private applicator to complete re-examination successfully under 2387
division (D) or (E) of this section, the director may require, 2388
in accordance with criteria established by rule, the commercial 2389
applicator or private applicator to participate in training 2390
programs that are designed to foster knowledge of new technology 2391
and to ensure a continuing level of competence and ability to 2392
use pesticides safely and properly. The director or the 2393
director's representative may provide the training or may 2394
authorize a third party to do so. In order for such 2395
authorization to occur, the third party and its training program 2396
shall comply with standards and requirements established by 2397
rule. 2398

Sec. 921.24. No person shall do any of the following: 2399

(A) Apply, use, directly supervise such application or 2400
use, or recommend a pesticide for use inconsistent with the 2401
pesticide's labeling, treatment standards, or other restrictions 2402
imposed by the director of agriculture; 2403

(B) Act as a commercial applicator without being licensed 2404
to do so; 2405

(C) Use any restricted use pesticide, unless the person is 2406
licensed to do so, is a trained serviceperson acting under the 2407
direct supervision of a commercial applicator, or is an 2408
immediate family member or a subordinate employee of a private 2409
applicator under the direct supervision of that private 2410
applicator; 2411

(D) Refuse or fail to keep or maintain records required by 2412
the director in rules adopted under this chapter, or to make 2413

reports when and as required by the director in rules adopted	2414
under this chapter;	2415
(E) Falsely or fraudulently represent the effect of	2416
pesticides or methods to be utilized;	2417
(F) Apply known ineffective or improper materials;	2418
(G) Operate in a negligent manner, which includes the	2419
operation of faulty or unsafe equipment;	2420
(H) Impersonate any federal, state, county, or municipal	2421
official;	2422
(I) Make false or fraudulent records, invoices, or	2423
reports;	2424
(J) Fail to provide training to trained servicepersons in	2425
the application of pesticides;	2426
(K) Fail to provide direct supervision as specified in	2427
rules adopted under division (C) of section 921.16 of the	2428
Revised Code;	2429
(L) Distribute a misbranded or adulterated pesticide;	2430
(M) Use fraud or misrepresentation in making application	2431
for a license or registration or renewal of a license or	2432
registration;	2433
(N) Refuse, fail, or neglect to comply with any limitation	2434
or restriction of a license or registration issued under this	2435
chapter or rules adopted thereunder;	2436
(O) Aid or abet a licensee or another person in violating	2437
this chapter or rules adopted thereunder;	2438
(P) Make a false or misleading statement in an inspection	2439
concerning any infestation of pests or the use of pesticides;	2440

(Q) Refuse or fail to comply with this chapter, the rules adopted thereunder, or any lawful order of the director;	2441 2442
(R) Distribute restricted use pesticides to the ultimate user without a pesticide dealer's license;	2443 2444
(S) Except as provided in division (F) of section 921.26 of the Revised Code, distribute restricted use pesticides to an ultimate user who is not licensed under section 921.06, 921.08, or 921.11 of the Revised Code and rules adopted under this chapter;	2445 2446 2447 2448 2449
(T) Use any pesticide that is under an experimental use permit contrary to the provisions of the permit;	2450 2451
(U) Engage in fraudulent business practices;	2452
(V) Dispose of any pesticide product or container in such a manner as to have unreasonable adverse effects on the environment;	2453 2454 2455
(W) Display any pesticide in any manner to produce unreasonable adverse effects on the environment, or to contaminate adjacent food, feed, or other products;	2456 2457 2458
(X) Apply any pesticide by aircraft without being licensed as a commercial applicator;	2459 2460
(Y) Distribute a pesticide that is not registered with the director;	2461 2462
(Z) Fail to properly supervise a trained serviceperson.	2463
Sec. 921.26. (A) The penalties provided for violations of this chapter do not apply to any of the following:	2464 2465
(1) Any carrier while lawfully engaged in transporting a pesticide or device within this state, if that carrier, upon	2466 2467

request, permits the director of agriculture to copy all records 2468
showing the transactions in the movement of the pesticides or 2469
devices; 2470

(2) Public officials of this state and the federal 2471
government, other than commercial applicators employed by the 2472
federal government, the state, or a political subdivision, while 2473
engaged in the performance of their official duties in 2474
administering state or federal pesticide laws or rules, or while 2475
engaged in pesticide research; 2476

(3) The manufacturer or shipper of a pesticide for 2477
experimental use only by or under supervision of an agency of 2478
this state or of the federal government authorized by law to 2479
conduct research in the field of pesticides, provided that the 2480
manufacturer or shipper is not required to obtain an 2481
experimental use permit from the United States environmental 2482
protection agency; 2483

(4) The manufacturer or shipper of a substance being 2484
tested in which its purpose only is to determine its value for 2485
pesticide purposes or to determine its toxicity or other 2486
properties, and from which the user does not expect to receive 2487
any benefit in pest control from its use; 2488

(5) Persons conducting laboratory research involving 2489
pesticides; 2490

(6) Persons who incidentally use pesticides. The 2491
incidental use shall involve only the application of general use 2492
pesticides. If a person incidentally uses a pesticide, the 2493
pesticide shall be applied in strict accordance with the 2494
manufacturer's label for general use purposes. If further 2495
applications are necessary following the incidental use 2496

application, a pesticide applicator shall apply the pesticide.	2497
(B) No pesticide or device shall be considered in	2498
violation of this chapter when intended solely for export to a	2499
foreign country, and when prepared or packed according to the	2500
specifications or directions of the purchaser. If the pesticide	2501
or device is not so exported, this chapter applies.	2502
(C) No person who is licensed, regulated, or registered	2503
under section 921.02, 921.03, 921.06, 921.08 , 921.09, 921.11, or	2504
921.13 of the Revised Code shall be required to obtain a license	2505
or permit to operate or to be otherwise regulated in such	2506
capacity by any local ordinance, or to meet any other condition	2507
except as otherwise provided by statute or rule of the United	2508
States or of this state.	2509
(D) Section 921.09 of the Revised Code does not apply to	2510
an individual who uses only ground equipment for the individual	2511
or for the individual's neighbors, provided that the individual	2512
meets all of the following requirements:	2513
(1) Is licensed under section 921.11 of the Revised Code;	2514
(2) Operates farm property and operates and maintains	2515
pesticide application equipment primarily for the individual's	2516
own use;	2517
(3) Is not regularly engaged in the business of applying	2518
pesticides for hire or does not publicly hold oneself out as a	2519
pesticide applicator;	2520
(4) Meets any other requirement established by rule.	2521
(E) Section 921.06 of the Revised Code relating to	2522
licenses and requirements for their issuance does not apply to	2523
licensed physicians or veterinarians applying pesticides to	2524

human beings or other animals during the normal course of their 2525
practice, provided that they are not regularly engaged in the 2526
business of applying pesticides for hire amounting to a 2527
principal or regular occupation or do not publicly hold 2528
themselves out as commercial applicators. 2529

(F) Division (S) of section 921.24 of the Revised Code 2530
does not apply to a pesticide dealer who distributes restricted 2531
use pesticides to a nonresident who is licensed in another state 2532
having a state plan approved by the United States environmental 2533
protection agency. 2534

Sec. 926.30. (A) No licensed handler or employee of a 2535
licensed handler who receives an agricultural commodity from a 2536
producer, either for sale or for storage under a bailment 2537
agreement, shall perform a quality test on the commodity for the 2538
purpose of applying a premium, discount, or conditioning charge 2539
unless the person making the test has passed an examination on 2540
the subject that is approved by the director of agriculture. 2541
~~Upon~~ Except as provided in division (D) of this section, upon 2542
application by a person who has passed the examination, the 2543
director shall issue to the person an agricultural commodity 2544
tester certificate that shall be valid for a period of three 2545
years. Except as otherwise provided in this division, an 2546
agricultural commodity tester shall pass an examination on 2547
agricultural commodity testing approved by the director prior to 2548
each renewal of a certificate. The director may exempt from the 2549
examination requirement for certificate renewal an agricultural 2550
commodity tester who, during the year prior to expiration of the 2551
certificate, successfully completes training on agricultural 2552
commodity testing that has been approved by the director. The 2553
director shall establish by rule standards that such training 2554
must meet in order to be approved by the director. The rules 2555

shall require the training to include instructions in the use of 2556
the official grain standards of the United States as a basis for 2557
determining the quality of the commodities tested by an 2558
agricultural commodity tester. An agricultural commodity tester 2559
certificate issued prior to ~~the effective date of this amendment~~ 2560
July 29, 1998, shall be considered to be valid until the date on 2561
which, at the time of issuance, it was scheduled to expire. Upon 2562
expiration of the certificate, the examination requirement for 2563
renewal shall apply. 2564

(B) The director may determine that retraining or review 2565
is necessary for the tester as a result of changes in or 2566
amendments to the official grain standards of the United States, 2567
or if the director has reason to believe that retraining is 2568
necessary as a result of complaints relating to the tester's 2569
inability to accurately test commodities according to the 2570
official grain standards. A fee to cover the cost of issuing 2571
certificates and administering the educational program shall be 2572
established by rule of the director adopted under Chapter 119. 2573
of the Revised Code and shall be deposited into the commodity 2574
handler regulatory program fund created in section 926.19 of the 2575
Revised Code. 2576

(C) The director may suspend or revoke the certificate of 2577
an agricultural commodity tester in accordance with Chapter 119. 2578
of the Revised Code for failure or inability of the tester to 2579
apply the official grain standards of the United States in 2580
testing the quality of an agricultural commodity. 2581

(D) The director shall issue an agricultural commodity 2582
tester certificate in accordance with Chapter 4796. of the 2583
Revised Code to an individual if either of the following 2584
applies: 2585

(1) The individual holds a license or certificate in 2586
another state. 2587

(2) The individual has satisfactory work experience, a 2588
government certification, or a private certification as 2589
described in that chapter as a agricultural commodity tester in 2590
a state that does not issue that license. 2591

Sec. 928.02. (A) (1) The director of agriculture shall 2592
establish a program to monitor and regulate hemp cultivation and 2593
processing in this state. Under the program, the director shall 2594
issue hemp cultivation licenses and hemp processing licenses in 2595
accordance with rules adopted under section 928.03 of the 2596
Revised Code. 2597

(2) As authorized by the director, the department of 2598
agriculture or a university may cultivate or process hemp 2599
without a hemp cultivation license or hemp processing license 2600
for research purposes. 2601

(B) Except as authorized under division (A) (2) or (E) of 2602
this section, any person that wishes to cultivate hemp shall 2603
apply for and obtain a hemp cultivation license from the 2604
director in accordance with rules adopted under section 928.03 2605
of the Revised Code. Except as authorized under division (A) (2) 2606
or (E) of this section, any person that wishes to process hemp 2607
shall apply for and obtain a hemp processing license from the 2608
director in accordance with those rules. Such licenses are valid 2609
for three years unless earlier suspended or revoked by the 2610
director. 2611

(C) The department, a university, or any person may, 2612
without a hemp cultivation license or hemp processing license, 2613
possess, buy, or sell hemp or a hemp product. 2614

(D) Notwithstanding any other provision of the Revised Code to the contrary, the addition of hemp or a hemp product to any other product does not adulterate that other product.

(E) The director shall issue a hemp cultivation license or hemp processing license in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

(1) The individual holds the applicable license in another state.

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a hemp cultivator or hemp processor in a state that does not issue the applicable license.

Sec. 943.09. Licenses~~(A) Except as provided in division (B) of this section, licenses shall be issued by the department of agriculture to weighers under such rules and regulations as the department shall prescribe. Each weigher shall display ~~his~~ the weigher's license in a conspicuous place on or adjacent to the weighing facility operated by such weigher. A weigher's license may be revoked for a violation of section 943.11 of the Revised Code or of the rules and regulations of the department relating thereto. The license of any weigher convicted of a violation of such section shall be promptly revoked. A weigher's license, unless revoked, shall expire on the thirty-first day of March of each year and shall be renewed according to the standard renewal procedure of sections 4745.01 to 4745.03, inclusive, of the Revised Code.~~

(B) The director of agriculture shall issue a weigher's license in accordance with Chapter 4796. of the Revised Code to

an individual if either of the following applies: 2644

(1) The individual holds a license in another state. 2645

(2) The individual has satisfactory work experience, a 2646
government certification, or a private certification as 2647
described in that chapter as a weigher in a state that does not 2648
issue that license. 2649

Sec. 956.05. (A) (1) No person shall act as or perform the 2650
functions of a dog broker in this state without a dog broker 2651
license issued by the director of agriculture in accordance with 2652
this section and rules adopted under section 956.03 of the 2653
Revised Code. 2654

(2) The director shall not issue a license under this 2655
section unless the director determines that the applicant will 2656
act as or perform the functions of a dog broker in accordance 2657
with this chapter and rules adopted under it. 2658

(B) A person who is proposing to act as or perform the 2659
functions of a dog broker shall submit an application for a 2660
license to the director. During the month of December, but 2661
before the first day of January of the next year, a person who 2662
is proposing to continue to act as or perform the functions of a 2663
dog broker shall obtain a license from the director for the 2664
following year. 2665

(C) The director shall issue a dog broker license in 2666
accordance with Chapter 4796. of the Revised Code to a person if 2667
either of the following applies: 2668

(1) The person holds a license in another state. 2669

(2) The person has satisfactory work experience, a 2670
government certification, or a private certification as 2671

described in that chapter as a dog broker in a state that does 2672
not issue that license. 2673

Sec. 956.06. (A) (1) No person shall operate an animal 2674
rescue for dogs without first registering with the director of 2675
agriculture in accordance with division (C) of this section or 2676
rules adopted under section 956.03 of the Revised Code, as 2677
applicable. A registration is valid for one year. 2678

(2) A registration may be renewed. An application for 2679
renewal shall be submitted to the director at least ninety days 2680
prior to the expiration of the registration. 2681

(3) The director shall not charge a registration fee to an 2682
animal rescue for dogs. However, if a person fails to renew a 2683
registration prior to its expiration, the director shall charge 2684
the person a late renewal fee of two hundred dollars. 2685

(B) The director shall maintain a database of all persons 2686
that are registered to operate an animal rescue for dogs in this 2687
state. 2688

(C) The director shall issue an animal rescue license for 2689
dogs registration in accordance with Chapter 4796. of the 2690
Revised Code to a person if either of the following applies: 2691

(1) The person holds a license or registration in another 2692
state. 2693

(2) The person has satisfactory work experience, a 2694
government certification, or a private certification as 2695
described in that chapter as an animal rescue for dogs operator 2696
in a state that does not issue that license or registration. 2697

Sec. 1315.23. (A) Upon the filing of an application for an 2698
original license to engage in the business of cashing checks, 2699

and the payment of the fees for investigation and licensure, the 2700
superintendent of financial institutions shall investigate the 2701
financial condition and responsibility and general fitness of 2702
the applicant. As part of that investigation, the superintendent 2703
shall request that the superintendent of the bureau of criminal 2704
identification and investigation investigate and determine, with 2705
respect to the applicant, whether the bureau has any information 2706
gathered under section 109.57 of the Revised Code that pertains 2707
to that applicant. 2708

~~(B) The~~ (1) Except as provided in division (B) (2) of this 2709
section, the superintendent shall issue a license, which shall 2710
apply to all check-cashing business locations of the applicant, 2711
if the superintendent determines that the applicant meets all 2712
the following requirements: 2713

~~(1) (a)~~ The applicant is financially sound and has a net 2714
worth of at least twenty-five thousand dollars. The applicant's 2715
net worth shall be computed according to generally accepted 2716
accounting principles. The applicant shall maintain a net worth 2717
of at least twenty-five thousand dollars throughout the 2718
licensure period. 2719

~~(2) (b)~~ The applicant has the ability and fitness in the 2720
capacity involved to engage in the business of cashing checks. 2721

~~(3) (c)~~ The applicant has not been convicted of, or has 2722
not pleaded guilty or no contest to, a disqualifying offense 2723
determined in accordance with section 9.79 of the Revised Code. 2724

~~(4) (d)~~ The applicant has never had a check-cashing 2725
license revoked. 2726

(2) The superintendent shall issue a license to engage in 2727
the business of cashing checks in accordance with Chapter 4796. 2728

<u>of the Revised Code to an applicant if either of the following</u>	2729
<u>applies:</u>	2730
<u>(a) The applicant holds a license in another state.</u>	2731
<u>(b) The applicant has satisfactory work experience, a</u>	2732
<u>government certification, or a private certification as</u>	2733
<u>described in that chapter in the business of cashing checks in a</u>	2734
<u>state that does not issue that license.</u>	2735
(C) (1) A license issued to a check-cashing business shall	2736
remain in full force and effect through the thirty-first day of	2737
December following its date of issuance, unless earlier	2738
surrendered, suspended, or revoked.	2739
(2) Each check-cashing business shall conspicuously post	2740
and at all times display in every business location its check-	2741
cashing license. No check-cashing license is transferable or	2742
assignable.	2743
(D) A check-cashing business voluntarily may surrender its	2744
license at any time by giving written notice to the	2745
superintendent and sending, by certified mail, to the	2746
superintendent all license documents issued to it pursuant to	2747
sections 1315.21 to 1315.28 of the Revised Code.	2748
(E) (1) A check-cashing business annually may apply to the	2749
superintendent for a renewal of its license on or after the	2750
first day of December of the year in which its existing license	2751
expires.	2752
(2) If a check-cashing business files an application for a	2753
renewal license with the superintendent before the first day of	2754
January of any year, the license sought to be renewed shall	2755
continue in full force and effect until the issuance by the	2756
superintendent of the renewal license applied for or until ten	2757

days after the superintendent has given the check-cashing 2758
business notice of the superintendent's refusal to issue a 2759
renewal license. 2760

(F) The superintendent may, except as otherwise provided 2761
in this division, suspend, revoke, or refuse an original or 2762
renewal license for failure to comply with this section or for 2763
any violation of section 1315.28 of the Revised Code. If a 2764
suspension, revocation, or refusal of an original or renewal 2765
license is based on a violation of section 1315.28 of the 2766
Revised Code that is committed, without the licensee's 2767
knowledge, at a check-cashing business location of the licensee, 2768
the suspension or revocation applies only to that check-cashing 2769
business location. In all other cases, a suspension, revocation, 2770
or refusal of an original or renewal license applies to all 2771
check-cashing business locations of the licensee. The 2772
superintendent shall not refuse an original license to an 2773
applicant because of a criminal conviction unless the refusal is 2774
in accordance with section 9.79 of the Revised Code. 2775

(G) No original or renewal license shall be suspended, 2776
revoked, or refused except after a hearing in accordance with 2777
Chapter 119. of the Revised Code. In suspending a license under 2778
this division, the superintendent shall establish the length of 2779
the suspension, provided that no suspension may be for a period 2780
exceeding one year. The superintendent's decision to revoke, 2781
suspend, or refuse an original or renewal license may be 2782
appealed pursuant to Chapter 119. of the Revised Code. 2783

(H) Upon revocation of a license, the licensee shall 2784
immediately send, by certified mail, all license documents 2785
issued pursuant to sections 1310.21 to 1310.28 of the Revised 2786
Code to the superintendent. 2787

(I) The superintendent may, in lieu of a suspension or 2788
revocation of a license, impose a fine of not more than one 2789
thousand dollars for each violation. 2790

Sec. 1321.04. ~~Upon~~ (A) Except as otherwise provided in 2791
division (B) of this section, upon the filing of an application 2792
under section 1321.03 of the Revised Code and payment of fees 2793
pursuant to section 1321.20 of the Revised Code, the division of 2794
financial institutions shall investigate the facts concerning 2795
the applicant and the requirements provided for in divisions (A) 2796
(1) and ~~(B)~~ (2) of this section. 2797

The division shall approve the application and issue and 2798
deliver a license to the applicant if the division finds both of 2799
the following: 2800

~~(A)~~ (1) That the financial responsibility, experience, and 2801
general fitness of the applicant and of the members thereof, if 2802
the applicant is a partnership or an association, and of the 2803
officers and directors thereof, if the applicant is a 2804
corporation, are such as to warrant the belief that the business 2805
will be operated lawfully, honestly, and fairly under sections 2806
1321.01 to 1321.19 of the Revised Code and within the purposes 2807
of those sections, that the applicant has fully complied with 2808
those sections, and that the applicant is qualified to act as a 2809
licensed lender; 2810

~~(B)~~ (2) That the applicant has available for the operation 2811
of such business cash or moneys deposited in a readily 2812
accessible fund or account of not less than twenty-five thousand 2813
dollars. 2814

If the division does not so find, it shall enter an order 2815
denying such application and forthwith notify the applicant of 2816

the denial, the grounds for the denial, and the applicant's 2817
reasonable opportunity to be heard on the action in accordance 2818
with Chapter 119. of the Revised Code. In the event of denial, 2819
the division shall return the license fee but shall retain the 2820
investigation fee. 2821

(B) The division shall issue and deliver a license in 2822
accordance with Chapter 4796. of the Revised Code to an 2823
applicant if either of the following applies: 2824

(1) The applicant holds a license in another state. 2825

(2) The applicant has satisfactory work experience, a 2826
government certification, or a private certification as 2827
described in that chapter in the business of lending money, 2828
credit, or choses in action in amounts of five thousand dollars 2829
or less in a state that does not issue that license. 2830

Sec. 1321.37. (A) Application for an original or renewal 2831
license to make short-term loans shall be in writing, under 2832
oath, and in the form prescribed by the superintendent of 2833
financial institutions, and shall contain the name and address 2834
of the applicant, the location where the business of making 2835
loans is to be conducted, and any further information as the 2836
superintendent requires. At the time of making an application 2837
for an original license, the applicant shall pay to the 2838
superintendent a nonrefundable investigation fee of two hundred 2839
dollars. No investigation fee or any portion thereof shall be 2840
refunded after an original license has been issued. The 2841
application for an original or renewal license shall be 2842
accompanied by an original or renewal license fee, for each 2843
business location of one thousand dollars, except that 2844
applications for original licenses issued on or after the first 2845
day of July for any year shall be accompanied by an original 2846

license fee of five hundred dollars, and except that an 2847
application for an original or renewal license, for a nonprofit 2848
corporation that is incorporated under Chapter 1702. of the 2849
Revised Code, shall be accompanied by an original or renewal 2850
license fee, for each business location, that is one-half of the 2851
fee otherwise required. All fees paid to the superintendent 2852
pursuant to this division shall be deposited into the state 2853
treasury to the credit of the consumer finance fund. 2854

(B) Upon the filing of an application for an original 2855
license and, with respect to an application filed for a renewal 2856
license, on a schedule determined by the superintendent by rule 2857
adopted pursuant to section 1321.43 of the Revised Code, and the 2858
payment of fees in accordance with division (A) of this section, 2859
the superintendent shall investigate the facts concerning the 2860
applicant and the requirements provided by this division. The 2861
superintendent shall request the superintendent of the bureau of 2862
criminal identification and investigation, or a vendor approved 2863
by the bureau, to conduct a criminal records check based on the 2864
applicant's fingerprints in accordance with section 109.572 of 2865
the Revised Code. Notwithstanding division (K) of section 121.08 2866
of the Revised Code, the superintendent of financial 2867
institutions shall request that criminal record information from 2868
the federal bureau of investigation be obtained as part of the 2869
criminal records check. The superintendent of financial 2870
institutions shall conduct a civil records check. The 2871
superintendent shall approve an application and issue an 2872
original or renewal license to the applicant if the 2873
superintendent finds all of the following: 2874

(1) The financial responsibility, experience, and general 2875
fitness of the applicant are such as to warrant the belief that 2876
the business of making loans will be operated lawfully, 2877

honestly, and fairly under sections 1321.35 to 1321.48 of the 2878
Revised Code and within the purposes of those sections; that the 2879
applicant has fully complied with those sections and any rule or 2880
order adopted or issued pursuant to section 1321.43 of the 2881
Revised Code; and that the applicant is qualified to engage in 2882
the business of making loans under sections 1321.35 to 1321.48 2883
of the Revised Code. 2884

(2) The applicant is financially sound and has a net worth 2885
of not less than one hundred thousand dollars, or in the case of 2886
a nonprofit corporation that is incorporated under Chapter 1702. 2887
of the Revised Code, a net worth of not less than fifty thousand 2888
dollars. The applicant's net worth shall be computed according 2889
to generally accepted accounting principles. 2890

(3) The applicant has never had revoked a license to make 2891
loans under sections 1321.35 to 1321.48 of the Revised Code, 2892
under former sections 1315.35 to 1315.44 of the Revised Code, or 2893
to do business under sections 1315.21 to 1315.30 of the Revised 2894
Code. 2895

(4) Neither the applicant nor any senior officer, or 2896
partner of the applicant, has pleaded guilty to or been 2897
convicted of a disqualifying offense as determined in accordance 2898
with section 9.79 of the Revised Code. 2899

(5) Neither the applicant nor any senior officer, or 2900
partner of the applicant, has been subject to any adverse 2901
judgment for conversion, embezzlement, misappropriation of 2902
funds, fraud, misfeasance or malfeasance, or breach of fiduciary 2903
duty, or if the applicant or any of those other persons has been 2904
subject to such a judgment, the applicant has proven to the 2905
superintendent, by a preponderance of the evidence, that the 2906
applicant's or other person's activities and employment record 2907

since the judgment show that the applicant or other person is 2908
honest and truthful and there is no basis in fact for believing 2909
that the applicant or other person will be subject to such a 2910
judgment again. 2911

(C) If the superintendent finds that the applicant does 2912
not meet the requirements of division (B) of this section, or 2913
the superintendent finds that the applicant knowingly or 2914
repeatedly contracts with or employs persons to directly engage 2915
in lending activities who have been convicted of a felony crime 2916
listed in division (B) (5) of this section, the superintendent 2917
shall issue an order denying the application for an original or 2918
renewal license and giving the applicant an opportunity for a 2919
hearing on the denial in accordance with Chapter 119. of the 2920
Revised Code. The superintendent shall notify the applicant of 2921
the denial, the grounds for the denial, and the applicant's 2922
opportunity for a hearing. If the application is denied, the 2923
superintendent shall return the annual license fee but shall 2924
retain the investigation fee. 2925

(D) No person licensed under sections 1321.35 to 1321.48 2926
of the Revised Code shall conduct business in this state unless 2927
the licensee has obtained and maintains in effect at all times a 2928
corporate surety bond issued by a bonding company or insurance 2929
company authorized to do business in this state. The bond shall 2930
be in favor of the superintendent and in the penal sum of at 2931
least one hundred thousand dollars, or in the case of a 2932
nonprofit corporation that is incorporated under Chapter 1702. 2933
of the Revised Code, in the amount of fifty thousand dollars. 2934
The term of the bond shall coincide with the term of the 2935
license. The licensee shall file a copy of the bond with the 2936
superintendent. The bond shall be for the exclusive benefit of 2937
any borrower injured by a violation by a licensee or any 2938

employee of a licensee, of any provision of sections 1321.35 to 2939
1321.48 of the Revised Code. 2940

(E) Notwithstanding any provision of this section to the 2941
contrary, the superintendent shall issue an original license in 2942
accordance with Chapter 4796. of the Revised Code to an 2943
applicant if either of the following applies: 2944

(1) The applicant holds a license in another state. 2945

(2) The applicant has satisfactory work experience, a 2946
government certification, or a private certification as 2947
described in that chapter as a short-term lender in a state that 2948
does not issue that license. 2949

Sec. 1321.53. (A) (1) An application for a certificate of 2950
registration under sections 1321.51 to 1321.60 of the Revised 2951
Code shall contain an undertaking by the applicant to abide by 2952
those sections. The application shall be in writing, under oath, 2953
and in the form prescribed by the division of financial 2954
institutions, and shall contain any information that the 2955
division may require. Applicants that are foreign corporations 2956
shall obtain and maintain a license pursuant to Chapter 1703. of 2957
the Revised Code before a certificate is issued or renewed. 2958

(2) Upon the filing of the application and the payment by 2959
the applicant of a nonrefundable two-hundred-dollar 2960
investigation fee and a nonrefundable three-hundred-dollar 2961
annual registration fee, the division shall investigate the 2962
relevant facts. If the application involves investigation 2963
outside this state, the applicant may be required by the 2964
division to advance sufficient funds to pay any of the actual 2965
expenses of such investigation, when it appears that these 2966
expenses will exceed two hundred dollars. An itemized statement 2967

of any of these expenses which the applicant is required to pay 2968
shall be furnished to the applicant by the division. No 2969
certificate shall be issued unless all the required fees have 2970
been submitted to the division. 2971

(3) The investigation undertaken upon application shall 2972
include both a civil and criminal records check of the applicant 2973
including any individual whose identity is required to be 2974
disclosed in the application. Where the applicant is a business 2975
entity the superintendent shall have the authority to require a 2976
civil and criminal background check of those persons that in the 2977
determination of the superintendent have the authority to direct 2978
and control the operations of the applicant. 2979

(4) (a) Notwithstanding division (K) of section 121.08 of 2980
the Revised Code, the superintendent of financial institutions 2981
shall obtain a criminal history records check and, as part of 2982
that records check, request that criminal record information 2983
from the federal bureau of investigation be obtained. To fulfill 2984
this requirement, the superintendent shall request the 2985
superintendent of the bureau of criminal identification and 2986
investigation, or a vendor approved by the bureau, to conduct a 2987
criminal records check based on the applicant's fingerprints or, 2988
if the fingerprints are unreadable, based on the applicant's 2989
social security number, in accordance with section 109.572 of 2990
the Revised Code. 2991

(b) Any fee required under division (C) (3) of section 2992
109.572 of the Revised Code shall be paid by the applicant. 2993

(5) If an application for a certificate of registration 2994
does not contain all of the information required under division 2995
(A) of this section, and if such information is not submitted to 2996
the division within ninety days after the superintendent 2997

requests the information in writing, including by electronic 2998
transmission or facsimile, the superintendent may consider the 2999
application withdrawn. 3000

(6) If the division finds that the financial 3001
responsibility, experience, and general fitness of the applicant 3002
command the confidence of the public and warrant the belief that 3003
the business will be operated honestly and fairly in compliance 3004
with the purposes of sections 1321.51 to 1321.60 of the Revised 3005
Code and the rules adopted thereunder, and that the applicant 3006
has the applicable net worth and assets required by division ~~(B)~~ 3007
(C) of this section, the division shall thereupon issue a 3008
certificate of registration to the applicant. The superintendent 3009
shall not use a credit score as the sole basis for a 3010
registration denial. 3011

(a) (i) Certificates of registration issued on or after 3012
July 1, 2010, shall annually expire on the thirty-first day of 3013
December, unless renewed by the filing of a renewal application 3014
and payment of a three-hundred-dollar nonrefundable annual 3015
registration fee and any assessment as determined by the 3016
superintendent pursuant to division (A) (6) (a) (ii) of this 3017
section on or before the last day of December of each year. No 3018
other fee or assessment shall be required of a registrant by the 3019
state or any political subdivision of this state. 3020

(ii) If the renewal fees billed by the superintendent 3021
pursuant to division (A) (6) (a) (i) of this section are less than 3022
the estimated expenditures of the consumer finance section of 3023
the division of financial institutions, as determined by the 3024
superintendent, for the following fiscal year, the 3025
superintendent may assess each registrant at a rate sufficient 3026
to equal in the aggregate the difference between the renewal 3027

fees billed and the estimated expenditures. Each registrant 3028
shall pay the assessed amount to the superintendent prior to the 3029
last day of June. In no case shall the assessment exceed ten 3030
cents per each one hundred dollars of interest (excluding 3031
charge-off recoveries), points, loan origination charges, and 3032
credit line charges collected by that registrant during the 3033
previous calendar year. If such an assessment is imposed, it 3034
shall not be less than two hundred fifty dollars per registrant 3035
and shall not exceed thirty thousand dollars less the total 3036
renewal fees paid pursuant to division (A) (6) (a) (i) of this 3037
section by each registrant. 3038

(b) Registrants shall timely file renewal applications on 3039
forms prescribed by the division and provide any further 3040
information that the division may require. If a renewal 3041
application does not contain all of the information required 3042
under this section, and if that information is not submitted to 3043
the division within ninety days after the superintendent 3044
requests the information in writing, including by electronic 3045
transmission or facsimile, the superintendent may consider the 3046
application withdrawn. 3047

(c) Renewal shall not be granted if the applicant's 3048
certificate of registration is subject to an order of 3049
suspension, revocation, or an unpaid and past due fine imposed 3050
by the superintendent. 3051

(d) If the division finds the applicant does not meet the 3052
conditions set forth in this section, it shall issue a notice of 3053
intent to deny the application, and forthwith notify the 3054
applicant of the denial, the grounds for the denial, and the 3055
applicant's reasonable opportunity to be heard on the action in 3056
accordance with Chapter 119. of the Revised Code. 3057

(7) If there is a change of five per cent or more in the ownership of a registrant, the division may make any investigation necessary to determine whether any fact or condition exists that, if it had existed at the time of the original application for a certificate of registration, the fact or condition would have warranted the division to deny the application under division (A) (6) of this section. If such a fact or condition is found, the division may, in accordance with Chapter 119. of the Revised Code, revoke the registrant's certificate.

(B) Notwithstanding division (A) of this section, the division shall issue a certificate of registration in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license or certificate in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a general loan lender in a state that does not issue that license.

(C) Each registrant that engages in lending under sections 1321.51 to 1321.60 of the Revised Code shall maintain both of the following:

(1) A net worth of at least fifty thousand dollars;

(2) For each certificate of registration, assets of at least fifty thousand dollars either in use or readily available for use in the conduct of the business.

~~(C)~~ (D) Not more than one place of business shall be maintained under the same certificate, but the division may

issue additional certificates to the same registrant upon 3087
compliance with sections 1321.51 to 1321.60 of the Revised Code, 3088
governing the issuance of a single certificate. No change in the 3089
place of business of a registrant to a location outside the 3090
original municipal corporation shall be permitted under the same 3091
certificate without the approval of a new application, the 3092
payment of the registration fee and, if required by the 3093
superintendent, the payment of an investigation fee of two 3094
hundred dollars. When a registrant wishes to change its place of 3095
business within the same municipal corporation, it shall give 3096
written notice of the change in advance to the division, which 3097
shall provide a certificate for the new address without cost. If 3098
a registrant changes its name, prior to making loans under the 3099
new name it shall give written notice of the change to the 3100
division, which shall provide a certificate in the new name 3101
without cost. Sections 1321.51 to 1321.60 of the Revised Code do 3102
not limit the loans of any registrant to residents of the 3103
community in which the registrant's place of business is 3104
situated. Each certificate shall be kept conspicuously posted in 3105
the place of business of the registrant and is not transferable 3106
or assignable. 3107

~~(D)~~ (E) Sections 1321.51 to 1321.60 of the Revised Code do 3108
not apply to any of the following: 3109

(1) Entities chartered and lawfully doing business under 3110
the authority of any law of this state, another state, or the 3111
United States as a bank, savings bank, trust company, savings 3112
and loan association, or credit union, or a subsidiary of any 3113
such entity, which subsidiary is regulated by a federal banking 3114
agency and is owned and controlled by such a depository 3115
institution; 3116

(2) Life, property, or casualty insurance companies	3117
licensed to do business in this state;	3118
(3) Any person that is a lender making a loan pursuant to	3119
sections 1321.01 to 1321.19 or sections 1321.62 to 1321.701 of	3120
the Revised Code or a business loan as described in division (B)	3121
(6) of section 1343.01 of the Revised Code;	3122
(4) Any political subdivision, or any governmental or	3123
other public entity, corporation, instrumentality, or agency, in	3124
or of the United States or any state of the United States, or	3125
any entity described in division (B)(3) of section 1343.01 of	3126
the Revised Code;	3127
(5) A college or university, or controlled entity of a	3128
college or university, as those terms are defined in section	3129
1713.05 of the Revised Code.	3130
(E) <u>(F)</u> No person engaged in the business of selling	3131
tangible goods or services related to tangible goods may receive	3132
or retain a certificate under sections 1321.51 to 1321.60 of the	3133
Revised Code for such place of business.	3134
Sec. 1321.64. (A) An application for a license shall	3135
contain an undertaking by the applicant to abide by those	3136
sections. The application shall be in writing, under oath, and	3137
in the form prescribed by the superintendent of financial	3138
institutions, and shall contain any information that the	3139
superintendent may require. Applicants that are foreign	3140
corporations shall obtain and maintain a license pursuant to	3141
Chapter 1703. of the Revised Code before a license is issued or	3142
renewed.	3143
(B) Upon the filing of the application and the payment by	3144
the applicant of a nonrefundable investigation fee of two	3145

hundred dollars, a nonrefundable annual registration fee of 3146
three hundred dollars, and any additional fee required by the 3147
NMLSR, the division of financial institutions shall investigate 3148
the relevant facts. If the application involves investigation 3149
outside this state, the applicant may be required by the 3150
division to advance sufficient funds to pay any of the actual 3151
expenses of the investigation when it appears that these 3152
expenses will exceed two hundred dollars. An itemized statement 3153
of any of these expenses which the applicant is required to pay 3154
shall be furnished to the applicant by the division. A license 3155
shall not be issued unless all the required fees have been 3156
submitted to the division. 3157

(C) (1) The investigation undertaken upon receipt of an 3158
application shall include both a civil and criminal records 3159
check of any control person. 3160

(2) (a) Notwithstanding division (K) of section 121.08 of 3161
the Revised Code, the superintendent shall obtain a criminal 3162
records check on each control person and, as part of that 3163
records check, request that criminal records information from 3164
the federal bureau of investigation be obtained. To fulfill this 3165
requirement, the superintendent shall do either of the 3166
following: 3167

(i) Request the superintendent of the bureau of criminal 3168
identification and investigation, or a vendor approved by the 3169
bureau, to conduct a criminal records check based on the control 3170
person's fingerprints or, if the fingerprints are unreadable, 3171
based on the control person's social security number, in 3172
accordance with section 109.572 of the Revised Code; 3173

(ii) Authorize the NMLSR to request a criminal records 3174
check of the control person. 3175

(b) Any fee required under division (C) (3) of section 3176
109.572 of the Revised Code or by the NMLSR shall be paid by the 3177
applicant. 3178

(D) If an application for a license does not contain all 3179
of the information required under division (A) of this section, 3180
and if such information is not submitted to the division or to 3181
the NMLSR within ninety days after the superintendent or the 3182
NMLSR requests the information in writing, including by 3183
electronic transmission or facsimile, the superintendent may 3184
consider the application withdrawn. 3185

(E) If the superintendent of financial institutions finds 3186
that the financial responsibility, experience, and general 3187
fitness of the applicant command the confidence of the public 3188
and warrant the belief that the business will be operated 3189
honestly and fairly in compliance with the purposes of sections 3190
1321.62 to 1321.702 of the Revised Code and the rules adopted 3191
thereunder, and that the applicant has the requisite net worth 3192
and assets required under section 1321.65 of the Revised Code, 3193
the superintendent shall issue a license to the applicant. The 3194
license shall be valid until the thirty-first day of December of 3195
the year in which it is issued. A person may be licensed under 3196
both sections 1321.51 to 1321.60 and sections 1321.62 to 3197
1321.702 of the Revised Code. 3198

(F) If the superintendent finds that the applicant does 3199
not meet the conditions set forth in this section, the 3200
superintendent shall issue a notice of intent to deny the 3201
application, and promptly notify the applicant of the denial, 3202
the grounds for the denial, and the applicant's reasonable 3203
opportunity to be heard on the action in accordance with Chapter 3204
119. of the Revised Code. 3205

(G) Notwithstanding any provision of this section to the contrary, the superintendent shall issue a license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 3206
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(1) The applicant holds a license in another state. 3210

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a consumer installment loan lender in a state that does not issue that license. 3211
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Sec. 1321.74. (A) Application for a license as a premium finance company shall be in writing, under oath, in the form prescribed by the division of financial institutions. An applicant also shall provide the form of premium finance agreement it intends to use in doing business under sections 1321.71 to 1321.83 of the Revised Code. Upon the filing of an application and the payment of the license fee, and upon deposit of an investigation fee not to exceed three hundred dollars if the investigation can be conducted in this state or the estimated costs of the investigation if it must be conducted outside this state, the division shall make an investigation of each applicant and shall issue a license if the applicant is qualified in accordance with sections 1321.71 to 1321.83 of the Revised Code. An itemized statement of any investigation expenses incurred which the applicant is required to pay shall be furnished the applicant by the division, and only the actual cost of such investigation shall be paid by the applicant, but at no time shall the investigation fee be less than two hundred dollars. If the division does not so find, it shall, within a reasonable period of time after it has received the application, at the request of the applicant, give the applicant opportunity 3215
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for a hearing conducted in accordance with Chapter 119. of the 3236
Revised Code. 3237

(B) (1) The division shall, except as provided in division 3238
(B) (2) of this section, issue or renew a license when it is 3239
satisfied that the applicant: 3240

(a) Is competent and trustworthy and intends to act in 3241
good faith in the capacity involved by the license applied for; 3242

(b) Has a good business reputation and has had experience, 3243
training, or education so as to be qualified in the business for 3244
which the license is applied for; 3245

(c) If a corporation, is a corporation incorporated under 3246
the laws of this state or is a foreign corporation authorized to 3247
transact business in this state; 3248

(d) Has a net worth of at least fifty thousand dollars, as 3249
determined in accordance with generally accepted accounting 3250
principles; 3251

(e) With respect to the issuance of a license, has filed 3252
with the division a form of premium finance agreement that 3253
complies with sections 1321.71 to 1321.83 of the Revised Code. 3254

(2) The division shall not refuse to issue a license to an 3255
applicant because of a criminal conviction unless the refusal is 3256
in accordance with section 9.79 of the Revised Code. 3257

(C) Not more than one place of business shall be 3258
maintained under the same license, but the division may issue 3259
additional licenses to the same licensee upon compliance with 3260
sections 1321.71 to 1321.83 of the Revised Code. 3261

No change in the place of business of a licensee to a 3262
location outside the original municipal corporation shall be 3263

permitted under the same license without the approval of a new 3264
application, the payment of the license fee as determined by the 3265
superintendent of financial institutions pursuant to section 3266
1321.20 of the Revised Code, and, if required by the 3267
superintendent, the payment of an investigation fee of two 3268
hundred dollars. If a licensee wishes to change its place of 3269
business within the same municipal corporation, it shall give 3270
written notice of the change in advance to the division, which 3271
shall provide a license for the new address without cost. If a 3272
licensee changes its name, it shall give, prior to entering into 3273
or otherwise acquiring premium finance agreements under the new 3274
name, written notice of the change to the division, which shall 3275
provide a license in the new name, without cost. 3276

Each license shall be kept conspicuously posted in the 3277
place of business of the licensee and is not transferable or 3278
assignable. 3279

Notwithstanding any other provision of this section to the 3280
contrary, the division shall issue a license to act as a premium 3281
finance company in accordance with Chapter 4796. of the Revised 3282
Code to an applicant if either of the following applies: 3283

(1) The applicant is licensed in another state. 3284

(2) The applicant has satisfactory work experience, a 3285
government certification, or a private certification as 3286
described in that chapter as an operator of a premium finance 3287
company in a state that does not issue that license. 3288

Sec. 1322.10. (A) Upon the conclusion of the investigation 3289
required under division (B) of section 1322.09 of the Revised 3290
Code, the superintendent of financial institutions shall issue a 3291
certificate of registration to the applicant if the 3292

superintendent finds that the following conditions are met: 3293

(1) The application is accompanied by the application fee 3294
and any fee required by the nationwide mortgage licensing system 3295
and registry. 3296

(a) If a check or other draft instrument is returned to 3297
the superintendent for insufficient funds, the superintendent 3298
shall notify the applicant by certified mail, return receipt 3299
requested, that the application will be withdrawn unless the 3300
applicant, within thirty days after receipt of the notice, 3301
submits the application fee and a one-hundred-dollar penalty to 3302
the superintendent. If the applicant does not submit the 3303
application fee and penalty within that time period, or if any 3304
check or other draft instrument used to pay the fee or penalty 3305
is returned to the superintendent for insufficient funds, the 3306
application shall be withdrawn. 3307

(b) If a check or other draft instrument is returned to 3308
the superintendent for insufficient funds after the certificate 3309
of registration has been issued, the superintendent shall notify 3310
the registrant by certified mail, return receipt requested, that 3311
the certificate of registration issued in reliance on the check 3312
or other draft instrument will be canceled unless the 3313
registrant, within thirty days after receipt of the notice, 3314
submits the application fee and a one-hundred-dollar penalty to 3315
the superintendent. If the registrant does not submit the 3316
application fee and penalty within that time period, or if any 3317
check or other draft instrument used to pay the fee or penalty 3318
is returned to the superintendent for insufficient funds, the 3319
certificate of registration shall be canceled immediately 3320
without a hearing, and the registrant shall cease activity as a 3321
mortgage broker, mortgage lender, or mortgage servicer. 3322

(2) If the application is for a location that is a residence, evidence that the use of the residence to transact business as a mortgage lender, mortgage broker, or mortgage servicer is not prohibited.

(3) The applicant maintains all necessary filings and approvals required by the secretary of state.

(4) The applicant complies with the surety bond requirements of section 1322.32 of the Revised Code.

(5) The applicant has not made a material misstatement of fact or material omission of fact in the application.

(6) Neither the applicant nor any person whose identity is required to be disclosed on an application for a certificate of registration has had such a certificate of registration or mortgage loan originator license, or any comparable authority, revoked in any governmental jurisdiction or has pleaded guilty or nolo contendere to or been convicted of a disqualifying offense as determined in accordance with section 9.79 of the Revised Code.

(7) The applicant's operations manager successfully completed the examination required by section 1322.27 of the Revised Code.

(8) The applicant's financial responsibility, experience, and general fitness command the confidence of the public and warrant the belief that the business will be operated honestly, fairly, and efficiently in compliance with the purposes of this chapter and the rules adopted thereunder. The superintendent shall not use a credit score or a bankruptcy as the sole basis for registration denial.

(B) For purposes of determining whether an applicant that

is a partnership, corporation, or other business entity or 3352
association has met the conditions set forth in divisions (A) (6) 3353
and (8) of this section, the superintendent shall determine 3354
which partners, shareholders, or persons named in the 3355
application must meet those conditions. This determination shall 3356
be based on the extent and nature of the partner's, 3357
shareholder's, or person's ownership interest in the 3358
partnership, corporation, or other business entity or 3359
association that is the applicant and on whether the person is 3360
in a position to direct, control, or adversely influence the 3361
operations of the applicant. 3362

(C) The certificate of registration issued pursuant to 3363
division (A) of this section may be renewed annually on or 3364
before the thirty-first day of December if the superintendent 3365
finds that all of the following conditions are met: 3366

(1) The renewal application is accompanied by a 3367
nonrefundable renewal fee of seven hundred dollars for each 3368
location of an office to be maintained by the applicant in 3369
accordance with division (A) of section 1322.07 of the Revised 3370
Code and any fee required by the nationwide mortgage licensing 3371
system and registry. If a check or other draft instrument is 3372
returned to the superintendent for insufficient funds, the 3373
superintendent shall notify the registrant by certified mail, 3374
return receipt requested, that the certificate of registration 3375
renewed in reliance on the check or other draft instrument will 3376
be canceled unless the registrant, within thirty days after 3377
receipt of the notice, submits the renewal fee and a one- 3378
hundred-dollar penalty to the superintendent. If the registrant 3379
does not submit the renewal fee and penalty within that time 3380
period, or if any check or other draft instrument used to pay 3381
the fee or penalty is returned to the superintendent for 3382

insufficient funds, the certificate of registration shall be 3383
canceled immediately without a hearing and the registrant shall 3384
cease activity as a mortgage broker, mortgage lender, or 3385
mortgage servicer. 3386

(2) The applicant meets the conditions set forth in 3387
divisions (A) (2), (3), (4), (5), (7), and (8) of this section. 3388

(3) Neither the applicant nor any person whose identity is 3389
required to be disclosed on the renewal application has had a 3390
certificate of registration or mortgage loan originator license, 3391
or any comparable authority, revoked in any governmental 3392
jurisdiction or has pleaded guilty or nolo contendere to or been 3393
convicted of any of the following in a domestic, foreign, or 3394
military court: 3395

(a) During the seven-year period immediately preceding the 3396
date of the renewal application but excluding any time before 3397
the certificate of registration was issued, a misdemeanor 3398
involving theft or any felony; 3399

(b) At any time between the date of the original 3400
certificate of registration and the date of the renewal 3401
application, a felony involving an act of fraud, dishonesty, a 3402
breach of trust, theft, or money laundering. 3403

(4) The applicant's certificate of registration is not 3404
subject to an order of suspension or an unpaid and past due fine 3405
imposed by the superintendent. 3406

(D) (1) Subject to division (D) (2) of this section, if a 3407
renewal fee or additional fee required by the nationwide 3408
mortgage licensing system and registry is received by the 3409
superintendent after the thirty-first day of December, the 3410
certificate of registration shall not be considered renewed, and 3411

the applicant shall cease activity as a mortgage lender, 3412
mortgage broker, or mortgage servicer. 3413

(2) Division (D) (1) of this section shall not apply if the 3414
applicant, not later than forty-five days after the renewal 3415
deadline, submits the renewal fee or additional fee and a one- 3416
hundred-fifty-dollar penalty to the superintendent. 3417

(E) Certificates of registration issued under this chapter 3418
annually expire on the thirty-first day of December. 3419

(F) The pardon or expungement of a conviction shall not be 3420
considered a conviction for purposes of this section. 3421

(G) Notwithstanding any provision of this chapter to the 3422
contrary, the superintendent shall issue a certificate of 3423
registration in accordance with Chapter 4796. of the Revised 3424
Code to an applicant if either of the following applies: 3425

(1) The applicant holds a license or certificate of 3426
registration in another state. 3427

(2) The applicant has satisfactory work experience, a 3428
government certification, or a private certification as 3429
described in that chapter as a mortgage broker or mortgage 3430
lender in a state that does not issue that license or 3431
certificate of registration. 3432

Sec. 1322.21. (A) Upon the conclusion of the investigation 3433
required under division (C) of section 1322.20 of the Revised 3434
Code, the superintendent of financial institutions shall issue a 3435
mortgage loan originator license to the applicant if the 3436
superintendent finds that the following conditions are met: 3437

(1) The application is accompanied by the application fee 3438
and any fee required by the nationwide mortgage licensing system 3439

and registry. 3440

(a) If a check or other draft instrument is returned to 3441
the superintendent for insufficient funds, the superintendent 3442
shall notify the applicant by certified mail, return receipt 3443
requested, that the application will be withdrawn unless the 3444
applicant, within thirty days after receipt of the notice, 3445
submits the application fee and a one-hundred-dollar penalty to 3446
the superintendent. If the applicant does not submit the 3447
application fee and penalty within that time period, or if any 3448
check or other draft instrument used to pay the fee or penalty 3449
is returned to the superintendent for insufficient funds, the 3450
application shall be withdrawn. 3451

(b) If a check or other draft instrument is returned to 3452
the superintendent for insufficient funds after the license has 3453
been issued, the superintendent shall notify the licensee by 3454
certified mail, return receipt requested, that the license 3455
issued in reliance on the check or other draft instrument will 3456
be canceled unless the licensee, within thirty days after 3457
receipt of the notice, submits the application fee and a one- 3458
hundred-dollar penalty to the superintendent. If the licensee 3459
does not submit the application fee and penalty within that time 3460
period, or if any check or other draft instrument used to pay 3461
the fee or penalty is returned to the superintendent for 3462
insufficient funds, the license shall be canceled immediately 3463
without a hearing, and the licensee shall cease activity as a 3464
loan originator. 3465

(2) The applicant has not made a material misstatement of 3466
fact or material omission of fact in the application. 3467

(3) The applicant has not been convicted of or pleaded 3468
guilty or nolo contendere to a disqualifying offense as 3469

determined in accordance with section 9.79 of the Revised Code. 3470

(4) The applicant completed the prelicensing instruction 3471
set forth in division (B) of section 1322.20 of the Revised 3472
Code. 3473

(5) The applicant's financial responsibility and general 3474
fitness command the confidence of the public and warrant the 3475
belief that the business will be operated honestly and fairly in 3476
compliance with the purposes of this chapter. The superintendent 3477
shall not use a credit score or bankruptcy as the sole basis for 3478
a license denial. 3479

(6) The applicant is in compliance with the surety bond 3480
requirements of section 1322.32 of the Revised Code. 3481

(7) The applicant has not had a mortgage loan originator 3482
license, or comparable authority, revoked in any governmental 3483
jurisdiction. 3484

(B) The license issued under division (A) of this section 3485
may be renewed annually on or before the thirty-first day of 3486
December if the superintendent finds that all of the following 3487
conditions are met: 3488

(1) The renewal application is accompanied by a 3489
nonrefundable renewal fee of two hundred dollars and any fee 3490
required by the nationwide mortgage licensing system and 3491
registry. If a check or other draft instrument is returned to 3492
the superintendent for insufficient funds, the superintendent 3493
shall notify the licensee by certified mail, return receipt 3494
requested, that the license renewed in reliance on the check or 3495
other draft instrument will be canceled unless the licensee, 3496
within thirty days after receipt of the notice, submits the 3497
renewal fee and a one-hundred-dollar penalty to the 3498

superintendent. If the licensee does not submit the renewal fee 3499
and penalty within that time period, or if any check or other 3500
draft instrument used to pay the fee or penalty is returned to 3501
the superintendent for insufficient funds, the license shall be 3502
canceled immediately without a hearing, and the licensee shall 3503
cease activity as a loan originator. 3504

(2) The applicant has completed at least eight hours of 3505
continuing education as required under section 1322.28 of the 3506
Revised Code. 3507

(3) The applicant meets the conditions set forth in 3508
divisions (A) (2), (4), (5), (6), and (7) of this section. 3509

(4) The applicant has not been convicted of or pleaded 3510
guilty or nolo contendere to any of the following in a domestic, 3511
foreign, or military court: 3512

(a) During the seven-year period immediately preceding the 3513
date of the renewal application but excluding any time before 3514
the license was issued, a misdemeanor involving theft or any 3515
felony; 3516

(b) At any time between the date of the original license 3517
and the date of the renewal application, a felony involving an 3518
act of fraud, dishonesty, a breach of trust, theft, or money 3519
laundering. 3520

(5) The applicant's license is not subject to an order of 3521
suspension or an unpaid and past due fine imposed by the 3522
superintendent. 3523

(C) (1) Subject to division (C) (2) of this section, if a 3524
license renewal application fee, including any fee required by 3525
the nationwide mortgage licensing system and registry, is 3526
received by the superintendent after the thirty-first day of 3527

December, the license shall not be considered renewed, and the 3528
applicant shall cease activity as a mortgage loan originator. 3529

(2) Division (C) (1) of this section shall not apply if the 3530
applicant, not later than forty-five days after the renewal 3531
deadline, submits the renewal application and any other required 3532
fees and a one-hundred-fifty-dollar penalty to the 3533
superintendent. 3534

(D) Mortgage originator licenses annually expire on the 3535
thirty-first day of December. 3536

(E) The pardon or expungement of a conviction shall not be 3537
considered a conviction for purposes of this section. When 3538
determining the eligibility of an applicant, the superintendent 3539
may consider the underlying crime, facts, or circumstances 3540
connected with a pardoned or expunged conviction. 3541

(F) Notwithstanding any provision of this chapter to the 3542
contrary, the superintendent shall issue a mortgage loan 3543
originator license in accordance with Chapter 4796. of the 3544
Revised Code to an applicant if either of the following applies: 3545

(1) The applicant holds a license in another state. 3546

(2) The applicant has satisfactory work experience, a 3547
government certification, or a private certification as 3548
described in that chapter as a mortgage loan originator in a 3549
state that does not issue that license. 3550

Sec. 1513.07. (A) (1) No operator shall conduct a coal 3551
mining operation without a permit for the operation issued by 3552
the chief of the division of mineral resources management. 3553

(2) All permits issued pursuant to this chapter shall be 3554
issued for a term not to exceed five years, except that, if the 3555

applicant demonstrates that a specified longer term is 3556
reasonably needed to allow the applicant to obtain necessary 3557
financing for equipment and the opening of the operation and if 3558
the application is full and complete for the specified longer 3559
term, the chief may grant a permit for the longer term. A 3560
successor in interest to a permittee who applies for a new 3561
permit within thirty days after succeeding to the interest and 3562
who is able to obtain the performance security of the original 3563
permittee may continue coal mining and reclamation operations 3564
according to the approved mining and reclamation plan of the 3565
original permittee until the successor's application is granted 3566
or denied. 3567

(3) A permit shall terminate if the permittee has not 3568
commenced the coal mining operations covered by the permit 3569
within three years after the issuance of the permit, except that 3570
the chief may grant reasonable extensions of the time upon a 3571
showing that the extensions are necessary by reason of 3572
litigation precluding the commencement or threatening 3573
substantial economic loss to the permittee or by reason of 3574
conditions beyond the control and without the fault or 3575
negligence of the permittee, and except that with respect to 3576
coal to be mined for use in a synthetic fuel facility or 3577
specified major electric generating facility, the permittee 3578
shall be deemed to have commenced coal mining operations at the 3579
time construction of the synthetic fuel or generating facility 3580
is initiated. 3581

(4) (a) Any permit issued pursuant to this chapter shall 3582
carry with it the right of successive renewal upon expiration 3583
with respect to areas within the boundaries of the permit. The 3584
holders of the permit may apply for renewal and the renewal 3585
shall be issued unless the chief determines by written findings, 3586

subsequent to fulfillment of the public notice requirements of 3587
this section and section 1513.071 of the Revised Code through 3588
demonstrations by opponents of renewal or otherwise, that one or 3589
more of the following circumstances exists: 3590

(i) The terms and conditions of the existing permit are 3591
not being satisfactorily met. 3592

(ii) The present coal mining and reclamation operation is 3593
not in compliance with the environmental protection standards of 3594
this chapter. 3595

(iii) The renewal requested substantially jeopardizes the 3596
operator's continuing responsibilities on existing permit areas. 3597

(iv) The applicant has not provided evidence that the 3598
performance security in effect for the operation will continue 3599
in effect for any renewal requested in the application. 3600

(v) Any additional, revised, or updated information 3601
required by the chief has not been provided. Prior to the 3602
approval of any renewal of a permit, the chief shall provide 3603
notice to the appropriate public authorities as prescribed by 3604
rule of the chief. 3605

(b) If an application for renewal of a valid permit 3606
includes a proposal to extend the mining operation beyond the 3607
boundaries authorized in the existing permit, the portion of the 3608
application for renewal of a valid permit that addresses any new 3609
land areas shall be subject to the full standards applicable to 3610
new applications under this chapter. 3611

(c) A permit renewal shall be for a term not to exceed the 3612
period of the original permit established by this chapter. 3613
Application for permit renewal shall be made at least one 3614
hundred twenty days prior to the expiration of the valid permit. 3615

(5) A permit issued pursuant to this chapter does not 3616
eliminate the requirements for obtaining a permit to install or 3617
modify a disposal system or any part thereof or to discharge 3618
sewage, industrial waste, or other wastes into the waters of the 3619
state in accordance with Chapter 6111. of the Revised Code. 3620

(B) (1) The permit application shall be submitted in a 3621
manner satisfactory to the chief and shall contain, among other 3622
things, all of the following: 3623

(a) The names and addresses of all of the following: 3624

(i) The permit applicant; 3625

(ii) Every legal owner of record of the property, surface 3626
and mineral, to be mined; 3627

(iii) The holders of record of any leasehold interest in 3628
the property; 3629

(iv) Any purchaser of record of the property under a real 3630
estate contract; 3631

(v) The operator if different from the applicant; 3632

(vi) If any of these are business entities other than a 3633
single proprietor, the names and addresses of the principals, 3634
officers, and statutory agent for service of process. 3635

(b) The names and addresses of the owners of record of all 3636
surface and subsurface areas adjacent to any part of the permit 3637
area; 3638

(c) A statement of any current or previous coal mining 3639
permits in the United States held by the applicant, the permit 3640
identification, and any pending applications; 3641

(d) If the applicant is a partnership, corporation, 3642

association, or other business entity, the following where 3643
applicable: the names and addresses of every officer, partner, 3644
director, or person performing a function similar to a director, 3645
of the applicant, the name and address of any person owning, of 3646
record, ten per cent or more of any class of voting stock of the 3647
applicant, a list of all names under which the applicant, 3648
partner, or principal shareholder previously operated a coal 3649
mining operation within the United States within the five-year 3650
period preceding the date of submission of the application, and 3651
a list of the person or persons primarily responsible for 3652
ensuring that the applicant complies with the requirements of 3653
this chapter and rules adopted pursuant thereto while mining and 3654
reclaiming under the permit; 3655

(e) A statement of whether the applicant, any subsidiary, 3656
affiliate, or persons controlled by or under common control with 3657
the applicant, any partner if the applicant is a partnership, 3658
any officer, principal shareholder, or director if the applicant 3659
is a corporation, or any other person who has a right to control 3660
or in fact controls the management of the applicant or the 3661
selection of officers, directors, or managers of the applicant: 3662

(i) Has ever held a federal or state coal mining permit 3663
that in the five-year period prior to the date of submission of 3664
the application has been suspended or revoked or has had a coal 3665
mining bond, performance security, or similar security deposited 3666
in lieu of bond forfeited and, if so, a brief explanation of the 3667
facts involved; 3668

(ii) Has been an officer, partner, director, principal 3669
shareholder, or person having the right to control or has in 3670
fact controlled the management of or the selection of officers, 3671
directors, or managers of a business entity that has had a coal 3672

mining or surface mining permit that in the five-year period 3673
prior to the date of submission of the application has been 3674
suspended or revoked or has had a coal mining or surface mining 3675
bond, performance security, or similar security deposited in 3676
lieu of bond forfeited and, if so, a brief explanation of the 3677
facts involved. 3678

(f) A copy of the applicant's advertisement to be 3679
published in a newspaper of general circulation in the locality 3680
of the proposed site at least once a week for four successive 3681
weeks, which shall include the ownership of the proposed mine, a 3682
description of the exact location and boundaries of the proposed 3683
site sufficient to make the proposed operation readily 3684
identifiable by local residents, and the location where the 3685
application is available for public inspection; 3686

(g) A description of the type and method of coal mining 3687
operation that exists or is proposed, the engineering techniques 3688
proposed or used, and the equipment used or proposed to be used; 3689

(h) The anticipated or actual starting and termination 3690
dates of each phase of the mining operation and number of acres 3691
of land to be affected; 3692

(i) An accurate map or plan, to an appropriate scale, 3693
clearly showing the land to be affected, the land upon which the 3694
applicant has the legal right to enter and commence coal mining 3695
operations, and the land for which the applicant will acquire 3696
the legal right to enter and commence coal mining operations 3697
during the term of the permit, copies of those documents upon 3698
which is based the applicant's legal right to enter and commence 3699
coal mining operations or a notarized statement describing the 3700
applicant's legal right to enter and commence coal mining 3701
operations, and a statement whether that right is the subject of 3702

pending litigation. This chapter does not authorize the chief to adjudicate property title disputes.

(j) The name of the watershed and location of the surface stream or tributary into which drainage from the operation will be discharged;

(k) A determination of the probable hydrologic consequences of the mining and reclamation operations, both on and off the mine site, with respect to the hydrologic regime, providing information on the quantity and quality of water in surface and ground water systems including the dissolved and suspended solids under seasonal flow conditions and the collection of sufficient data for the mine site and surrounding areas so that an assessment can be made by the chief of the probable cumulative impacts of all anticipated mining in the area upon the hydrology of the area and particularly upon water availability, but this determination shall not be required until hydrologic information of the general area prior to mining is made available from an appropriate federal or state agency; however, the permit shall not be approved until the information is available and is incorporated into the application;

(l) When requested by the chief, the climatological factors that are peculiar to the locality of the land to be affected, including the average seasonal precipitation, the average direction and velocity of prevailing winds, and the seasonal temperature ranges;

(m) Accurate maps prepared by or under the direction of and certified by a qualified registered professional engineer, registered surveyor, or licensed landscape architect to an appropriate scale clearly showing all types of information set forth on topographical maps of the United States geological

survey of a scale of not more than four hundred feet to the 3733
inch, including all artificial features and significant known 3734
archeological sites. The map, among other things specified by 3735
the chief, shall show all boundaries of the land to be affected, 3736
the boundary lines and names of present owners of record of all 3737
surface areas abutting the permit area, and the location of all 3738
buildings within one thousand feet of the permit area. 3739

(n) (i) Cross-section maps or plans of the land to be 3740
affected including the actual area to be mined, prepared by or 3741
under the direction of and certified by a qualified registered 3742
professional engineer or certified professional geologist with 3743
assistance from experts in related fields such as hydrology, 3744
hydrogeology, geology, and landscape architecture, showing 3745
pertinent elevations and locations of test borings or core 3746
samplings and depicting the following information: the nature 3747
and depth of the various strata of overburden; the nature and 3748
thickness of any coal or rider seam above the coal seam to be 3749
mined; the nature of the stratum immediately beneath the coal 3750
seam to be mined; all mineral crop lines and the strike and dip 3751
of the coal to be mined within the area to be affected; existing 3752
or previous coal mining limits; the location and extent of known 3753
workings of any underground mines, including mine openings to 3754
the surface; the location of spoil, waste, or refuse areas and 3755
topsoil preservation areas; the location of all impoundments for 3756
waste or erosion control; any settling or water treatment 3757
facility; constructed or natural drainways and the location of 3758
any discharges to any surface body of water on the land to be 3759
affected or adjacent thereto; profiles at appropriate cross 3760
sections of the anticipated final surface configuration that 3761
will be achieved pursuant to the operator's proposed reclamation 3762
plan; the location of subsurface water, if encountered; the 3763

location and quality of aquifers; and the estimated elevation of 3764
the water table. Registered surveyors shall be allowed to 3765
perform all plans, maps, and certifications under this chapter 3766
as they are authorized under Chapter 4733. of the Revised Code. 3767

(ii) A statement of the quality and locations of 3768
subsurface water. The chief shall provide by rule the number of 3769
locations to be sampled, frequency of collection, and parameters 3770
to be analyzed to obtain the statement required. 3771

(o) A statement of the results of test borings or core 3772
samplings from the permit area, including logs of the drill 3773
holes, the thickness of the coal seam found, an analysis of the 3774
chemical properties of the coal, the sulfur content of any coal 3775
seam, chemical analysis of potentially acid or toxic forming 3776
sections of the overburden, and chemical analysis of the stratum 3777
lying immediately underneath the coal to be mined, except that 3778
this division may be waived by the chief with respect to the 3779
specific application by a written determination that its 3780
requirements are unnecessary. If the test borings or core 3781
samplings from the permit area indicate the existence of 3782
potentially acid forming or toxic forming quantities of sulfur 3783
in the coal or overburden to be disturbed by mining, the 3784
application also shall include a statement of the acid 3785
generating potential and the acid neutralizing potential of the 3786
rock strata to be disturbed as calculated in accordance with the 3787
calculation method established under section 1513.075 of the 3788
Revised Code or with another calculation method. 3789

(p) For those lands in the permit application that a 3790
reconnaissance inspection suggests may be prime farmlands, a 3791
soil survey shall be made or obtained according to standards 3792
established by the secretary of the United States department of 3793

agriculture in order to confirm the exact location of the prime 3794
farmlands, if any; 3795

(q) A certificate issued by an insurance company 3796
authorized to do business in this state certifying that the 3797
applicant has a public liability insurance policy in force for 3798
the coal mining and reclamation operations for which the permit 3799
is sought or evidence that the applicant has satisfied other 3800
state self-insurance requirements. The policy shall provide for 3801
personal injury and property damage protection in an amount 3802
adequate to compensate any persons damaged as a result of coal 3803
mining and reclamation operations, including the use of 3804
explosives, and entitled to compensation under the applicable 3805
provisions of state law. The policy shall be maintained in 3806
effect during the term of the permit or any renewal, including 3807
the length of all reclamation operations. The insurance company 3808
shall give prompt notice to the permittee and the chief if the 3809
public liability insurance policy lapses for any reason 3810
including the nonpayment of insurance premiums. Upon the lapse 3811
of the policy, the chief may suspend the permit and all other 3812
outstanding permits until proper insurance coverage is obtained. 3813

(r) The business telephone number of the applicant; 3814

(s) If the applicant seeks an authorization under division 3815
(E) (7) of this section to conduct coal mining and reclamation 3816
operations on areas to be covered by the permit that were 3817
affected by coal mining operations before August 3, 1977, that 3818
have resulted in continuing water pollution from or on the 3819
previously mined areas, such additional information pertaining 3820
to those previously mined areas as may be required by the chief, 3821
including, without limitation, maps, plans, cross sections, data 3822
necessary to determine existing water quality from or on those 3823

areas with respect to pH, iron, and manganese, and a pollution abatement plan that may improve water quality from or on those areas with respect to pH, iron, and manganese. 3824
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(2) Information pertaining to coal seams, test borings, core samplings, or soil samples as required by this section shall be made available by the chief to any person with an interest that is or may be adversely affected, except that information that pertains only to the analysis of the chemical and physical properties of the coal, excluding information regarding mineral or elemental content that is potentially toxic in the environment, shall be kept confidential and not made a matter of public record. 3827
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(3) (a) If the chief finds that the probable total annual production at all locations of any operator will not exceed three hundred thousand tons, the following activities, upon the written request of the operator in connection with a permit application, shall be performed by a qualified public or private laboratory or another public or private qualified entity designated by the chief, and the cost of the activities shall be assumed by the chief, provided that sufficient moneys for such assistance are available: 3836
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(i) The determination of probable hydrologic consequences required under division (B) (1) (k) of this section; 3845
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(ii) The development of cross-section maps and plans required under division (B) (1) (n) (i) of this section; 3847
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(iii) The geologic drilling and statement of results of test borings and core samplings required under division (B) (1) (o) of this section; 3849
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(iv) The collection of archaeological information required 3852

under division (B) (1) (m) of this section and any other 3853
archaeological and historical information required by the chief, 3854
and the preparation of plans necessitated thereby; 3855

(v) Pre-blast surveys required under division ~~(E)~~ (B) (5) 3856
of section 1513.161 of the Revised Code; 3857

(vi) The collection of site-specific resource information 3858
and production of protection and enhancement plans for fish and 3859
wildlife habitats and other environmental values required by the 3860
chief under this chapter. 3861

(b) A coal operator that has received assistance under 3862
division (B) (3) (a) of this section shall reimburse the chief for 3863
the cost of the services rendered if the chief finds that the 3864
operator's actual and attributed annual production of coal for 3865
all locations exceeds three hundred thousand tons during the 3866
twelve months immediately following the date on which the 3867
operator was issued a coal mining and reclamation permit. 3868

(4) Each applicant for a permit shall submit to the chief 3869
as part of the permit application a reclamation plan that meets 3870
the requirements of this chapter. 3871

(5) Each applicant for a coal mining and reclamation 3872
permit shall file a copy of the application for a permit, 3873
excluding that information pertaining to the coal seam itself, 3874
for public inspection with the county recorder or an appropriate 3875
public office approved by the chief in the county where the 3876
mining is proposed to occur. 3877

(6) Each applicant for a coal mining and reclamation 3878
permit shall submit to the chief as part of the permit 3879
application a blasting plan that describes the procedures and 3880
standards by which the operator will comply with section 3881

1513.161 of the Revised Code.	3882
(C) Each reclamation plan submitted as part of a permit application shall include, in the detail necessary to demonstrate that reclamation required by this chapter can be accomplished and in the detail necessary for the chief to determine the estimated cost of reclamation if the reclamation has to be performed by the division of mineral resources management in the event of forfeiture of the performance security by the applicant, a statement of:	3883
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(1) The identification of the lands subject to coal mining operations over the estimated life of those operations and the size, sequence, and timing of the subareas for which it is anticipated that individual permits for mining will be sought;	3891
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(2) The condition of the land to be covered by the permit prior to any mining, including all of the following:	3895
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(a) The uses existing at the time of the application and, if the land has a history of previous mining, the uses that preceded any mining;	3897
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(b) The capability of the land prior to any mining to support a variety of uses, giving consideration to soil and foundation characteristics, topography, and vegetative cover and, if applicable, a soil survey prepared pursuant to division (B) (1) (p) of this section;	3900
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(c) The productivity of the land prior to mining, including appropriate classification as prime farmlands as well as the average yield of food, fiber, forage, or wood products obtained from the land under high levels of management.	3905
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(3) The use that is proposed to be made of the land following reclamation, including information regarding the	3909
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utility and capacity of the reclaimed land to support a variety 3911
of alternative uses, the relationship of the proposed use to 3912
existing land use policies and plans, and the comments of any 3913
owner of the land and state and local governments or agencies 3914
thereof that would have to initiate, implement, approve, or 3915
authorize the proposed use of the land following reclamation; 3916

(4) A detailed description of how the proposed postmining 3917
land use is to be achieved and the necessary support activities 3918
that may be needed to achieve the proposed land use; 3919

(5) The engineering techniques proposed to be used in 3920
mining and reclamation and a description of the major equipment; 3921
a plan for the control of surface water drainage and of water 3922
accumulation; a plan, where appropriate, for backfilling, soil 3923
stabilization, and compacting, grading, and appropriate 3924
revegetation; a plan for soil reconstruction, replacement, and 3925
stabilization, pursuant to the performance standards in section 3926
1513.16 of the Revised Code, for those food, forage, and forest 3927
lands identified in that section; and a statement as to how the 3928
permittee plans to comply with each of the requirements set out 3929
in section 1513.16 of the Revised Code; 3930

(6) A description of the means by which the utilization 3931
and conservation of the solid fuel resource being recovered will 3932
be maximized so that re-affecting the land in the future can be 3933
minimized; 3934

(7) A detailed estimated timetable for the accomplishment 3935
of each major step in the reclamation plan; 3936

(8) A description of the degree to which the coal mining 3937
and reclamation operations are consistent with surface owner 3938
plans and applicable state and local land use plans and 3939

programs;	3940
(9) The steps to be taken to comply with applicable air	3941
and water quality laws and regulations and any applicable health	3942
and safety standards;	3943
(10) A description of the degree to which the reclamation	3944
plan is consistent with local physical, environmental, and	3945
climatological conditions;	3946
(11) A description of all lands, interests in lands, or	3947
options on such interests held by the applicant or pending bids	3948
on interests in lands by the applicant, which lands are	3949
contiguous to the area to be covered by the permit;	3950
(12) The results of test borings that the applicant has	3951
made at the area to be covered by the permit, or other	3952
equivalent information and data in a form satisfactory to the	3953
chief, including the location of subsurface water, and an	3954
analysis of the chemical properties, including acid forming	3955
properties of the mineral and overburden; except that	3956
information that pertains only to the analysis of the chemical	3957
and physical properties of the coal, excluding information	3958
regarding mineral or elemental contents that are potentially	3959
toxic in the environment, shall be kept confidential and not	3960
made a matter of public record;	3961
(13) A detailed description of the measures to be taken	3962
during the mining and reclamation process to ensure the	3963
protection of all of the following:	3964
(a) The quality of surface and ground water systems, both	3965
on- and off-site, from adverse effects of the mining and	3966
reclamation process;	3967
(b) The rights of present users to such water;	3968

(c) The quantity of surface and ground water systems, both 3969
on- and off-site, from adverse effects of the mining and 3970
reclamation process or, where such protection of quantity cannot 3971
be assured, provision of alternative sources of water. 3972

(14) Any other requirements the chief prescribes by rule. 3973

(D) (1) Any information required by division (C) of this 3974
section that is not on public file pursuant to this chapter 3975
shall be held in confidence by the chief. 3976

(2) With regard to requests for an exemption from the 3977
requirements of this chapter for coal extraction incidental to 3978
the extraction of other minerals, as described in division (H) 3979
(1) (a) of section 1513.01 of the Revised Code, confidential 3980
information includes and is limited to information concerning 3981
trade secrets or privileged commercial or financial information 3982
relating to the competitive rights of the persons intending to 3983
conduct the extraction of minerals. 3984

(E) (1) Upon the basis of a complete mining application and 3985
reclamation plan or a revision or renewal thereof, as required 3986
by this chapter, and information obtained as a result of public 3987
notification and public hearing, if any, as provided by section 3988
1513.071 of the Revised Code, the chief shall grant, require 3989
modification of, or deny the application for a permit and notify 3990
the applicant in writing in accordance with division (I) (3) of 3991
this section. An application is deemed to be complete as 3992
submitted to the chief unless the chief, within fourteen days of 3993
the submission, identifies deficiencies in the application in 3994
writing and subsequently submits a copy of a written list of 3995
deficiencies to the applicant. An application shall not be 3996
considered incomplete or denied by reason of right of entry 3997
documentation, provided that the applicant documents the 3998

applicant's legal right to enter and mine at least sixty-seven 3999
per cent of the total area for which coal mining operations are 4000
proposed. 4001

A decision of the chief denying a permit shall state in 4002
writing the specific reasons for the denial. 4003

The applicant for a permit or revision of a permit has the 4004
burden of establishing that the application is in compliance 4005
with all the requirements of this chapter. Within ten days after 4006
the granting of a permit, the chief shall notify the boards of 4007
township trustees and county commissioners, the mayor, and the 4008
legislative authority in the township, county, and municipal 4009
corporation in which the area of land to be affected is located 4010
that a permit has been issued and shall describe the location of 4011
the land. However, failure of the chief to notify the local 4012
officials shall not affect the status of the permit. 4013

(2) No permit application or application for revision of 4014
an existing permit shall be approved unless the application 4015
affirmatively demonstrates and the chief finds in writing on the 4016
basis of the information set forth in the application or from 4017
information otherwise available, which shall be documented in 4018
the approval and made available to the applicant, all of the 4019
following: 4020

(a) The application is accurate and complete and all the 4021
requirements of this chapter have been complied with. 4022

(b) The applicant has demonstrated that the reclamation 4023
required by this chapter can be accomplished under the 4024
reclamation plan contained in the application. 4025

(c) (i) Assessment of the probable cumulative impact of all 4026
anticipated mining in the general and adjacent area on the 4027

hydrologic balance specified in division (B) (1) (k) of this 4028
section has been made by the chief, and the proposed operation 4029
has been designed to prevent material damage to hydrologic 4030
balance outside the permit area. 4031

(ii) There shall be an ongoing process conducted by the 4032
chief in cooperation with other state and federal agencies to 4033
review all assessments of probable cumulative impact of coal 4034
mining in light of post-mining data and any other hydrologic 4035
information as it becomes available to determine if the 4036
assessments were realistic. The chief shall take appropriate 4037
action as indicated in the review process. 4038

(d) The area proposed to be mined is not included within 4039
an area designated unsuitable for coal mining pursuant to 4040
section 1513.073 of the Revised Code or is not within an area 4041
under study for such designation in an administrative proceeding 4042
commenced pursuant to division (A) (3) (c) or (B) of section 4043
1513.073 of the Revised Code unless in an area as to which an 4044
administrative proceeding has commenced pursuant to division (A) 4045
(3) (c) or (B) of section 1513.073 of the Revised Code, the 4046
operator making the permit application demonstrates that, prior 4047
to January 1, 1977, the operator made substantial legal and 4048
financial commitments in relation to the operation for which a 4049
permit is sought. 4050

(e) In cases where the private mineral estate has been 4051
severed from the private surface estate and surface disturbance 4052
will result from the applicant's proposed use of a strip mining 4053
method, the applicant has submitted to the chief one of the 4054
following: 4055

(i) The written consent of the surface owner to the 4056
surface disturbance that will result from the extraction of coal 4057

by the applicant's proposed strip mining method; 4058

(ii) A conveyance that expressly grants or reserves the 4059
right to extract the coal by strip mining methods that cause 4060
surface disturbance; 4061

(iii) If the conveyance does not expressly grant the right 4062
to extract coal by strip mining methods that cause surface 4063
disturbance, the surface-subsurface legal relationship 4064
concerning surface disturbance shall be determined under the law 4065
of this state. This chapter does not authorize the chief to 4066
adjudicate property rights disputes. 4067

(3) (a) The applicant shall file with the permit 4068
application a schedule listing all notices of violations of any 4069
law, rule, or regulation of the United States or of any 4070
department or agency thereof or of any state pertaining to air 4071
or water environmental protection incurred by the applicant in 4072
connection with any coal mining operation during the three-year 4073
period prior to the date of application. The schedule also shall 4074
indicate the final resolution of such a notice of violation. 4075
Upon receipt of an application, the chief shall provide a 4076
schedule listing all notices of violations of this chapter 4077
pertaining to air or water environmental protection incurred by 4078
the applicant during the three-year period prior to receipt of 4079
the application and the final resolution of all such notices of 4080
violation. The chief shall provide this schedule to the 4081
applicant for filing by the applicant with the application filed 4082
for public review, as required by division (B) (5) of this 4083
section. When the schedule or other information available to the 4084
chief indicates that any coal mining operation owned or 4085
controlled by the applicant is currently in violation of such 4086
laws, the permit shall not be issued until the applicant submits 4087

proof that the violation has been corrected or is in the process 4088
of being corrected to the satisfaction of the regulatory 4089
authority, department, or agency that has jurisdiction over the 4090
violation and that any civil penalties owed to the state for a 4091
violation and not the subject of an appeal have been paid. No 4092
permit shall be issued to an applicant after a finding by the 4093
chief that the applicant or the operator specified in the 4094
application controls or has controlled mining operations with a 4095
demonstrated pattern of willful violations of this chapter of a 4096
nature and duration to result in irreparable damage to the 4097
environment as to indicate an intent not to comply with or a 4098
disregard of this chapter. 4099

(b) For the purposes of division (E) (3) (a) of this 4100
section, any violation resulting from an unanticipated event or 4101
condition at a surface coal mining operation on lands eligible 4102
for remining under a permit held by the person submitting an 4103
application for a coal mining permit under this section shall 4104
not prevent issuance of that permit. As used in this division, 4105
"unanticipated event or condition" means an event or condition 4106
encountered in a remining operation that was not contemplated by 4107
the applicable surface coal mining and reclamation permit. 4108

(4) (a) In addition to finding the application in 4109
compliance with division (E) (2) of this section, if the area 4110
proposed to be mined contains prime farmland as determined 4111
pursuant to division (B) (1) (p) of this section, the chief, after 4112
consultation with the secretary of the United States department 4113
of agriculture and pursuant to regulations issued by the 4114
secretary of the interior with the concurrence of the secretary 4115
of agriculture, may grant a permit to mine on prime farmland if 4116
the chief finds in writing that the operator has the 4117
technological capability to restore the mined area, within a 4118

reasonable time, to equivalent or higher levels of yield as 4119
nonmined prime farmland in the surrounding area under equivalent 4120
levels of management and can meet the soil reconstruction 4121
standards in section 1513.16 of the Revised Code. 4122

(b) Division (E)(4)(a) of this section does not apply to a 4123
permit issued prior to August 3, 1977, or revisions or renewals 4124
thereof. 4125

(5) The chief shall issue an order denying a permit after 4126
finding that the applicant has misrepresented or omitted any 4127
material fact in the application for the permit. 4128

(6) The chief may issue an order denying a permit after 4129
finding that the applicant, any partner, if the applicant is a 4130
partnership, any officer, principal shareholder, or director, if 4131
the applicant is a corporation, or any other person who has a 4132
right to control or in fact controls the management of the 4133
applicant or the selection of officers, directors, or managers 4134
of the applicant has been a sole proprietor or partner, officer, 4135
director, principal shareholder, or person having the right to 4136
control or has in fact controlled the management of or the 4137
selection of officers, directors, or managers of a business 4138
entity that ever has had a coal mining license or permit issued 4139
by this or any other state or the United States suspended or 4140
revoked, ever has forfeited a coal or surface mining bond, 4141
performance security, or similar security deposited in lieu of 4142
bond in this or any other state or with the United States, or 4143
ever has substantially or materially failed to comply with this 4144
chapter. 4145

(7) When issuing a permit under this section, the chief 4146
may authorize an applicant to conduct coal mining and 4147
reclamation operations on areas to be covered by the permit that 4148

were affected by coal mining operations before August 3, 1977, 4149
that have resulted in continuing water pollution from or on the 4150
previously mined areas for the purpose of potentially reducing 4151
the pollution loadings of pH, iron, and manganese from 4152
discharges from or on the previously mined areas. Following the 4153
chief's authorization to conduct such operations on those areas, 4154
the areas shall be designated as pollution abatement areas for 4155
the purposes of this chapter. 4156

The chief shall not grant an authorization under division 4157
(E) (7) of this section to conduct coal mining and reclamation 4158
operations on any such previously mined areas unless the 4159
applicant demonstrates to the chief's satisfaction that all of 4160
the following conditions are met: 4161

(a) The applicant's pollution abatement plan for mining 4162
and reclaiming the previously mined areas represents the best 4163
available technology economically achievable. 4164

(b) Implementation of the plan will potentially reduce 4165
pollutant loadings of pH, iron, and manganese resulting from 4166
discharges of surface waters or ground water from or on the 4167
previously mined areas within the permit area. 4168

(c) Implementation of the plan will not cause any 4169
additional degradation of surface water quality off the permit 4170
area with respect to pH, iron, and manganese. 4171

(d) Implementation of the plan will not cause any 4172
additional degradation of ground water. 4173

(e) The plan meets the requirements governing mining and 4174
reclamation of such previously mined pollution abatement areas 4175
established by the chief in rules adopted under section 1513.02 4176
of the Revised Code. 4177

(f) Neither the applicant; any partner, if the applicant 4178
is a partnership; any officer, principal shareholder, or 4179
director, if the applicant is a corporation; any other person 4180
who has a right to control or in fact controls the management of 4181
the applicant or the selection of officers, directors, or 4182
managers of the applicant; nor any contractor or subcontractor 4183
of the applicant, has any of the following: 4184

(i) Responsibility or liability under this chapter or 4185
rules adopted under it as an operator for treating the 4186
discharges of water pollutants from or on the previously mined 4187
areas for which the authorization is sought; 4188

(ii) Any responsibility or liability under this chapter or 4189
rules adopted under it for reclaiming the previously mined areas 4190
for which the authorization is sought; 4191

(iii) During the eighteen months prior to submitting the 4192
permit application requesting an authorization under division 4193
(E) (7) of this section, had a coal mining and reclamation permit 4194
suspended or revoked under division (D) (3) of section 1513.02 of 4195
the Revised Code for violating this chapter or Chapter 6111. of 4196
the Revised Code or rules adopted under them with respect to 4197
water quality, effluent limitations, or surface or ground water 4198
monitoring; 4199

(iv) Ever forfeited a coal or surface mining bond, 4200
performance security, or similar security deposited in lieu of a 4201
bond in this or any other state or with the United States. 4202

(8) In the case of the issuance of a permit that involves 4203
a conflict of results between various methods of calculating 4204
potential acidity and neutralization potential for purposes of 4205
assessing the potential for acid mine drainage to occur at a 4206

mine site, the permit shall include provisions for monitoring 4207
and record keeping to identify the creation of unanticipated 4208
acid water at the mine site. If the monitoring detects the 4209
creation of acid water at the site, the permit shall impose on 4210
the permittee additional requirements regarding mining practices 4211
and site reclamation to prevent the discharge of acid mine 4212
drainage from the mine site. As used in division (E) (8) of this 4213
section, "potential acidity" and "neutralization potential" have 4214
the same meanings as in section 1513.075 of the Revised Code. 4215

(F) (1) During the term of the permit, the permittee may 4216
submit an application for a revision of the permit, together 4217
with a revised reclamation plan, to the chief. 4218

(2) An application for a revision of a permit shall not be 4219
approved unless the chief finds that reclamation required by 4220
this chapter can be accomplished under the revised reclamation 4221
plan. The revision shall be approved or disapproved within 4222
ninety days after receipt of a complete revision application. 4223
The chief shall establish, by rule, criteria for determining the 4224
extent to which all permit application information requirements 4225
and procedures, including notice and hearings, shall apply to 4226
the revision request, except that any revisions that propose 4227
significant alterations in the reclamation plan, at a minimum, 4228
shall be subject to notice and hearing requirements. 4229

(3) Any extensions to the area covered by the permit 4230
except incidental boundary revisions shall be made by 4231
application for a permit. 4232

(4) Documents or a notarized statement that form the basis 4233
of the applicant's legal right to enter and commence coal mining 4234
operations on land that is located within an area covered by the 4235
permit and that was legally acquired subsequent to the issuance 4236

of the permit for the area shall be submitted with an 4237
application for a revision of the permit. 4238

(G) No transfer, assignment, or sale of the rights granted 4239
under a permit issued pursuant to this chapter shall be made 4240
without the written approval of the chief. 4241

(H) The chief, within a time limit prescribed in the 4242
chief's rules, shall review outstanding permits and may require 4243
reasonable revision or modification of a permit. A revision or 4244
modification shall be based upon a written finding and subject 4245
to notice and hearing requirements established by rule of the 4246
chief. 4247

(I) (1) If an informal conference has been held pursuant to 4248
section 1513.071 of the Revised Code, the chief shall issue and 4249
furnish the applicant for a permit, persons who participated in 4250
the informal conference, and persons who filed written 4251
objections pursuant to division (B) of section 1513.071 of the 4252
Revised Code, with the written finding of the chief granting or 4253
denying the permit in whole or in part and stating the reasons 4254
therefor within sixty days of the conference, provided that the 4255
chief shall comply with the time frames established in division 4256
(I) (3) of this section. 4257

(2) If there has been no informal conference held pursuant 4258
to section 1513.071 of the Revised Code, the chief shall submit 4259
to the applicant for a permit the written finding of the chief 4260
granting or denying the permit in whole or in part and stating 4261
the reasons therefor within the time frames established in 4262
division (I) (3) of this section. 4263

(3) The chief shall grant or deny a permit not later than 4264
two hundred forty days after the submission of a complete 4265

application for the permit. Any time during which the applicant 4266
is making revisions to an application or providing additional 4267
information requested by the chief regarding an application 4268
shall not be included in the two hundred forty days. If the 4269
chief determines that a permit cannot be granted or denied 4270
within the two-hundred-forty-day time frame, the chief, not 4271
later than two hundred ten days after the submission of a 4272
complete application for the permit, shall provide the applicant 4273
with written notice of the expected delay. 4274

(4) If the application is approved, the permit shall be 4275
issued. However, the permit shall prohibit the commencement of 4276
coal mining operations on any land that is located within an 4277
area covered by the permit if the permittee has not provided to 4278
the chief documents that form the basis of the permittee's legal 4279
right to enter and conduct coal mining operations on that land. 4280
If the application is disapproved, specific reasons therefor 4281
shall be set forth in the notification. Within thirty days after 4282
the applicant is notified of the final decision of the chief on 4283
the permit application, the applicant or any person with an 4284
interest that is or may be adversely affected may appeal the 4285
decision to the reclamation commission pursuant to section 4286
1513.13 of the Revised Code. 4287

(5) Any applicant or any person with an interest that is 4288
or may be adversely affected who has participated in the 4289
administrative proceedings as an objector and is aggrieved by 4290
the decision of the reclamation commission, or if the commission 4291
fails to act within the time limits specified in this chapter, 4292
may appeal in accordance with section 1513.14 of the Revised 4293
Code. 4294

Sec. 1513.161. (A) An operator shall use explosives only 4295

in accordance with Chapter 1567. of the Revised Code and rules 4296
adopted pursuant thereto by the chief of the division of mineral 4297
resources management, and in accordance with this section and 4298
rules adopted pursuant thereto by the chief, and in accordance 4299
with all applicable federal laws and regulations. If, in any 4300
situation involving a coal mining operation, except when 4301
underground coal mining is part or all of the coal mining 4302
operation, a rule adopted pursuant to Chapter 1567. of the 4303
Revised Code is in conflict with a rule adopted pursuant to this 4304
section, the rule adopted pursuant to this section prevails. 4305
When underground coal mining is part or all of the coal mining 4306
operation, the rule adopted pursuant to Chapter 1567. of the 4307
Revised Code prevails. 4308

Before an explosive is set off, sufficient warning shall 4309
be given to allow any person in or approaching the area ample 4310
time to retreat a safe distance. 4311

No blasting shall be done between the hours of sunset and 4312
sunrise. 4313

(B) The chief shall adopt rules to: 4314

~~(A)~~ (1) Provide adequate advance written notice to local 4315
governments and residents who might be affected by the use of 4316
explosives by publication of the planned blasting schedule in a 4317
newspaper of general circulation in the locality of the coal 4318
mining operation, by mailing a copy of the proposed blasting 4319
schedule to every resident living within one-half mile of the 4320
proposed blasting site, and by providing daily notice to 4321
residents or occupants in such areas prior to any blasting; 4322

~~(B)~~ (2) Maintain for a period of at least three years and 4323
make available for public inspection upon request a log 4324

detailing the location of the blasts, the pattern and depth of 4325
the drill holes, the amount of explosives used per hole, and the 4326
order and length of delay in the blasts; 4327

~~(C)~~ (3) Limit the type of explosives and detonating 4328
equipment, the size, and the timing and frequency of blasts 4329
based upon the physical conditions of the site so as to prevent: 4330

~~(1)~~ (a) Injury to persons; 4331

~~(2)~~ (b) Damage to public and private property outside the 4332
permit area; 4333

~~(3)~~ (c) Adverse impacts on any underground mine; 4334

~~(4)~~ (d) Change in the course, channel, or availability of 4335
ground or surface water outside the permit area. 4336

~~(D)~~ (4) Require that all blasting operations be conducted 4337
by trained and competent persons as certified by the chief; 4338

~~(E)~~ (5) Provide that upon the request of a resident or 4339
owner of an artificial dwelling or structure or water supply 4340
within one-half mile of any portion of the permit area, the 4341
applicant or permittee shall conduct a preblasting survey of the 4342
structures or water supply and submit the survey to the chief 4343
and a copy to the resident or owner making the request. The area 4344
of the survey shall be decided by the chief and shall include 4345
such provisions as the chief prescribes. 4346

~~(F)~~ Require (6) Except as provided in division (C) of this 4347
section, require the training, examination, and certification of 4348
persons engaging in or directly responsible for blasting or use 4349
of explosives in coal mining operations. 4350

(C) The chief shall issue a certificate for blasting or 4351
use of explosives in coal mining operations in accordance with 4352

Chapter 4796. of the Revised Code to an applicant if either of 4353
the following applies: 4354

(1) The applicant holds a license or certificate in 4355
another state. 4356

(2) The applicant has satisfactory work experience, a 4357
government certification, or a private certification as 4358
described in that chapter as a blaster or user of explosives in 4359
coal mining operations in a state that does not issue that 4360
license or certificate. 4361

(D) The chief, by rule or order, may prohibit blasting in 4362
specific areas where the safety of the public would be 4363
endangered. 4364

(E) No person shall use explosives in violation of this 4365
section, a rule adopted thereunder, or an order of the chief. 4366

Sec. 1514.12. (A) Explosives shall be used in a manner 4367
that prevents injury to persons and damage to public or private 4368
property that is located outside the area for which a permit was 4369
issued under section 1514.02 or 1514.021 of the Revised Code. 4370

(B) The ground vibration resulting from the use of 4371
explosives when measured at any dwelling, public or commercial 4372
building, school, church, or community or institutional building 4373
that is located outside the area for which a permit was issued 4374
under section 1514.02 or 1514.021 of the Revised Code and that 4375
is not owned by the operator shall not exceed the frequency- 4376
dependent particle velocity limits listed in the "report of 4377
investigations 8507, appendix B -- alternative blasting level 4378
criteria, (1980)," published by the former United States bureau 4379
of mines, or other limits established by rule. 4380

(C) The airblast resulting from the use of explosives when 4381

measured with a two hertz high-pass system at any location 4382
listed in division (B) of this section shall not exceed a level 4383
of one hundred thirty-three decibels. 4384

(D) On and after July 1, 2003, all blasting in surface 4385
mining shall be conducted by persons who are trained and 4386
competent in blasting as certified by the chief of the division 4387
of mineral resources management or a certifying authority 4388
approved by the chief. 4389

(E) ~~The~~ Except as provided in division (G) of this 4390
section, the chief shall adopt, and may amend and rescind, rules 4391
in accordance with Chapter 119. of the Revised Code establishing 4392
requirements and standards governing all of the following: 4393

(1) Seismographic monitoring and alternate methods to 4394
prove compliance with the ground vibration limits established 4395
under division (B) of this section and the airblast limits 4396
established under division (C) of this section; 4397

(2) Protection of any building or structure not listed in 4398
division (B) of this section; 4399

(3) Training, examination, and certification of persons 4400
conducting blasting in surface mining and suspension or 4401
revocation of certifications; 4402

(4) Standard blast warning and all-clear signals; 4403

(5) Blasting records and flyrock reporting requirements; 4404

(6) Safety measures for blasting in surface mining. 4405

(F) The chief may adopt rules under this section that 4406
establish limits on the amount of ground vibration resulting 4407
from the use of explosives that is permissible when measured at 4408
the locations described in division (B) of this section. 4409

(G) The chief shall issue a certificate to conduct 4410
blasting in surface mining in accordance with Chapter 4796. of 4411
the Revised Code to any person if either of the following 4412
applies: 4413

(1) The person holds a license or certificate in another 4414
state. 4415

(2) The person has satisfactory work experience, a 4416
government certification, or a private certification as 4417
described in that chapter as a surface mining blaster in a state 4418
that does not issue that license or certificate. 4419

Sec. 1514.47. (A) (1) The operator of a surface mining 4420
operation shall employ a certified mine foreperson to be in 4421
charge of the conditions and practices at the mine and to be 4422
responsible for conducting examinations of the surface mining 4423
operation under 30 C.F.R. part 56, as amended. 4424

(2) Examinations of surface mining operations for the 4425
purposes of 30 C.F.R. part 56, as amended, shall be conducted by 4426
one of the following: 4427

~~(i)~~ (a) A certified mine foreperson; 4428

~~(ii)~~ (b) A person who is qualified to conduct such 4429
examinations as provided in division (D) of this section; 4430

~~(iii)~~ (c) A person designated by the certified mine 4431
foreperson as a competent person. 4432

(3) For purposes of this section, a competent person is a 4433
person who has been trained in accordance with 30 C.F.R. part 46 4434
and been determined by a certified mine foreperson to have 4435
demonstrated the ability, training, knowledge, or experience 4436
necessary to perform the duty to which the person is assigned. A 4437

person is not a competent person if the chief of the division of 4438
mineral resources management demonstrates, with good cause, that 4439
the person does not have the ability, training, knowledge, or 4440
experience necessary to perform that duty. 4441

(4) The operator of a surface mining operation shall 4442
maintain records demonstrating that a competent person 4443
designated by a certified mine foreperson has the ability, 4444
training, knowledge, or experience to perform the duty to which 4445
the person is assigned as well as records of the competent 4446
person's training in accordance with 30 C.F.R. part 46. The 4447
operator shall make the records available to the chief upon 4448
request. 4449

(B) ~~The~~ Except as provided in division (E) of this 4450
section, the chief shall conduct examinations for the position 4451
of certified mine foreperson in accordance with rules. In order 4452
to be eligible for examination as a certified mine foreperson, 4453
an applicant shall file with the chief an affidavit establishing 4454
the applicant's qualifications to take the examination. The 4455
chief shall grade examinations and issue certificates. 4456

(C) (1) A certificate issued under this section shall not 4457
expire unless the certificate holder has not been employed in a 4458
surface mining operation for five consecutive years. If the 4459
certificate holder has not been employed in a surface mining 4460
operation for five consecutive years, the certificate holder may 4461
retake the mine foreperson examination or may petition the chief 4462
to accept past employment history in lieu of fulfilling the 4463
employment requirement established in this division. The chief 4464
shall grant or deny the petition by issuance of an order. If the 4465
chief grants the petition, the chief shall reissue the 4466
certificate. 4467

(2) If a certificate issued under this section is 4468
suspended, the certificate shall not be renewed until the 4469
suspension period expires and the person whose certificate is 4470
suspended successfully completes all actions required by the 4471
chief. ~~If an applicant's license, certificate, or similar~~ 4472
~~authority that is issued by another state to perform specified~~ 4473
~~mining duties is suspended or revoked by that state, the~~ 4474
~~applicant shall be ineligible for examination for or renewal of~~ 4475
~~a certificate in this state during that period of suspension or~~ 4476
~~revocation.~~ A certificate that has been revoked shall not be 4477
renewed. 4478

(3) If a person who has been certified by the chief under 4479
this section purposely violates this chapter, the chief may 4480
suspend or revoke the certificate after an investigation and 4481
hearing conducted in accordance with Chapter 119. of the Revised 4482
Code are completed. 4483

(4) If a person holds a certificate issued under this 4484
section that has not expired prior to ~~the effective date of this~~ 4485
~~amendment September 29, 2015~~, the chief, upon request, shall 4486
reissue to that person a certificate that does not expire as 4487
provided in division (C) (1) of this section. 4488

(5) If a person holds a certificate issued under this 4489
section that expired on or after April 7, 2012, and has not been 4490
issued a new certificate prior to ~~the effective date of this~~ 4491
~~amendment September 29, 2015~~, the chief, upon request, shall 4492
issue to that person a certificate that does not expire as 4493
provided in division (C) (1) of this section, provided that the 4494
person is in compliance with all other applicable requirements 4495
established in this chapter and rules adopted under it. 4496

(D) In lieu of employing a certified mine foreperson, the 4497

operator of a surface mining operation may submit to the chief a 4498
detailed training plan under which persons who qualify under the 4499
plan may conduct and document examinations at the surface mining 4500
operation for purposes of 30 C.F.R. part 56, as amended. The 4501
chief shall review the plan and determine if the plan complies 4502
with the requirements established in rules. The chief shall 4503
approve or deny the plan and notify in writing the operator who 4504
submitted the plan of the chief's decision. 4505

(E) The chief shall issue a mine foreperson certificate in 4506
accordance with Chapter 4796. of the Revised Code to any person 4507
if either of the following applies: 4508

(1) The person holds a license or certificate in another 4509
state. 4510

(2) The person has satisfactory work experience, a 4511
government certification, or a private certification as 4512
described in that chapter as a mine foreperson in a state that 4513
does not issue that license or certificate. 4514

Sec. 1531.40. (A) As used in this section: 4515

(1) "Nuisance wild animal" means a wild animal that 4516
interferes with the use or enjoyment of property, is causing a 4517
threat to public safety, or may cause damage or harm to a 4518
structure, property, or person. 4519

(2) "Commercial nuisance wild animal control operator" 4520
means an individual or business that provides nuisance wild 4521
animal removal or control services for hire to the owner, the 4522
operator, or the owner's or operator's authorized agent of 4523
property or a structure. 4524

(B) (1) No person shall provide nuisance wild animal 4525
removal or control services for hire without obtaining a license 4526

under this section from the chief of the division of wildlife. 4527

(2) An applicant shall pay a license fee of forty dollars 4528
for the license. The license shall be renewed annually prior to 4529
the first day of March and shall expire on the last day of 4530
February. All money collected under this division shall be 4531
deposited in the state treasury to the credit of the wildlife 4532
fund created in section 1531.17 of the Revised Code. 4533

(3) An individual who is providing nuisance wild animal 4534
removal or control services for hire under a license issued 4535
under this section is exempt from obtaining a hunting license 4536
under section 1533.10 of the Revised Code, a fur taker permit 4537
under section 1533.111 of the Revised Code, or a fishing license 4538
under section 1533.32 of the Revised Code for the purposes of 4539
performing those services. 4540

(4) An individual who is employed by the state, a county, 4541
or a municipal corporation and who performs nuisance wild animal 4542
removal or control services on land that is owned by the state, 4543
county, or municipal corporation, as applicable, as part of the 4544
individual's employment is exempt from obtaining a license under 4545
this section. 4546

(C) (1) Unless otherwise specified by division rule, a 4547
commercial nuisance wild animal control operator and any 4548
individual who is employed by an operator that is engaged in 4549
activities that are part of or related to the removal or control 4550
of nuisance wild animals, including setting or maintaining 4551
traps, shall obtain a certification of completion of a course of 4552
instruction that complies with rules adopted under division (F) 4553
of this section. A certification shall be renewed every three 4554
years. 4555

(2) ~~An Except as provided in division (H) of this section,~~ 4556
an individual who provides nuisance wild animal removal or 4557
control services under a license issued under this section shall 4558
comply with division (C) (1) of this section. 4559

(D) An operator that holds a license issued under this 4560
section is responsible for the acts of each of the operator's 4561
employees in the removal or control of a nuisance wild animal. 4562

(E) If an individual who is licensed under this section 4563
uses a pesticide in the removal or control of a nuisance wild 4564
animal, the individual shall obtain the appropriate license 4565
under Chapter 921. of the Revised Code. 4566

(F) ~~The Except as provided in division (H) of this~~ 4567
section, the chief shall adopt rules under section 1531.10 of 4568
the Revised Code establishing all of the following: 4569

(1) Appropriate methods for trapping, capturing, removing, 4570
relocating, and controlling nuisance wild animals by operators 4571
licensed under this section; 4572

(2) Procedures for issuing, denying, suspending, and 4573
revoking a license under this section; 4574

(3) Requirements governing the certification course 4575
required by division (C) (1) of this section. The rules shall 4576
specify the minimum contents of such a course, including public 4577
safety and health, animal life history, the use of nuisance wild 4578
animal removal and control devices, and the laws and rules 4579
governing those activities. The rules also shall specify who may 4580
conduct such a course. The rules shall require that, in order 4581
for an operator to receive a certification of completion, the 4582
operator shall pass an examination. 4583

(4) Any other requirements and procedures necessary to 4584

administer and enforce this section. 4585

Rules shall be adopted under division (F) of this section 4586
only with the approval of the director of natural resources. 4587

(G) In accordance with Chapter 119. of the Revised Code 4588
and with rules adopted under this section, the chief may suspend 4589
or revoke a license issued under this section if the chief finds 4590
that the holder of the license is violating or has violated this 4591
chapter, Chapter 1533. of the Revised Code, or rules adopted 4592
under those chapters. 4593

(H) The chief shall issue a license to provide nuisance 4594
wild animal removal or control services in accordance with 4595
Chapter 4796. of the Revised Code to an applicant if either of 4596
the following applies: 4597

(1) The applicant holds a license in another state. 4598

(2) The applicant has satisfactory work experience, a 4599
government certification, or a private certification as 4600
described in that chapter as an individual who provides nuisance 4601
wild animal removal or control services in a state that does not 4602
issue that license. 4603

Sec. 1533.051. (A) The chief of the division of wildlife 4604
may authorize commercial and noncommercial propagation of 4605
raptors by rules adopted pursuant to section 1531.08 of the 4606
Revised Code. The rules shall be consistent with federal 4607
regulations governing raptor propagation. 4608

(B) No person shall propagate raptors without a permit to 4609
do so issued by the chief. The duration of the permit shall be 4610
consistent with applicable federal requirements. 4611

The fees for permits shall be set by the chief in amounts 4612

sufficient to cover the expenses of the division in exercising 4613
its authority under this section and may vary according to the 4614
type of permit. Moneys received from the sale of permits shall 4615
be paid into the state treasury to the credit of the fund 4616
established in section 1533.15 of the Revised Code. 4617

(C) The chief shall issue a commercial raptor propagation 4618
permit in accordance with Chapter 4796. of the Revised Code to 4619
an applicant if either of the following applies: 4620

(1) The applicant holds a license or permit in another 4621
state. 4622

(2) The applicant has satisfactory work experience, a 4623
government certification, or a private certification as 4624
described in that chapter as a person who propogates raptors in 4625
a state that does not issue that license or permit. 4626

(D) A permittee may use a raptor possessed for propagation 4627
in the sport of falconry only if the permittee is in compliance 4628
with section 1533.05 of the Revised Code and the raptor is 4629
reported under permits issued under both that section and this 4630
section. 4631

~~(D)~~ (E) This section does not apply to propagation of 4632
raptors by the state, any agency of the state, the United 4633
States, any agency or instrumentality thereof, or any zoological 4634
park. 4635

Sec. 1533.51. (A) No person shall be or serve as a fishing 4636
guide in the Lake Erie fishing district without a license from 4637
the chief of the division of wildlife. The application for a 4638
license, and the license, shall be in such form as the chief 4639
prescribes. 4640

(B) The chief, with the approval of the wildlife council, 4641

may establish the qualifications for such a license and the 4642
terms, conditions, and restrictions thereof. Such qualifications 4643
when applicable shall include that the applicant possesses a 4644
power boat operator's license from a department, agency, 4645
commission, or instrumentality of the United States. 4646

(C) The chief shall issue a fishing guide license in 4647
accordance with Chapter 4796. of the Revised Code to an 4648
applicant if either of the following applies: 4649

(1) The applicant holds a license in another state. 4650

(2) The applicant has satisfactory work experience, a 4651
government certification, or a private certification as 4652
described in that chapter as a fishing guide in a state that 4653
does not issue that license. 4654

(D) Fishing guide licenses shall expire each year on the 4655
fifteenth day of April. Such a license shall be carried ~~by on~~ 4656
the person or the person in command of the boat or person in 4657
charge, ~~upon his person,~~ when such service is being performed, 4658
and shall be exhibited upon demand to any wildlife officer or 4659
other law enforcement officer who has authority to enforce the 4660
wildlife, hunting, and fishing laws. 4661

(E) The license fee for a fishing guide license is fifty 4662
dollars per person. 4663

(F) The license fee for other services or devices, as 4664
approved by the chief, not mentioned in this section shall be an 4665
amount set by the chief with the approval of the wildlife 4666
council, not to exceed twenty-five dollars. 4667

(G) All license fees collected from fishing guides shall 4668
be deposited in the state treasury pursuant to section 1533.33 4669
of the Revised Code. 4670

(H) No person shall fail to comply with any provision of 4671
this section or division rule adopted pursuant to it. 4672

Sec. 1561.14. ~~A~~ (A) Except as provided in division (B) of 4673
this section, a person who applies for a certificate as a mine 4674
electrician shall be able to read and write the English 4675
language, and prior to the date of the application for 4676
examination either shall have had at least one year's experience 4677
in performing electrical work underground in a coal mine, in the 4678
surface work area of an underground coal mine, in a surface coal 4679
mine, or in a noncoal mine, or shall have had such experience as 4680
the chief of the division of mineral resources management 4681
determines to be equivalent. Each applicant for examination 4682
shall pay a fee of ten dollars to the chief on the first day of 4683
the examination. Any money collected under this section shall be 4684
paid into the state treasury to the credit of the mining 4685
regulation and safety fund created in section 1513.30 of the 4686
Revised Code. 4687

(B) The chief shall issue a mine electrician certificate 4688
in accordance with Chapter 4796. of the Revised Code to an 4689
applicant if either of the following applies: 4690

(1) The applicant holds a license or certificate in 4691
another state. 4692

(2) The applicant has satisfactory work experience, a 4693
government certification, or a private certification as 4694
described in that chapter as a mine electrician in a state that 4695
does not issue that license or certificate. 4696

Sec. 1561.15. ~~An~~ (A) Except as provided in division (B) of 4697
this section, an applicant for a certificate as mine foreperson, 4698
foreperson, mine electrician, shot firer, surface mine blaster, 4699

or fire boss shall apply to the chief of the division of mineral 4700
resources management for examination and shall be examined by 4701
the chief. This shall be a practical examination, a substantial 4702
part of which shall be oral, to determine the competency of the 4703
applicant, based on experience and practical knowledge of the 4704
dangers incident to coal mining, and not upon technical 4705
education, but consideration shall be given such technical 4706
education as the applicant possesses. This examination shall be 4707
held as soon after application is made as practicable in the 4708
district from which the applicant makes application. 4709

(B) The chief may require an applicant for a certificate 4710
as mine foreperson, foreperson, mine electrician, shot firer, 4711
surface mine blaster, or fire boss to pass an examination in 4712
accordance with Chapter 4796. of the Revised Code. 4713

Sec. 1561.16. (A) As used in this section and sections 4714
1561.17 to 1561.21 of the Revised Code, "actual practical 4715
experience" means previous employment that involved a person's 4716
regular presence in the type of mining operation in which the 4717
experience is required to exist; participation in functions 4718
relating to the hazards involved in and the utilization of 4719
equipment, tools, and work crews and individuals for that type 4720
of mining; and regular exposure to the methods, procedures, and 4721
safety laws applicable to that type of mining. Credit of up to 4722
one year for a portion of the required experience time may be 4723
given upon documentation to the chief of the division of mineral 4724
resources management of an educational degree in a field related 4725
to mining. Credit of up to two years of the required experience 4726
time may be given upon presentation to the chief of proof of 4727
graduation from an accredited school of mines or mining after a 4728
four-year course of study with employment in the mining industry 4729
during interim breaks during the school years. 4730

(B) ~~A~~ Except as provided in division (G) of this section, 4731
a person who applies for a certificate as a mine foreperson of 4732
gaseous mines shall be able to read and write the English 4733
language; shall have had at least five years' actual practical 4734
experience in the underground workings of a gaseous mine or the 4735
equivalent thereof in the judgment of the chief; and shall have 4736
had practical experience obtained by actual contact with gas in 4737
mines and have knowledge of the dangers and nature of noxious 4738
and explosive gases and ventilation of gaseous mines. An 4739
applicant for a certificate as a foreperson of gaseous mines 4740
shall meet the same requirements, except that the applicant 4741
shall have had at least three years' actual practical experience 4742
in the underground workings of a gaseous mine or the equivalent 4743
thereof in the judgment of the chief. Each applicant for 4744
examination shall pay a fee established in rules adopted under 4745
this section to the chief on the first day of such examination. 4746

(C) A person who has been issued a certificate as a mine 4747
foreperson or a foreperson of a gaseous mine and who has not 4748
worked in an underground coal mine for a period of more than two 4749
calendar years shall apply for and obtain recertification from 4750
the chief in accordance with rules adopted under this section 4751
before performing the duties of a mine foreperson or a 4752
foreperson of a gaseous mine. An applicant for recertification 4753
shall pay a fee established in rules adopted under this section 4754
at the time of application for recertification. 4755

(D) A person who has been issued a certificate as a mine 4756
foreperson or a foreperson of a gaseous mine and who has not 4757
worked in an underground coal mine for a period of one or more 4758
calendar years shall successfully complete a retraining course 4759
in accordance with rules adopted under this section before 4760
performing the duties of a mine foreperson or a foreperson of a 4761

gaseous mine. 4762

(E) The chief, in consultation with a statewide 4763
association representing the coal mining industry and a 4764
statewide association representing employees of coal mines, 4765
shall adopt rules in accordance with Chapter 119. of the Revised 4766
Code that do all of the following: 4767

(1) Prescribe requirements, criteria, and procedures for 4768
the recertification of a mine foreperson or a foreperson of a 4769
gaseous mine who has not worked in an underground coal mine for 4770
a period of more than two calendar years; 4771

(2) Prescribe requirements, criteria, and procedures for 4772
the retraining of a mine foreperson or a foreperson of a gaseous 4773
mine who has not worked in an underground coal mine for a period 4774
of one or more calendar years; 4775

(3) Establish fees for the examination and recertification 4776
of mine forepersons or forepersons of gaseous mines under this 4777
section; 4778

(4) Prescribe any other requirements, criteria, and 4779
procedures that the chief determines are necessary to administer 4780
this section. 4781

(F) Any money collected under this section shall be paid 4782
into the state treasury to the credit of the mining regulation 4783
and safety fund created in section 1513.30 of the Revised Code. 4784

(G) The chief shall issue a certificate as a foreperson of 4785
gaseous mines in accordance with Chapter 4796. of the Revised 4786
Code to an applicant if either of the following applies: 4787

(1) The applicant holds a license or certificate in 4788
another state. 4789

(2) The applicant has satisfactory work experience, a 4790
government certification, or a private certification as 4791
described in that chapter as a foreperson of gaseous mines in a 4792
state that does not issue that license or certificate. 4793

Sec. 1561.17. (A) ~~A~~Except as provided in division (F) of 4794
this section, a person who applies for a certificate as mine 4795
foreperson or foreperson of nongaseous mines shall be able to 4796
read and write the English language; shall have had at least 4797
three years' actual practical experience in mines, or the 4798
equivalent thereof in the judgment of the chief of the division 4799
of mineral resources management; and shall have knowledge of the 4800
dangers and nature of noxious gases. Each applicant for 4801
examination shall pay a fee established in rules adopted under 4802
this section to the chief on the first day of the examination. 4803

(B) A person who has been issued a certificate as a mine 4804
foreperson or a foreperson of a nongaseous coal mine and who has 4805
not worked in an underground coal mine for a period of more than 4806
two calendar years shall apply for and obtain recertification 4807
from the chief in accordance with rules adopted under this 4808
section before performing the duties of a mine foreperson or a 4809
foreperson of a nongaseous coal mine. An applicant for 4810
recertification shall pay a fee established in rules adopted 4811
under this section at the time of application for 4812
recertification. 4813

(C) A person who has been issued a certificate as a mine 4814
foreperson or a foreperson of a nongaseous coal mine and who has 4815
not worked in an underground coal mine for a period of one or 4816
more calendar years shall successfully complete a retraining 4817
course in accordance with rules adopted under this section 4818
before performing the duties of a mine foreperson or a 4819

foreperson of a nongaseous coal mine. 4820

(D) The chief, in consultation with a statewide 4821
association representing the coal mining industry and a 4822
statewide association representing employees of coal mines, 4823
shall adopt rules in accordance with Chapter 119. of the Revised 4824
Code that do all of the following: 4825

(1) Prescribe requirements, criteria, and procedures for 4826
the recertification of a mine foreperson or a foreperson of a 4827
nongaseous coal mine who has not worked in an underground coal 4828
mine for a period of more than two calendar years; 4829

(2) Prescribe requirements, criteria, and procedures for 4830
the retraining of a mine foreperson or a foreperson of a 4831
nongaseous coal mine who has not worked in an underground coal 4832
mine for a period of one or more calendar years; 4833

(3) Establish fees for the examination and recertification 4834
of mine forepersons or forepersons of nongaseous coal mines 4835
under this section; 4836

(4) Prescribe any other requirements, criteria, and 4837
procedures that the chief determines are necessary to administer 4838
this section. 4839

(E) Any money collected under this section shall be paid 4840
into the state treasury to the credit of the mining regulation 4841
and safety fund created in section 1513.30 of the Revised Code. 4842

(F) The chief shall issue a certificate as a foreperson of 4843
nongaseous mines in accordance with Chapter 4796. of the Revised 4844
Code to an applicant if either of the following applies: 4845

(1) The applicant holds a license or certificate in 4846
another state. 4847

(2) The applicant has satisfactory work experience, a 4848
government certification, or a private certification as 4849
described in that chapter as a foreperson of nongaseous mines in 4850
a state that does not issue that license or certificate. 4851

Sec. 1561.18. ~~A~~ (A) Except as provided in division (B) of 4852
this section, a person who applies for a certificate as a 4853
foreperson of surface maintenance facilities at underground or 4854
surface mines shall be able to read and write the English 4855
language and shall have had at least three years' actual 4856
practical experience in or around the surface maintenance 4857
facilities of underground or surface mines or the equivalent 4858
thereof in the judgment of the chief of the division of mineral 4859
resources management. Each applicant for examination shall pay a 4860
fee of ten dollars to the chief on the first day of the 4861
examination. 4862

(B) The chief shall issue a certificate as a foreperson of 4863
surface maintenance facilities at underground or surface mines 4864
in accordance with Chapter 4796. of the Revised Code to an 4865
applicant if either of the following applies: 4866

(1) The applicant holds a license or certificate in 4867
another state. 4868

(2) The applicant has satisfactory work experience, a 4869
government certification, or a private certification as 4870
described in that chapter as a foreperson of surface maintenance 4871
facilities at underground or surface mines in a state that does 4872
not issue that license or certificate. 4873

(C) Any money collected under this section shall be paid 4874
into the state treasury to the credit of the mining regulation 4875
and safety fund created in section 1513.30 of the Revised Code. 4876

Sec. 1561.19. A-(A) Except as provided in division (B) of 4877
this section, a person who applies for a certificate as a mine 4878
foreperson of surface mines shall be able to read and write the 4879
English language and shall have had at least five years' actual 4880
practical experience in surface mines. An applicant for a 4881
certificate as a foreperson of surface mines shall meet the same 4882
requirements, except that the applicant shall have had at least 4883
three years' actual practical experience in surface mines or the 4884
equivalent thereof in the judgment of the chief of the division 4885
of mineral resources management. Each applicant for examination 4886
shall pay a fee of ten dollars to the chief on the first day of 4887
the examination. 4888

(B) The chief shall issue a certificate as a foreperson of 4889
surface mines in accordance with Chapter 4796. of the Revised 4890
Code to an applicant if either of the following applies: 4891

(1) The applicant holds a license or certificate in 4892
another state. 4893

(2) The applicant has satisfactory work experience, a 4894
government certification, or a private certification as 4895
described in that chapter as a foreperson of surface mines in a 4896
state that does not issue that license or certificate. 4897

(C) Any money collected under this section shall be paid 4898
into the state treasury to the credit of the mining regulation 4899
and safety fund created in section 1513.30 of the Revised Code. 4900

Sec. 1561.20. A-(A) Except as provided in division (B) of 4901
this section, a person who applies for a certificate as a 4902
surface mine blaster shall be able to read and write the English 4903
language; shall have had at least one year's actual practical 4904
experience in surface mines or the equivalent thereof in the 4905

judgment of the chief of the division of mineral resources 4906
management; shall have knowledge of the dangers and nature of 4907
the use of explosives, related equipment, and blasting 4908
techniques; and shall have knowledge of safety laws and rules, 4909
including those related to the storage, use, and transportation 4910
of explosives. Each applicant for examination shall pay a fee of 4911
ten dollars to the chief on the first day of the examination. 4912

(B) The chief shall issue a surface mine blaster 4913
certificate in accordance with Chapter 4796. of the Revised Code 4914
to an applicant if either of the following applies: 4915

(1) The applicant holds a license or certificate in 4916
another state. 4917

(2) The applicant has satisfactory work experience, a 4918
government certification, or a private certification as 4919
described in that chapter as a surface mine blaster in a state 4920
that does not issue that license or certificate. 4921

(C) Any money collected under this section shall be paid 4922
into the state treasury to the credit of the mining regulation 4923
and safety fund created in section 1513.30 of the Revised Code. 4924

Sec. 1561.21. A—(A) Except as provided in division (B) of 4925
this section, a person who applies for a certificate as a shot 4926
firer shall be able to read and write the English language; 4927
shall have had at least one year's actual practical experience 4928
in the underground workings of mines or the equivalent thereof 4929
in the judgment of the chief of the division of mineral 4930
resources management; shall have knowledge of the dangers and 4931
nature of noxious and explosive gases; shall have knowledge of 4932
the dangers and nature of the use of explosives, related 4933
equipment, and blasting techniques; and shall have knowledge of 4934

safety laws and rules, including those related to the 4935
underground storage, use, and transportation of explosives. Each 4936
applicant for examination shall pay a fee of ten dollars to the 4937
chief on the first day of the examination. 4938

(B) The chief shall issue a shot firer certificate in 4939
accordance with Chapter 4796. of the Revised Code to an 4940
applicant if either of the following applies: 4941

(1) The applicant holds a license or certificate in 4942
another state. 4943

(2) The applicant has satisfactory work experience, a 4944
government certification, or a private certification as 4945
described in that chapter as a shot firer in a state that does 4946
not issue that license or certificate. 4947

(C) Any money collected under this section shall be paid 4948
into the state treasury to the credit of the mining regulation 4949
and safety fund created in section 1513.30 of the Revised Code. 4950

(D) Any person who possesses a mine foreperson or 4951
foreperson certificate issued by the chief shall be considered 4952
certified as a shot firer. 4953

Sec. 1561.22. A—(A) Except as provided in division (B) of 4954
this section, a person who applies for a certificate as fire 4955
boss shall be able to read and write the English language; shall 4956
have had at least three years' actual practical experience in 4957
the underground workings of a gaseous mine or the equivalent 4958
thereof in the judgment of the chief of the division of mineral 4959
resources management; and shall have knowledge of the dangers 4960
and nature of noxious and explosive gases gained by actual 4961
contact with gas in mines and ventilation of gaseous mines. Each 4962
applicant for examination shall pay a fee of ten dollars to the 4963

chief on the first day of the examination. 4964

(B) The chief shall issue a fire boss certificate in 4965
accordance with Chapter 4796. of the Revised Code to an 4966
applicant if either of the following applies: 4967

(1) The applicant holds a license or certificate in 4968
another state. 4969

(2) The applicant has satisfactory work experience, a 4970
government certification, or a private certification as 4971
described in that chapter as a fire boss in a state that does 4972
not issue that license or certificate. 4973

(C) Any money collected under this section shall be paid 4974
into the state treasury to the credit of the mining regulation 4975
and safety fund created in section 1513.30 of the Revised Code. 4976

Sec. 1565.06. (A) In emergencies arising at a mine because 4977
of accident, death, illness, or any other cause, an operator may 4978
appoint noncertificate persons as forepersons and fire bosses to 4979
act until certified forepersons and fire bosses satisfactory to 4980
the operator can be secured. Such appointee may not serve in 4981
such capacity for a period longer than six months or until such 4982
time thereafter as an examination is held for such certified 4983
persons under section 1561.13 of the Revised Code. The employer 4984
of such noncertificate person shall, upon appointment of such 4985
noncertificate person in this capacity, forward the name of such 4986
noncertificate person to the chief of the division of mineral 4987
resources management. 4988

(B) An operator may appoint as a temporary foreperson or 4989
fire boss a noncertificate person who is within six months of 4990
possessing the necessary actual practical experience to qualify 4991
to take the examination for certification for the position to 4992

which the person is temporarily appointed. Upon appointment of a 4993
noncertificate person, the operator shall forward the name, 4994
social security number, and brief summary of the person's actual 4995
practical experience to the chief, and the chief shall issue the 4996
person a temporary certificate for the position to which the 4997
person has been temporarily appointed. A temporary certificate 4998
issued under this division is valid for six months or until such 4999
time thereafter as an examination is held under section 1561.13 5000
of the Revised Code for the position to which the person has 5001
been temporarily appointed. 5002

(C) A nonresident person who possesses a valid certificate 5003
issued by another state for a position for which the chief 5004
issues a certificate shall be eligible for a temporary 5005
certificate from the chief upon presentation to the chief of a 5006
copy of the certificate from that other state. Chapter 4796. of 5007
the Revised Code does not apply to a certificate issued under 5008
this section. A temporary certificate issued under this division 5009
shall be valid for six months. 5010

No operator of a mine shall violate or fail to comply with 5011
this section. 5012

Sec. 1565.15. (A) As used in this section: 5013

(1) "EMT-basic," "EMT-I," "paramedic," and "emergency 5014
medical service organization" have the same meanings as in 5015
section 4765.01 of the Revised Code. 5016

(2) "First aid provider" includes a mine medical 5017
responder, an EMT-basic, an EMT-I, a paramedic, or an employee 5018
at a surface coal mine who has satisfied the training 5019
requirements established in division (D)(1) of this section. 5020

(3) "Mine medical responder" means a person who has 5021

satisfied the requirements established in rules adopted under 5022
division (E) (1) of this section or has been issued a certificate 5023
under division (E) (2) of this section. 5024

(B) The operator of an underground coal mine where twenty 5025
or more persons are employed on a shift, including all persons 5026
working at different locations at the mine within a ten-mile 5027
radius, shall provide at least one mine medical responder, EMT- 5028
basic, or EMT-I on duty at the underground coal mine whenever 5029
employees at the mine are actively engaged in the extraction, 5030
production, or preparation of coal. The operator shall provide 5031
mine medical responders, EMTs-basic, or EMTs-I on duty at the 5032
underground coal mine at times and in numbers sufficient to 5033
ensure that no miner works in a mine location that cannot be 5034
reached within a reasonable time by a mine medical responder, an 5035
EMT-basic, or an EMT-I. Mine medical responders, EMTs-basic, and 5036
EMTs-I shall be employed on their regular coal mining duties at 5037
locations convenient for quick response to emergencies in order 5038
to provide emergency medical services inside the underground 5039
coal mine and transportation of injured or sick employees to the 5040
entrance of the mine. The operator shall provide for the 5041
services of at least one emergency medical service organization 5042
to be available on call to reach the entrance of the underground 5043
coal mine within thirty minutes at any time that employees are 5044
engaged in the extraction, production, or preparation of coal in 5045
order to provide emergency medical services and transportation 5046
to a hospital. 5047

The operator shall make available to mine medical 5048
responders, EMTs-basic, and EMTs-I all of the equipment for 5049
first aid and emergency medical services that is necessary for 5050
those personnel to function and to comply with the regulations 5051
pertaining to first aid and emergency medical services that are 5052

adopted under the "Federal Mine Safety and Health Act of 1977," 5053
91 Stat. 1290, 30 U.S.C.A. 801, and amendments to it. The 5054
operator of the underground coal mine shall install telephone 5055
service or equivalent facilities that enable two-way voice 5056
communication between the mine medical responders, EMTs-basic, 5057
or EMTs-I in the mine and the emergency medical service 5058
organization outside the mine that provides emergency medical 5059
services on a regular basis. 5060

(C) The operator of a surface coal mine shall provide at 5061
least one first aid provider on duty at the mine whenever 5062
employees at the mine are actively engaged in the extraction, 5063
production, or preparation of coal. The operator shall provide 5064
first aid providers on duty at the surface coal mine at times 5065
and in numbers sufficient to ensure that no miner works in a 5066
mine location that cannot be reached within a reasonable time by 5067
a first aid provider. First aid providers shall be employed on 5068
their regular coal mining duties at locations convenient for 5069
quick response to emergencies in order to provide emergency 5070
medical services and transportation of injured or sick employees 5071
to the entrance of the surface coal mine. The operator shall 5072
provide for the services of at least one emergency medical 5073
service organization to be available on call to reach the 5074
entrance of the surface coal mine within thirty minutes at any 5075
time that employees are engaged in the extraction, production, 5076
or preparation of coal in order to provide emergency medical 5077
services and transportation to a hospital. 5078

The operator shall provide at the mine site all of the 5079
equipment for first aid and emergency medical services that is 5080
necessary for those personnel to function and to comply with the 5081
regulations pertaining to first aid and emergency medical 5082
services that are adopted under the "Federal Mine Safety and 5083

Health Act of 1977," 91 Stat. 1290, 30 U.S.C.A. 801, and 5084
amendments to it. 5085

(D) (1) An employee at a surface coal mine shall be 5086
considered to be a first aid provider for the purposes of this 5087
section if the employee has received from an instructor approved 5088
by the chief of the division of mineral resources management ten 5089
hours of initial first aid training as a selected supervisory 5090
employee under 30 C.F.R. 77.1703 and receives five hours of 5091
refresher first aid training as a selected supervisory employee 5092
under 30 C.F.R. 77.1705 in each subsequent calendar year. 5093

(2) Each miner employed at a surface coal mine who is not 5094
a first aid provider shall receive from an instructor approved 5095
by the chief three hours of initial first aid training and two 5096
hours of refresher first aid training in each subsequent 5097
calendar year. 5098

(3) The training received in accordance with division (D) 5099
of this section shall consist of a course of instruction 5100
established in the manual issued by the mine safety and health 5101
administration in the United States department of labor entitled 5102
"first aid, a bureau of mines instruction manual" or its 5103
successor or any other curriculum approved by the chief. The 5104
training shall be included in the hours of instruction provided 5105
to miners in accordance with training requirements established 5106
under 30 C.F.R. part 48, subpart (B), as amended, and 30 C.F.R. 5107
part 77, as amended. 5108

~~(E) The~~ (1) Except as provided in division (E) (2) of this 5109
section, the chief, in consultation with persons certified under 5110
Chapter 4765. of the Revised Code to teach in an emergency 5111
medical services training program, shall adopt rules in 5112
accordance with Chapter 119. of the Revised Code that do all of 5113

the following: 5114

~~(1) (a) Prescribe training requirements for a mine medical responder that specifically focus on treating injuries and illnesses associated with underground coal mining;~~ 5115
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5117

~~(2) (b) Prescribe an examination for a mine medical responder;~~ 5118
5119

~~(3) (c) Prescribe continuing training requirements for a mine medical responder;~~ 5120
5121

~~(4) (d) Establish the fee for examination for a mine medical responder;~~ 5122
5123

~~(5) (e) Prescribe any other requirements, criteria, and procedures that the chief determines are necessary regarding the training, examination, and continuing training of mine medical responders.~~ 5124
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~~If a person qualifies as a mine medical responder or similar classification in another state, the person may provide emergency medical services as a mine medical responder in this state without completing the training or passing the examination that is required in rules adopted under this division, provided that the chief determines that the person's qualifications from the other state satisfy all of the applicable requirements that are established in rules adopted under this division.~~ 5128
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(2) The chief shall issue a mine medical responder certificate in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 5136
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(a) The applicant holds a certificate in another state. 5139

(b) The applicant has satisfactory work experience, a government certification, or a private certification as 5140
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described in that chapter as a mine medical responder in a state 5142
that does not issue that certificate. 5143

(F) Each operator of a surface coal mine shall establish, 5144
keep current, and make available for inspection an emergency 5145
medical plan that includes the telephone numbers of the division 5146
of mineral resources management and of an emergency medical 5147
services organization the services of which are required to be 5148
retained under division (C) of this section. The chief shall 5149
adopt rules in accordance with Chapter 119. of the Revised Code 5150
that establish any additional information required to be 5151
included in an emergency medical plan. 5152

(G) Each operator of an underground coal mine or surface 5153
coal mine shall provide or contract to obtain emergency medical 5154
services training or first aid training, as applicable, at the 5155
operator's expense, that is sufficient to train and maintain the 5156
certification of the number of employees necessary to comply 5157
with division (B) of this section and that is sufficient to 5158
train employees as required under division (D) of this section 5159
and to comply with division (C) of this section. 5160

(H) The division may provide emergency medical services 5161
training for coal mine employees by operating an emergency 5162
medical services training program accredited under section 5163
4765.17 of the Revised Code or by contracting with the operator 5164
of an emergency medical services training program accredited 5165
under that section to provide that training. The division may 5166
charge coal mine operators a uniform part of the unit cost per 5167
trainee. 5168

(I) No coal mine operator shall violate or fail to comply 5169
with this section. 5170

Sec. 1707.15. (A) Application for a dealer's license shall 5171
be made in accordance with this section and by filing with the 5172
division of securities the information, materials, and forms 5173
specified in rules adopted by the division, along with all of 5174
the following information: 5175

(1) The name and address of the applicant; 5176

(2) The location and addresses of the principal office and 5177
all other offices of the applicant; 5178

(3) A general description of the business of the applicant 5179
done prior to the application, including a list of states in 5180
which the applicant is a licensed dealer. 5181

(B) (1) The division may investigate any applicant for a 5182
license, and may require such additional information as it deems 5183
necessary to determine the applicant's business repute and 5184
qualifications to act as a dealer in securities. 5185

(2) If the application for any license involves 5186
investigation outside of this state, the applicant may be 5187
required by the division to advance sufficient funds to pay any 5188
of the actual expenses of such examination. An itemized 5189
statement of any such expenses which the applicant is required 5190
to pay shall be furnished the applicant by the division. 5191

(C) The division shall by rule require one natural person 5192
who is a principal, officer, director, general partner, manager, 5193
or employee of a dealer to pass an examination designated by the 5194
division. Each dealer that is not a natural person shall notify 5195
the division of the name and relationship to the dealer of the 5196
natural person who has passed the examination on behalf of the 5197
dealer and who will serve as the designated principal on behalf 5198
of the dealer. 5199

(D) Dealers shall employ as salespersons only those salespersons who are licensed under this chapter. If at any time a salesperson resigns or is discharged or a new salesperson is added, the dealer shall promptly notify the division.

~~(E) If (1) Except as provided in division (E) (2) of this section, if~~ the division finds that the applicant is of good business repute, appears qualified to act as a dealer in securities, and has fully complied with this chapter and rules adopted under this chapter by the division, the division, upon payment of the fees prescribed by division (B) of section 1707.17 of the Revised Code, shall issue to the applicant a license authorizing the applicant to act as a dealer.

(2) The division shall issue a license to act as a dealer in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(a) The applicant holds a license in another state;

(b) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a dealer in a state that does not issue that license.

Sec. 1707.151. (A) Application for an investment adviser's license shall be made in accordance with this section and by filing with the division of securities the information, materials, and forms specified in rules adopted by the division.

(B) (1) The division may investigate any applicant for a license and may require any additional information as it considers necessary to determine the applicant's business repute and qualifications to act as an investment adviser.

(2) If the application for any license involves

investigation outside of this state, the applicant may be 5229
required by the division to advance sufficient funds to pay any 5230
of the actual expenses of the examination. The division shall 5231
furnish the applicant with an itemized statement of such 5232
expenses that the applicant is required to pay. 5233

(C) The division shall by rule require a natural person 5234
who is an applicant for an investment adviser's license to pass 5235
an examination designated by the division or achieve a specified 5236
professional designation. 5237

(D) An investment adviser licensed under section 1707.141 5238
of the Revised Code shall employ only investment adviser 5239
representatives licensed, or exempted from licensure, under 5240
section 1707.161 of the Revised Code. 5241

~~(E) If (1) Except as provided in division (E) (2) of this~~ 5242
~~section, if~~ the division finds that the applicant is of good 5243
business repute, appears to be qualified to act as an investment 5244
adviser, and has complied with this chapter and rules adopted 5245
under this chapter by the division, the division, upon payment 5246
of the fees prescribed by division (B) of section 1707.17 of the 5247
Revised Code, shall issue to the applicant a license authorizing 5248
the applicant to act as an investment adviser. 5249

(2) The division shall issue a license to act as an 5250
investment adviser in accordance with Chapter 4796. of the 5251
Revised Code to an applicant if either of the following applies: 5252

(a) The applicant holds a license in another state. 5253

(b) The applicant has satisfactory work experience, a 5254
government certification, or a private certification as 5255
described in that chapter as an investment adviser in a state 5256
that does not issue that license. 5257

Sec. 1707.16. (A) Every salesperson of securities must be 5258
licensed by the division of securities and shall be employed, 5259
authorized, or appointed only by the licensed dealer specified 5260
in the salesperson's license. If the relationship between the 5261
salesperson and the dealer is severed, the salesperson's license 5262
shall be void. 5263

(B) Application for a salesperson's license shall be made 5264
in accordance with this section and by filing with the division 5265
the information, materials, and forms specified in rules adopted 5266
by the division, along with all of the following information: 5267

(1) The name and complete residence and business addresses 5268
of the applicant; 5269

(2) The name of the dealer who is employing the applicant 5270
or who intends to employ the applicant; 5271

(3) The applicant's age and education, and the applicant's 5272
experience in the sale of securities; whether the applicant has 5273
ever been licensed by the division, and if so, when; whether the 5274
applicant has ever been refused a license by the division; and 5275
whether the applicant has ever been licensed or refused a 5276
license or any similar permit by any division or commissioner of 5277
securities, whatsoever name known or designated, anywhere. 5278

(C) The division shall by rule require an applicant to 5279
pass an examination designated by the division. 5280

(D) ~~If (1) Except as provided in division (D) (2) of this~~ 5281
section, if the division finds that the applicant is of good 5282
business repute, appears to be qualified to act as a salesperson 5283
of securities, and has fully complied with this chapter, and 5284
that the dealer named in the application is a licensed dealer, 5285
the division shall, upon payment of the fees prescribed by 5286

section 1707.17 of the Revised Code, issue a license to the 5287
applicant authorizing the applicant to act as salesperson for 5288
the dealer named in the application. 5289

(2) The division shall issue a license to act as a 5290
salesperson of securities in accordance with Chapter 4796. of 5291
the Revised Code to an applicant if either of the following 5292
applies: 5293

(a) The applicant holds a license in another state. 5294

(b) The applicant has satisfactory work experience, a 5295
government certification, or a private certification as 5296
described in that chapter as a salesperson of securities in a 5297
state that does not issue that license. 5298

Sec. 1707.161. (A) No person shall act as an investment 5299
adviser representative, unless one of the following applies: 5300

(1) The person is licensed as an investment adviser 5301
representative by the division of securities. 5302

(2) The person is a natural person who is licensed as an 5303
investment adviser by the division, and does not act as an 5304
investment adviser representative for another investment 5305
adviser; however, a natural person who is licensed as an 5306
investment adviser by the division may act as an investment 5307
adviser representative for another investment adviser if the 5308
natural person also is licensed by the division, or is properly 5309
excepted from licensure, as an investment adviser representative 5310
of the other investment adviser. 5311

(3) The person is employed by or associated with an 5312
investment adviser registered under section 203 of the 5313
"Investment Advisers Act of 1940," 15 U.S.C. 80b-3, and does not 5314
have a place of business in this state. 5315

(4) The person is employed by or associated with an 5316
investment adviser that is excepted from licensure pursuant to 5317
division (A) (3), (4), (5), or (6) of section 1707.141 of the 5318
Revised Code or excepted from notice filing pursuant to division 5319
(B) (3) of section 1707.141 of the Revised Code. 5320

(B) (1) No investment adviser representative required to be 5321
licensed under this section shall act as an investment adviser 5322
representative for more than two investment advisers. An 5323
investment adviser representative that acts as an investment 5324
adviser representative for two investment advisers shall do so 5325
only after the occurrence of both of the following: 5326

(a) Being properly licensed, or properly excepted from 5327
licensure under this section, as an investment adviser 5328
representative for both investment advisers; 5329

(b) Complying with the requirements set forth in rules 5330
adopted by the division regarding consent of both investment 5331
advisers and notice. 5332

(2) Nothing in this section shall be construed to prohibit 5333
a natural person from being licensed by the division as both a 5334
investment adviser and an investment adviser representative. 5335

(3) Nothing in this section shall be construed to prohibit 5336
a natural person from being licensed by the division as both a 5337
salesperson and an investment adviser representative. 5338

(4) Nothing in this section shall be construed to prohibit 5339
a natural person from being licensed by the division as both a 5340
dealer and an investment adviser representative. 5341

(C) An investment adviser representative's license issued 5342
under this section shall not be effective during any period when 5343
the investment adviser representative is not employed by or 5344

associated with an investment adviser that is licensed by the 5345
division or that is in compliance with the notice filing 5346
requirements of division (B) of section 1707.141 of the Revised 5347
Code. Notice of the commencement and termination of the 5348
employment or association of an investment adviser 5349
representative licensed under this section shall be given to the 5350
division within thirty days after the commencement or 5351
termination by either of the following: 5352

(1) The investment adviser, in the case of an investment 5353
adviser representative licensed under this section and employed 5354
by or associated with, or formerly employed by or associated 5355
with, an investment adviser licensed under section 1707.141 of 5356
the Revised Code; 5357

(2) The investment adviser representative, in the case of 5358
an investment adviser representative licensed under this section 5359
and employed by or associated with, or formerly employed by or 5360
associated with, an investment adviser that is subject to the 5361
notice filings requirements of division (B) of section 1707.141 5362
of the Revised Code. 5363

(D) (1) Application for an investment adviser 5364
representative license shall be made in accordance with this 5365
section and by filing with the division the information, 5366
materials, and forms specified in rules adopted by the division. 5367

(2) The division shall by rule require an applicant to 5368
pass an examination designated by the division or achieve a 5369
specified professional designation. 5370

(3) Prior to issuing the investment adviser representative 5371
license, the division may require the applicant to reimburse the 5372
division for the actual expenses incurred in investigating the 5373

applicant. An itemized statement of any such expenses that the 5374
applicant is required to pay shall be furnished to the applicant 5375
by the division. 5376

(E) If (1) Except as provided in division (E) (2) of this 5377
section, if the division finds that the applicant is of good 5378
business repute, appears to be qualified to act as an investment 5379
adviser representative, and has complied with sections 1707.01 5380
to 1707.50 of the Revised Code and the rules adopted under those 5381
sections by the division, the division, upon payment of the fees 5382
prescribed by division (B) of section 1707.17 of the Revised 5383
Code, shall issue to the applicant a license authorizing the 5384
applicant to act as an investment adviser representative for the 5385
investment adviser, or investment advisers that are under common 5386
ownership or control, named in the application. 5387

(2) The division shall issue a license to act as an 5388
investment adviser representative in accordance with Chapter 5389
4796. of the Revised Code to an applicant if either of the 5390
following applies: 5391

(a) The applicant holds a license in another state. 5392

(b) The applicant has satisfactory work experience, a 5393
government certification, or a private certification as 5394
described in that chapter as an investment adviser 5395
representative in a state that does not issue that license. 5396

Sec. 1707.163. (A) Application for a state retirement 5397
system investment officer's license shall be made in accordance 5398
with this section by filing with the division of securities the 5399
information, materials, and forms specified in rules adopted by 5400
the division. 5401

(B) (1) The division may investigate any applicant for a 5402

license and may require any additional information as it 5403
considers necessary to determine the applicant's business repute 5404
and qualifications to act as an investment officer. 5405

(2) If the application for a state retirement system 5406
investment officer's license involves investigation outside of 5407
this state, the applicant may be required by the division to 5408
advance sufficient funds to pay any of the actual expenses of 5409
the investigation. The division shall furnish the applicant with 5410
an itemized statement of the expenses the applicant is required 5411
to pay. 5412

(C) The division shall by rule require an applicant for a 5413
state retirement system investment officer's license to pass an 5414
examination designated by the division or achieve a specified 5415
professional designation unless the applicant meets both of the 5416
following requirements: 5417

(1) Acts as a state retirement system investment officer 5418
~~on the effective date of this section September 15, 2004;~~ 5419

(2) Has experience or equivalent education acceptable to 5420
the division. 5421

~~(D) If (1) Except as provided in division (D) (2) of this~~ 5422
~~section, if~~ the division finds that the applicant is of good 5423
business repute, appears to be qualified to act as a state 5424
retirement system investment officer, and has complied with this 5425
chapter and rules adopted under this chapter by the division, 5426
the division, on payment of the fees prescribed by division (B) 5427
of section 1707.17 of the Revised Code, shall issue to the 5428
applicant a license authorizing the applicant to act as a state 5429
retirement system investment officer. 5430

(2) The division shall issue a license authorizing an 5431

applicant to act as a state retirement system investment officer 5432
in accordance with Chapter 4796. of the Revised Code to an 5433
applicant if either of the following applies: 5434

(a) The applicant holds a license in another state. 5435

(b) The applicant has satisfactory work experience, a 5436
government certification, or a private certification as 5437
described in that chapter as a state retirement system 5438
investment officer in a state that does not issue that license. 5439

Sec. 1707.165. (A) Application for a bureau of workers' 5440
compensation chief investment officer's license shall be made in 5441
accordance with this section by filing with the division of 5442
securities the information, materials, and forms specified in 5443
rules adopted by the division. 5444

(B) The division may investigate any applicant for a 5445
license and may require any additional information as it 5446
considers necessary to determine the applicant's business repute 5447
and qualifications to act as a chief investment officer. If the 5448
application for a bureau of workers' compensation chief 5449
investment officer's license involves investigation outside of 5450
this state, the applicant may be required by the division to 5451
advance sufficient funds to pay any of the actual expenses of 5452
the investigation. The division shall furnish the applicant with 5453
an itemized statement of the expenses the applicant is required 5454
to pay. 5455

(C) The division shall by rule require an applicant for a 5456
bureau of workers' compensation chief investment officer's 5457
license to pass an examination designated by the division or 5458
achieve a specified professional designation unless the 5459
applicant meets both of the following requirements: 5460

(1) Acts as a bureau of workers' compensation chief investment officer on ~~the effective date of this section~~ September 29, 2005;

(2) Has experience or education acceptable to the division.

~~(D) If (1) Except as provided in division (D) (2) of this section, if~~ the division finds that the applicant is of good business repute, appears to be qualified to act as a bureau of workers' compensation chief investment officer, and has complied with this chapter and rules adopted by the division under this chapter, the division, upon receipt of the fees prescribed by division (B) of section 1707.17 of the Revised Code, shall issue to the applicant a license authorizing the applicant to act as a bureau of workers' compensation chief investment officer.

(2) The division shall issue a license to act as a bureau of workers' compensation chief investment officer in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(a) The applicant holds a license in another state.

(b) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a bureau of workers' compensation chief investment officer in a state that does not issue that license.

Sec. 1717.06. (A) A county humane society organized under section 1717.05 of the Revised Code may appoint humane society agents for the purpose of prosecuting any person guilty of an act of cruelty to animals. Such agents may arrest any person found violating this chapter or any other law for protecting

animals or preventing acts of cruelty thereto. Upon making an 5490
arrest, the humane society agent shall convey the person 5491
arrested before a court or magistrate having jurisdiction of the 5492
offense, and there make complaint against the person on oath or 5493
affirmation of the offense. 5494

(B) A humane society agent that was appointed prior to ~~the~~ 5495
~~effective date of this amendment~~ March 31, 2021, by a branch of 5496
the Ohio humane society is considered to be a humane society 5497
agent appointed under this section for purposes of this chapter 5498
and any other laws regarding humane society agents. 5499

(C) (1) The appointment of an agent under this section is 5500
subject to the requirements of section 1717.061 of the Revised 5501
Code, and is not final until the appointment has been approved 5502
under division (C) (2) of this section. 5503

(2) The appointment of an agent under this section does 5504
not take effect unless it has been approved by the mayor of the 5505
municipal corporation for which it is made. If the society 5506
operates outside a municipal corporation, the appointment does 5507
not take effect until it has been approved by the probate judge 5508
of the county for which it is made. The mayor or probate judge 5509
shall keep a record of the appointments and shall maintain as a 5510
public record a copy of the proof of successful completion of 5511
training for each humane society agent acting within the 5512
approving authority's jurisdiction. 5513

(D) The approving authority shall notify the appropriate 5514
county sheriff and the board of county commissioners when the 5515
appointment of a humane society agent has been approved and, not 5516
later than two business days after the appointment has been 5517
approved, shall file a copy of the proof of successful 5518
completion of training with the sheriff. The county sheriff 5519

shall maintain as a public record a copy of the proof for each 5520
humane society agent that is operating in the county. 5521

(E) A humane society shall notify the county sheriff and 5522
the approving authority when all approved humane society agents 5523
have ceased to perform the duties of the appointment and there 5524
are no humane society agents operating in the county. 5525

(F) A humane society agent only has the specific authority 5526
granted to the agent under the Revised Code. 5527

(G) The Ohio peace officer training commission shall issue 5528
a certificate of completion of the training program required for 5529
appointment as a humane society agent under this section in 5530
accordance with Chapter 4796. of the Revised Code to an 5531
individual if either of the following applies: 5532

(1) The individual holds a certificate of completion of 5533
such a program in another state. 5534

(2) The individual has satisfactory work experience, a 5535
government certification, or a private certification as 5536
described in that chapter as a humane society agent in a state 5537
that does not require a certificate of completion of such a 5538
program. 5539

Sec. 3101.10. A minister upon producing to the secretary 5540
of state, credentials of the minister's being a regularly 5541
ordained or licensed minister of any religious society or 5542
congregation, shall be entitled to receive from the secretary of 5543
state a license authorizing the minister to solemnize marriages 5544
in this state so long as the minister continues as a regular 5545
minister in that society or congregation. A minister shall 5546
produce for inspection the minister's license to solemnize 5547
marriages upon demand of any party to a marriage at which the 5548

minister officiates or proposes to officiate or upon demand of 5549
any probate judge. The secretary of state shall issue a license 5550
to solemnize marriages in this state in accordance with Chapter 5551
4796. of the Revised Code to a minister if either of the 5552
following applies: 5553

(A) The minister holds a license in another state. 5554

(B) The minister has satisfactory work experience, a 5555
government certification, or a private certification as 5556
described in that chapter as a minister who solemnizes marriages 5557
in a state that does not issue a license to solemnize marriages. 5558

Sec. 3301.071. (A) (1) In-Except as provided in division 5559
(E) of this section, in the case of nontax-supported schools, 5560
standards for teacher certification prescribed under section 5561
3301.07 of the Revised Code shall provide for certification, 5562
without further educational requirements, of any administrator, 5563
supervisor, or teacher who has attended and received a 5564
bachelor's degree from a college or university accredited by a 5565
national or regional association in the United States except 5566
that, at the discretion of the state board of education, this 5567
requirement may be met by having an equivalent degree from a 5568
foreign college or university of comparable standing. 5569

(2) In-Except as provided in division (E) of this section, 5570
in the case of nonchartered, nontax-supported schools, the 5571
standards for teacher certification prescribed under section 5572
3301.07 of the Revised Code shall provide for certification, 5573
without further educational requirements, of any administrator, 5574
supervisor, or teacher who has attended and received a diploma 5575
from a "bible college" or "bible institute" described in 5576
division (E) of section 1713.02 of the Revised Code. 5577

(3) A certificate issued under division (A) (3) of this section shall be valid only for teaching foreign language, music, religion, computer technology, or fine arts.

Notwithstanding division (A) (1) of this section and except as provided in division (E) of this section, the standards for teacher certification prescribed under section 3301.07 of the Revised Code shall provide for certification of a person as a teacher upon receipt by the state board of an affidavit signed by the chief administrative officer of a chartered nonpublic school seeking to employ the person, stating that the person meets one of the following conditions:

(a) The person has specialized knowledge, skills, or expertise that qualifies the person to provide instruction.

(b) The person has provided to the chief administrative officer evidence of at least three years of teaching experience in a public or nonpublic school.

(c) The person has provided to the chief administrative officer evidence of completion of a teacher training program named in the affidavit.

(B) Each person applying for a certificate under this section for purposes of serving in a nonpublic school chartered by the state board under section 3301.16 of the Revised Code shall pay a fee in the amount established under division (A) of section 3319.51 of the Revised Code. Any fees received under this division shall be paid into the state treasury to the credit of the state board of education certification fund established under division (B) of section 3319.51 of the Revised Code.

(C) A person applying for or holding any certificate

pursuant to this section for purposes of serving in a nonpublic school chartered by the state board is subject to sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code and sections 3319.31 and 3319.311 of the Revised Code.

(D) Divisions (B) and (C) of this section and sections 3319.291, 3319.31, and 3319.311 of the Revised Code do not apply to any administrators, supervisors, or teachers in nonchartered, nontax-supported schools.

(E) The state board shall issue a certificate to serve in a nonpublic school as an administrator, supervisor, or teacher in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a certificate in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a nonpublic school administrator, supervisor, or teacher in a state that does not issue one or more of those certificates.

Sec. 3301.074. (A) ~~The~~ Except as provided in division (E) of this section, the state board of education shall, by rule adopted in accordance with Chapter 119. of the Revised Code, establish standards for licensing school district treasurers and business managers, for the renewal of such licenses, and for the issuance of duplicate copies of licenses. Licenses of the following types shall be issued or renewed by the board to applicants who meet the standards for the license or the renewal of the license for which application is made:

(1) Treasurer, valid for serving as treasurer of a school

district in accordance with section 3313.22 of the Revised Code;	5636
(2) Business manager, valid for serving as business manager of a school district in accordance with section 3319.03 of the Revised Code.	5637 5638 5639
(B) Each application for a license or renewal or duplicate copy of a license shall be accompanied by the payment of a fee in the amount established under division (A) of section 3319.51 of the Revised Code. Any fees received under this section shall be paid into the state treasury to the credit of the state board of education licensure fund established under division (B) of section 3319.51 of the Revised Code.	5640 5641 5642 5643 5644 5645 5646
(C) Any person employed under section 3313.22 of the Revised Code as a treasurer on July 1, 1983, shall be considered to meet the standards for licensure as a treasurer and for renewal of such license. Any person employed under section 3319.03 of the Revised Code as a business manager on July 1, 1983, shall be considered to meet the standards for licensure as a business manager and for renewal of such license.	5647 5648 5649 5650 5651 5652 5653
(D) Any person applying for or holding any license pursuant to this section is subject to sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code and sections 3319.31 and 3319.311 of the Revised Code.	5654 5655 5656 5657 5658
<u>(E) The state board shall issue a license to act as a school district treasurer or business manager in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:</u>	5659 5660 5661 5662
<u>(1) The applicant holds a license in another state.</u>	5663
<u>(2) The applicant has satisfactory work experience, a</u>	5664

government certification, or a private certification as 5665
described in that chapter as a school district treasurer or 5666
business manager in a state that does not issue one of those 5667
licenses or both. 5668

Sec. 3307.01. As used in this chapter: 5669

(A) "Employer" means the board of education, school 5670
district, governing authority of any community school 5671
established under Chapter 3314. of the Revised Code, a science, 5672
technology, engineering, and mathematics school established 5673
under Chapter 3326. of the Revised Code, college, university, 5674
institution, or other agency within the state by which a teacher 5675
is employed and paid. 5676

(B) (1) "Teacher" means all of the following: 5677

(a) Any person paid from public funds and employed in the 5678
public schools of the state under any type of contract described 5679
in section 3311.77 or 3319.08 of the Revised Code in a position 5680
for which the person is required to have a license or 5681
registration issued pursuant to sections 3319.22 to 3319.31 of 5682
the Revised Code; 5683

(b) Except as provided in division (B) (2) (b) or (c) of 5684
this section, any person employed as a teacher or faculty member 5685
in a community school or a science, technology, engineering, and 5686
mathematics school pursuant to Chapter 3314. or 3326. of the 5687
Revised Code; 5688

(c) Any person having a license or registration issued 5689
pursuant to sections 3319.22 to 3319.31 of the Revised Code and 5690
employed in a public school in this state in an educational 5691
position, as determined by the state board of education, under 5692
programs provided for by federal acts or regulations and 5693

financed in whole or in part from federal funds, but for which 5694
no licensure requirements for the position can be made under the 5695
provisions of such federal acts or regulations; 5696

(d) Any other teacher or faculty member employed in any 5697
school, college, university, institution, or other agency wholly 5698
controlled and managed, and supported in whole or in part, by 5699
the state or any political subdivision thereof, including 5700
Central state university, Cleveland state university, and the 5701
university of Toledo; 5702

(e) The educational employees of the department of 5703
education, as determined by the state superintendent of public 5704
instruction; 5705

(f) Any person having a registration issued pursuant to 5706
section 3301.28 of the Revised Code and employed as a tutor by 5707
the coordinating service center as defined in that section; 5708

(g) Any person having a license issued pursuant to Chapter 5709
4732. of the Revised Code and employed as a school psychologist 5710
in a public school. 5711

In all cases of doubt, the state teachers retirement board 5712
shall determine whether any person is a teacher, and its 5713
decision shall be final. 5714

(2) "Teacher" does not include any of the following: 5715

(a) Any eligible employee of a public institution of 5716
higher education, as defined in section 3305.01 of the Revised 5717
Code, who elects to participate in an alternative retirement 5718
plan established under Chapter 3305. of the Revised Code; 5719

(b) Any person employed by a community school operator, as 5720
defined in section 3314.02 of the Revised Code, if on or before 5721

February 1, 2016, the school's operator was withholding and 5722
paying employee and employer taxes pursuant to 26 U.S.C. 3101(a) 5723
and 3111(a) for persons employed in the school as teachers, 5724
unless the person had contributing service in a community school 5725
in the state within one year prior to the later of February 1, 5726
2016, or the date on which the operator for the first time 5727
withholds and pays employee and employer taxes pursuant to 26 5728
U.S.C. 3101(a) and 3111(a) for that person; 5729

(c) Any person who would otherwise be a teacher under 5730
division (B) (2) (b) of this section who terminates employment 5731
with a community school operator and has no contributing service 5732
in a community school in the state for a period of at least one 5733
year from the date of termination of employment. 5734

(C) "Member" means any person included in the membership 5735
of the state teachers retirement system, which shall consist of 5736
all teachers and contributors as defined in divisions (B) and 5737
(D) of this section and all disability benefit recipients, as 5738
defined in section 3307.50 of the Revised Code. However, for 5739
purposes of this chapter, the following persons shall not be 5740
considered members: 5741

(1) A student, intern, or resident who is not a member 5742
while employed part-time by a school, college, or university at 5743
which the student, intern, or resident is regularly attending 5744
classes; 5745

(2) A person denied membership pursuant to section 3307.24 5746
of the Revised Code; 5747

(3) An other system retirant, as defined in section 5748
3307.35 of the Revised Code, or a superannuate; 5749

(4) An individual employed in a program established 5750

pursuant to the "Job Training Partnership Act," 96 Stat. 1322 5751
(1982), 29 U.S.C.A. 1501; 5752

(5) The surviving spouse of a member or retirant if the 5753
surviving spouse's only connection to the retirement system is 5754
an account in an STRS defined contribution plan. 5755

(D) "Contributor" means any person who has an account in 5756
the teachers' savings fund or defined contribution fund, except 5757
that "contributor" does not mean a member or retirant's 5758
surviving spouse with an account in an STRS defined contribution 5759
plan. 5760

(E) "Beneficiary" means any person eligible to receive, or 5761
in receipt of, a retirement allowance or other benefit provided 5762
by this chapter. 5763

(F) "Year" means the year beginning the first day of July 5764
and ending with the thirtieth day of June next following, except 5765
that for the purpose of determining final average salary under 5766
the plan described in sections 3307.50 to 3307.79 of the Revised 5767
Code, "year" may mean the contract year. 5768

(G) "Local district pension system" means any school 5769
teachers pension fund created in any school district of the 5770
state in accordance with the laws of the state prior to 5771
September 1, 1920. 5772

(H) "Employer contribution" means the amount paid by an 5773
employer, as determined by the employer rate, including the 5774
normal and deficiency rates, contributions, and funds wherever 5775
used in this chapter. 5776

(I) "Five years of service credit" means employment 5777
covered under this chapter and employment covered under a former 5778
retirement plan operated, recognized, or endorsed by a college, 5779

institute, university, or political subdivision of this state 5780
prior to coverage under this chapter. 5781

(J) "Actuary" means an actuarial professional contracted 5782
with or employed by the state teachers retirement board, who 5783
shall be either of the following: 5784

(1) A member of the American academy of actuaries; 5785

(2) A firm, partnership, or corporation of which at least 5786
one person is a member of the American academy of actuaries. 5787

(K) "Fiduciary" means a person who does any of the 5788
following: 5789

(1) Exercises any discretionary authority or control with 5790
respect to the management of the system, or with respect to the 5791
management or disposition of its assets; 5792

(2) Renders investment advice for a fee, direct or 5793
indirect, with respect to money or property of the system; 5794

(3) Has any discretionary authority or responsibility in 5795
the administration of the system. 5796

(L) (1) (a) Except as provided in this division, 5797
"compensation" means all salary, wages, and other earnings paid 5798
to a teacher by reason of the teacher's employment, including 5799
compensation paid pursuant to a supplemental contract. The 5800
salary, wages, and other earnings shall be determined prior to 5801
determination of the amount required to be contributed to the 5802
teachers' savings fund or defined contribution fund under 5803
section 3307.26 of the Revised Code and without regard to 5804
whether any of the salary, wages, or other earnings are treated 5805
as deferred income for federal income tax purposes. 5806

(b) Except as provided in division (L) (1) (c) of this 5807

section, "compensation" includes amounts paid by an employer as 5808
a retroactive payment of earnings, damages, or back pay pursuant 5809
to a court order, court-adopted settlement agreement, or other 5810
settlement agreement if the retirement system receives both of 5811
the following: 5812

(i) Teacher and employer contributions under sections 5813
3307.26 and 3307.28 of the Revised Code, plus interest 5814
compounded annually at a rate determined by the state teachers 5815
retirement board, for each year or portion of a year for which 5816
amounts are paid under the order or agreement; 5817

(ii) Teacher and employer contributions under sections 5818
3307.26 and 3307.28 of the Revised Code, plus interest 5819
compounded annually at a rate determined by the board, for each 5820
year or portion of a year not subject to division (L) (1) (b) (i) 5821
of this section for which the board determines the teacher was 5822
improperly paid, regardless of the teacher's ability to recover 5823
on such amounts improperly paid. 5824

(c) If any portion of an amount paid by an employer as a 5825
retroactive payment of earnings, damages, or back pay is for an 5826
amount, benefit, or payment described in division (L) (2) of this 5827
section, that portion of the amount is not compensation under 5828
this section. 5829

(2) Compensation does not include any of the following: 5830

(a) Payments for accrued but unused sick leave or personal 5831
leave, including payments made under a plan established pursuant 5832
to section 124.39 of the Revised Code or any other plan 5833
established by the employer; 5834

(b) Payments made for accrued but unused vacation leave, 5835
including payments made pursuant to section 124.13 of the 5836

Revised Code or a plan established by the employer;	5837
(c) Payments made for vacation pay covering concurrent	5838
periods for which other salary, compensation, or benefits under	5839
this chapter or Chapter 145. or 3309. of the Revised Code are	5840
paid;	5841
(d) Amounts paid by the employer to provide life	5842
insurance, sickness, accident, endowment, health, medical,	5843
hospital, dental, or surgical coverage, or other insurance for	5844
the teacher or the teacher's family, or amounts paid by the	5845
employer to the teacher in lieu of providing the insurance;	5846
(e) Incidental benefits, including lodging, food, laundry,	5847
parking, or services furnished by the employer, use of the	5848
employer's property or equipment, and reimbursement for job-	5849
related expenses authorized by the employer, including moving	5850
and travel expenses and expenses related to professional	5851
development;	5852
(f) Payments made by the employer in exchange for a	5853
member's waiver of a right to receive any payment, amount, or	5854
benefit described in division (L) (2) of this section;	5855
(g) Payments by the employer for services not actually	5856
rendered;	5857
(h) Any amount paid by the employer as a retroactive	5858
increase in salary, wages, or other earnings, unless the	5859
increase is one of the following:	5860
(i) A retroactive increase paid to a member employed by a	5861
school district board of education in a position that requires a	5862
license designated for teaching and not designated for being an	5863
administrator issued under section 3319.22 of the Revised Code	5864
that is paid in accordance with uniform criteria applicable to	5865

all members employed by the board in positions requiring the licenses; 5866
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(ii) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses; 5868
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(iii) A retroactive increase paid to a member employed by a school district board of education as a superintendent that is also paid as described in division (L) (2) (h) (i) of this section; 5874
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(iv) A retroactive increase paid to a member employed by an employer other than a school district board of education in accordance with uniform criteria applicable to all members employed by the employer. 5877
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(i) Payments made to or on behalf of a teacher that are in excess of the annual compensation that may be taken into account by the retirement system under division (a) (17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 401(a) (17), as amended. For a teacher who first establishes membership before July 1, 1996, the annual compensation that may be taken into account by the retirement system shall be determined under division (d) (3) of section 13212 of the "Omnibus Budget Reconciliation Act of 1993," Pub. L. No. 103-66, 107 Stat. 472. 5881
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(j) Payments made under division (B), (C), or (E) of section 5923.05 of the Revised Code, Section 4 of Substitute Senate Bill No. 3 of the 119th general assembly, Section 3 of Amended Substitute Senate Bill No. 164 of the 124th general 5891
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assembly, or Amended Substitute House Bill No. 405 of the 124th	5895
general assembly;	5896
(k) Anything of value received by the teacher that is	5897
based on or attributable to retirement or an agreement to	5898
retire.	5899
(3) The retirement board shall determine both of the	5900
following:	5901
(a) Whether particular forms of earnings are included in	5902
any of the categories enumerated in this division;	5903
(b) Whether any form of earnings not enumerated in this	5904
division is to be included in compensation.	5905
Decisions of the board made under this division shall be	5906
final.	5907
(M) "Superannuate" means both of the following:	5908
(1) A former teacher receiving from the system a	5909
retirement allowance under section 3307.58 or 3307.59 of the	5910
Revised Code;	5911
(2) A former teacher receiving a benefit from the system	5912
under a plan established under section 3307.81 of the Revised	5913
Code, except that "superannuate" does not include a former	5914
teacher who is receiving a benefit based on disability under a	5915
plan established under section 3307.81 of the Revised Code.	5916
For purposes of sections 3307.35 and 3307.353 of the	5917
Revised Code, "superannuate" also means a former teacher	5918
receiving from the system a combined service retirement benefit	5919
paid in accordance with section 3307.57 of the Revised Code,	5920
regardless of which retirement system is paying the benefit.	5921

(N) "STRS defined benefit plan" means the plan described	5922
in sections 3307.50 to 3307.79 of the Revised Code.	5923
(O) "STRS defined contribution plan" means the plans	5924
established under section 3307.81 of the Revised Code and	5925
includes the STRS combined plan under that section.	5926
(P) "Faculty" means the teaching staff of a university,	5927
college, or school, including any academic administrators.	5928
Sec. 3309.011. "Employee" as defined in division (B) of	5929
section 3309.01 of the Revised Code, does not include any of the	5930
following:	5931
(A) Any person having a license or registration issued	5932
pursuant to sections 3319.22 to 3319.31 of the Revised Code and	5933
employed in a public school in this state in an educational	5934
position, as determined by the state board of education, under	5935
programs provided for by federal acts or regulations and	5936
financed in whole or in part from federal funds, but for which	5937
no licensure requirements for the position can be made under the	5938
provisions of such federal acts or regulations;	5939
(B) Any person who participates in an alternative	5940
retirement plan established under Chapter 3305. of the Revised	5941
Code;	5942
(C) Any person who elects to transfer from the school	5943
employees retirement system to the public employees retirement	5944
system under section 3309.312 of the Revised Code;	5945
(D) Any person whose full-time employment by the	5946
university of Akron as a state university law enforcement	5947
officer pursuant to section 3345.04 of the Revised Code	5948
commences on or after September 16, 1998;	5949

(E) Any person described in division (B) of section 3309.013 of the Revised Code; 5950
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(F) Any person described in division (D) of section 145.011 of the Revised Code; 5952
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(G) Any person described in division (B) (1) (b) or (g) of section 3307.01 of the Revised Code. 5954
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Sec. 3319.088. As used in this section, "educational assistant" means any nonteaching employee in a school district who directly assists a teacher as defined in section 3319.09 of the Revised Code, by performing duties for which a license issued pursuant to sections 3319.22 to 3319.30 of the Revised Code is not required. 5956
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(A) ~~The~~ Except as provided in division (G) of this section, the state board of education shall issue educational aide permits and educational paraprofessional licenses for educational assistants and shall adopt rules for the issuance and renewal of such permits and licenses which shall be consistent with the provisions of this section. Educational aide permits and educational paraprofessional licenses may be of several types and the rules shall prescribe the minimum qualifications of education and health for the service to be authorized under each type. The prescribed minimum qualifications may require special training or educational courses designed to qualify a person to perform effectively the duties authorized under an educational aide permit or educational paraprofessional license. 5962
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(B) (1) ~~Any~~ Except as provided in division (G) of this section, any application for a permit or license, or a renewal or duplicate of a permit or license, under this section shall be 5976
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accompanied by the payment of a fee in the amount established 5979
under division (A) of section 3319.51 of the Revised Code. Any 5980
fees received under this division shall be paid into the state 5981
treasury to the credit of the state board of education licensure 5982
fund established under division (B) of section 3319.51 of the 5983
Revised Code. 5984

(2) Any person applying for or holding a permit or license 5985
pursuant to this section is subject to sections 3123.41 to 5986
3123.50 of the Revised Code and any applicable rules adopted 5987
under section 3123.63 of the Revised Code and sections 3319.31 5988
and 3319.311 of the Revised Code. 5989

(C) Educational assistants shall at all times while in the 5990
performance of their duties be under the supervision and 5991
direction of a teacher as defined in section 3319.09 of the 5992
Revised Code. Educational assistants may assist a teacher to 5993
whom assigned in the supervision of pupils, in assisting with 5994
instructional tasks, and in the performance of duties which, in 5995
the judgment of the teacher to whom the assistant is assigned, 5996
may be performed by a person not licensed pursuant to sections 5997
3319.22 to 3319.30 of the Revised Code and for which a teaching 5998
license, issued pursuant to sections 3319.22 to 3319.30 of the 5999
Revised Code is not required. The duties of an educational 6000
assistant shall not include the assignment of grades to pupils. 6001
The duties of an educational assistant need not be performed in 6002
the physical presence of the teacher to whom assigned, but the 6003
activity of an educational assistant shall at all times be under 6004
the direction of the teacher to whom assigned. The assignment of 6005
an educational assistant need not be limited to assisting a 6006
single teacher. In the event an educational assistant is 6007
assigned to assist more than one teacher the assignments shall 6008
be clearly delineated and so arranged that the educational 6009

assistant shall never be subject to simultaneous supervision or 6010
direction by more than one teacher. 6011

Educational assistants assigned to supervise children 6012
shall, when the teacher to whom assigned is not physically 6013
present, maintain the degree of control and discipline that 6014
would be maintained by the teacher. 6015

Educational assistants may not be used in place of 6016
classroom teachers or other employees and any payment of 6017
compensation by boards of education to educational assistants 6018
for such services is prohibited. The ratio between the number of 6019
licensed teachers and the pupils in a school district may not be 6020
decreased by utilization of educational assistants and no 6021
grouping, or other organization of pupils, for utilization of 6022
educational assistants shall be established which is 6023
inconsistent with sound educational practices and procedures. A 6024
school district may employ up to one full time equivalent 6025
educational assistant for each six full time equivalent licensed 6026
employees of the district. Educational assistants shall not be 6027
counted as licensed employees for purposes of state support in 6028
the school foundation program and no grouping or regrouping of 6029
pupils with educational assistants may be counted as a class or 6030
unit for school foundation program purposes. Neither special 6031
courses required by the regulations of the state board of 6032
education, prescribing minimum qualifications of education for 6033
an educational assistant, nor years of service as an educational 6034
assistant shall be counted in any way toward qualifying for a 6035
teacher license, for a teacher contract of any type, or for 6036
determining placement on a salary schedule in a school district 6037
as a teacher. 6038

(D) Educational assistants employed by a board of 6039

education shall have all rights, benefits, and legal protection 6040
available to other nonteaching employees in the school district, 6041
except that provisions of Chapter 124. of the Revised Code shall 6042
not apply to any person employed as an educational assistant, 6043
and shall be members of the school employees retirement system. 6044
Educational assistants shall be compensated according to a 6045
salary plan adopted annually by the board. 6046

Except as provided in this section nonteaching employees 6047
shall not serve as educational assistants without first 6048
obtaining an appropriate educational aide permit or educational 6049
paraprofessional license from the state board of education. A 6050
nonteaching employee who is the holder of a valid educational 6051
aide permit or educational paraprofessional license shall 6052
neither render nor be required to render services inconsistent 6053
with the type of services authorized by the permit or license 6054
held. No person shall receive compensation from a board of 6055
education for services rendered as an educational assistant in 6056
violation of this provision. 6057

Nonteaching employees whose functions are solely 6058
secretarial-clerical and who do not perform any other duties as 6059
educational assistants, even though they assist a teacher and 6060
work under the direction of a teacher shall not be required to 6061
hold a permit or license issued pursuant to this section. 6062
Students preparing to become licensed teachers or educational 6063
assistants shall not be required to hold an educational aide 6064
permit or paraprofessional license for such periods of time as 6065
such students are assigned, as part of their training program, 6066
to work with a teacher in a school district. Such students shall 6067
not be compensated for such services. 6068

Following the determination of the assignment and general 6069

job description of an educational assistant and subject to 6070
supervision by the teacher's immediate administrative officer, a 6071
teacher to whom an educational assistant is assigned shall make 6072
all final determinations of the duties to be assigned to such 6073
assistant. Teachers shall not be required to hold a license 6074
designated for being a supervisor or administrator in order to 6075
perform the necessary supervision of educational assistants. 6076

(E) No person who is, or who has been employed as an 6077
educational assistant shall divulge, except to the teacher to 6078
whom assigned, or the administrator of the school in the absence 6079
of the teacher to whom assigned, or when required to testify in 6080
a court or proceedings, any personal information concerning any 6081
pupil in the school district which was obtained or obtainable by 6082
the educational assistant while so employed. Violation of this 6083
provision is grounds for disciplinary action or dismissal, or 6084
both. 6085

(F) Notwithstanding anything to the contrary in this 6086
section, the superintendent of a school district may allow an 6087
employee who does not hold a permit or license issued under this 6088
section to work as a substitute for an educational assistant who 6089
is absent on account of illness or on a leave of absence, or to 6090
fill a temporary position created by an emergency, provided that 6091
the superintendent believes the employee's application materials 6092
indicate that the employee is qualified to obtain a permit or 6093
license under this section. 6094

An employee shall begin work as a substitute under this 6095
division not earlier than on the date on which the employee 6096
files an application with the state board for a permit or 6097
license under this section. An employee shall cease working as a 6098
substitute under this division on the earliest of the following: 6099

(1) The date on which the employee files a valid permit or license issued under this section with the superintendent; 6100
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(2) The date on which the employee is denied a permit or license under this section; 6102
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(3) Sixty days following the date on which the employee began work as a substitute under this division. 6104
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The superintendent shall ensure that an employee assigned to work as a substitute under division (F) of this section has undergone a criminal records check in accordance with section 3319.391 of the Revised Code. 6106
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(G) The state board shall issue an educational aide permit or educational paraprofessional license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 6110
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(1) The applicant holds a permit or license in another state. 6114
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(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an educational aide or educational paraprofessional in a state that does not issue that permit or license or both. 6116
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Sec. 3319.22. (A) (1) The state board of education shall issue the following educator licenses: 6121
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(a) A resident educator license, which shall be valid for two years and shall be renewable for reasons specified by rules adopted by the state board pursuant to division (A) (3) of this section. The state board, on a case-by-case basis, may extend the license's duration as necessary to enable the license holder 6123
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to complete the Ohio teacher residency program established under 6128
section 3319.223 of the Revised Code; 6129

(b) A professional educator license, which shall be valid 6130
for five years and shall be renewable; 6131

(c) A senior professional educator license, which shall be 6132
valid for five years and shall be renewable; 6133

(d) A lead professional educator license, which shall be 6134
valid for five years and shall be renewable. 6135

Licenses issued under division (A) (1) of this section on 6136
and after November 2, 2018, shall specify whether the educator 6137
is licensed to teach grades pre-kindergarten through five, 6138
grades four through nine, or grades seven through twelve. The 6139
changes to the grade band specifications under this amendment 6140
shall not apply to a person who holds a license under division 6141
(A) (1) of this section prior to November 2, 2018. Further, the 6142
changes to the grade band specifications under this amendment 6143
shall not apply to any license issued to teach in the area of 6144
computer information science, bilingual education, dance, drama 6145
or theater, world language, health, library or media, music, 6146
physical education, teaching English to speakers of other 6147
languages, career-technical education, or visual arts or to any 6148
license issued to an intervention specialist, including a gifted 6149
intervention specialist, or to any other license that does not 6150
align to the grade band specifications. 6151

(2) The state board may issue any additional educator 6152
licenses of categories, types, and levels the board elects to 6153
provide. 6154

(3) The Except as provided in division (I) of this 6155
section, the state board shall adopt rules establishing the 6156

standards and requirements for obtaining each educator license 6157
issued under this section. The rules shall also include the 6158
reasons for which a resident educator license may be renewed 6159
under division (A) (1) (a) of this section. 6160

(B) ~~The~~ Except as provided in division (I) of this 6161
section, the rules adopted under this section shall require at 6162
least the following standards and qualifications for the 6163
educator licenses described in division (A) (1) of this section: 6164

(1) An applicant for a resident educator license shall 6165
hold at least a bachelor's degree from an accredited teacher 6166
preparation program or be a participant in the teach for America 6167
program and meet the qualifications required under section 6168
3319.227 of the Revised Code. 6169

(2) An applicant for a professional educator license 6170
shall: 6171

(a) Hold at least a bachelor's degree from an institution 6172
of higher education accredited by a regional accrediting 6173
organization; 6174

(b) Have successfully completed the Ohio teacher residency 6175
program established under section 3319.223 of the Revised Code, 6176
if the applicant's current or most recently issued license is a 6177
resident educator license issued under this section or an 6178
alternative resident educator license issued under section 6179
3319.26 of the Revised Code. 6180

(3) An applicant for a senior professional educator 6181
license shall: 6182

(a) Hold at least a master's degree from an institution of 6183
higher education accredited by a regional accrediting 6184
organization; 6185

(b) Have previously held a professional educator license 6186
issued under this section or section 3319.222 or under former 6187
section 3319.22 of the Revised Code; 6188

(c) Meet the criteria for the accomplished or 6189
distinguished level of performance, as described in the 6190
standards for teachers adopted by the state board under section 6191
3319.61 of the Revised Code. 6192

(4) An applicant for a lead professional educator license 6193
shall: 6194

(a) Hold at least a master's degree from an institution of 6195
higher education accredited by a regional accrediting 6196
organization; 6197

(b) Have previously held a professional educator license 6198
or a senior professional educator license issued under this 6199
section or a professional educator license issued under section 6200
3319.222 or former section 3319.22 of the Revised Code; 6201

(c) Meet the criteria for the distinguished level of 6202
performance, as described in the standards for teachers adopted 6203
by the state board under section 3319.61 of the Revised Code; 6204

(d) Either hold a valid certificate issued by the national 6205
board for professional teaching standards or meet the criteria 6206
for a master teacher or other criteria for a lead teacher 6207
adopted by the educator standards board under division (F) (4) or 6208
(5) of section 3319.61 of the Revised Code. 6209

(C) The state board shall align the standards and 6210
qualifications for obtaining a principal license with the 6211
standards for principals adopted by the state board under 6212
section 3319.61 of the Revised Code. 6213

(D) If the state board requires any examinations for 6214
educator licensure, the department of education shall provide 6215
the results of such examinations received by the department to 6216
the chancellor of higher education, in the manner and to the 6217
extent permitted by state and federal law. 6218

(E) Any rules the state board of education adopts, amends, 6219
or rescinds for educator licenses under this section, division 6220
(D) of section 3301.07 of the Revised Code, or any other law 6221
shall be adopted, amended, or rescinded under Chapter 119. of 6222
the Revised Code except as follows: 6223

(1) Notwithstanding division (E) of section 119.03 and 6224
division (A)(1) of section 119.04 of the Revised Code, in the 6225
case of the adoption of any rule or the amendment or rescission 6226
of any rule that necessitates institutions' offering preparation 6227
programs for educators and other school personnel that are 6228
approved by the chancellor of higher education under section 6229
3333.048 of the Revised Code to revise the curriculum of those 6230
programs, the effective date shall not be as prescribed in 6231
division (E) of section 119.03 and division (A)(1) of section 6232
119.04 of the Revised Code. Instead, the effective date of such 6233
rules, or the amendment or rescission of such rules, shall be 6234
the date prescribed by section 3333.048 of the Revised Code. 6235

(2) Notwithstanding the authority to adopt, amend, or 6236
rescind emergency rules in division (G) of section 119.03 of the 6237
Revised Code, this authority shall not apply to the state board 6238
of education with regard to rules for educator licenses. 6239

(F)(1) The rules adopted under this section establishing 6240
standards requiring additional coursework for the renewal of any 6241
educator license shall require a school district and a chartered 6242
nonpublic school to establish local professional development 6243

committees. In a nonpublic school, the chief administrative 6244
officer shall establish the committees in any manner acceptable 6245
to such officer. The committees established under this division 6246
shall determine whether coursework that a district or chartered 6247
nonpublic school teacher proposes to complete meets the 6248
requirement of the rules. The department of education shall 6249
provide technical assistance and support to committees as the 6250
committees incorporate the professional development standards 6251
adopted by the state board of education pursuant to section 6252
3319.61 of the Revised Code into their review of coursework that 6253
is appropriate for license renewal. The rules shall establish a 6254
procedure by which a teacher may appeal the decision of a local 6255
professional development committee. 6256

(2) In any school district in which there is no exclusive 6257
representative established under Chapter 4117. of the Revised 6258
Code, the professional development committees shall be 6259
established as described in division (F) (2) of this section. 6260

Not later than the effective date of the rules adopted 6261
under this section, the board of education of each school 6262
district shall establish the structure for one or more local 6263
professional development committees to be operated by such 6264
school district. The committee structure so established by a 6265
district board shall remain in effect unless within thirty days 6266
prior to an anniversary of the date upon which the current 6267
committee structure was established, the board provides notice 6268
to all affected district employees that the committee structure 6269
is to be modified. Professional development committees may have 6270
a district-level or building-level scope of operations, and may 6271
be established with regard to particular grade or age levels for 6272
which an educator license is designated. 6273

Each professional development committee shall consist of 6274
at least three classroom teachers employed by the district, one 6275
principal employed by the district, and one other employee of 6276
the district appointed by the district superintendent. For 6277
committees with a building-level scope, the teacher and 6278
principal members shall be assigned to that building, and the 6279
teacher members shall be elected by majority vote of the 6280
classroom teachers assigned to that building. For committees 6281
with a district-level scope, the teacher members shall be 6282
elected by majority vote of the classroom teachers of the 6283
district, and the principal member shall be elected by a 6284
majority vote of the principals of the district, unless there 6285
are two or fewer principals employed by the district, in which 6286
case the one or two principals employed shall serve on the 6287
committee. If a committee has a particular grade or age level 6288
scope, the teacher members shall be licensed to teach such grade 6289
or age levels, and shall be elected by majority vote of the 6290
classroom teachers holding such a license and the principal 6291
shall be elected by all principals serving in buildings where 6292
any such teachers serve. The district superintendent shall 6293
appoint a replacement to fill any vacancy that occurs on a 6294
professional development committee, except in the case of 6295
vacancies among the elected classroom teacher members, which 6296
shall be filled by vote of the remaining members of the 6297
committee so selected. 6298

Terms of office on professional development committees 6299
shall be prescribed by the district board establishing the 6300
committees. The conduct of elections for members of professional 6301
development committees shall be prescribed by the district board 6302
establishing the committees. A professional development 6303
committee may include additional members, except that the 6304

majority of members on each such committee shall be classroom 6305
teachers employed by the district. Any member appointed to fill 6306
a vacancy occurring prior to the expiration date of the term for 6307
which a predecessor was appointed shall hold office as a member 6308
for the remainder of that term. 6309

The initial meeting of any professional development 6310
committee, upon election and appointment of all committee 6311
members, shall be called by a member designated by the district 6312
superintendent. At this initial meeting, the committee shall 6313
select a chairperson and such other officers the committee deems 6314
necessary, and shall adopt rules for the conduct of its 6315
meetings. Thereafter, the committee shall meet at the call of 6316
the chairperson or upon the filing of a petition with the 6317
district superintendent signed by a majority of the committee 6318
members calling for the committee to meet. 6319

(3) In the case of a school district in which an exclusive 6320
representative has been established pursuant to Chapter 4117. of 6321
the Revised Code, professional development committees shall be 6322
established in accordance with any collective bargaining 6323
agreement in effect in the district that includes provisions for 6324
such committees. 6325

If the collective bargaining agreement does not specify a 6326
different method for the selection of teacher members of the 6327
committees, the exclusive representative of the district's 6328
teachers shall select the teacher members. 6329

If the collective bargaining agreement does not specify a 6330
different structure for the committees, the board of education 6331
of the school district shall establish the structure, including 6332
the number of committees and the number of teacher and 6333
administrative members on each committee; the specific 6334

administrative members to be part of each committee; whether the 6335
scope of the committees will be district levels, building 6336
levels, or by type of grade or age levels for which educator 6337
licenses are designated; the lengths of terms for members; the 6338
manner of filling vacancies on the committees; and the frequency 6339
and time and place of meetings. However, in all cases, except as 6340
provided in division (F)(4) of this section, there shall be a 6341
majority of teacher members of any professional development 6342
committee, there shall be at least five total members of any 6343
professional development committee, and the exclusive 6344
representative shall designate replacement members in the case 6345
of vacancies among teacher members, unless the collective 6346
bargaining agreement specifies a different method of selecting 6347
such replacements. 6348

(4) Whenever an administrator's coursework plan is being 6349
discussed or voted upon, the local professional development 6350
committee shall, at the request of one of its administrative 6351
members, cause a majority of the committee to consist of 6352
administrative members by reducing the number of teacher members 6353
voting on the plan. 6354

(G)(1) The department of education, educational service 6355
centers, county boards of developmental disabilities, college 6356
and university departments of education, head start programs, 6357
and the Ohio education computer network may establish local 6358
professional development committees to determine whether the 6359
coursework proposed by their employees who are licensed or 6360
certificated under this section or section 3319.222 of the 6361
Revised Code, or under the former version of either section as 6362
it existed prior to October 16, 2009, meet the requirements of 6363
the rules adopted under this section. They may establish local 6364
professional development committees on their own or in 6365

collaboration with a school district or other agency having 6366
authority to establish them. 6367

Local professional development committees established by 6368
county boards of developmental disabilities shall be structured 6369
in a manner comparable to the structures prescribed for school 6370
districts in divisions (F)(2) and (3) of this section, as shall 6371
the committees established by any other entity specified in 6372
division (G)(1) of this section that provides educational 6373
services by employing or contracting for services of classroom 6374
teachers licensed or certificated under this section or section 6375
3319.222 of the Revised Code, or under the former version of 6376
either section as it existed prior to October 16, 2009. All 6377
other entities specified in division (G)(1) of this section 6378
shall structure their committees in accordance with guidelines 6379
which shall be issued by the state board. 6380

(2) Educational service centers may establish local 6381
professional development committees to serve educators who are 6382
not employed in schools in this state, including pupil services 6383
personnel who are licensed under this section. Local 6384
professional development committees shall be structured in a 6385
manner comparable to the structures prescribed for school 6386
districts in divisions (F)(2) and (3) of this section. 6387

These committees may agree to review the coursework, 6388
continuing education units, or other equivalent activities 6389
related to classroom teaching or the area of licensure that is 6390
proposed by an individual who satisfies both of the following 6391
conditions: 6392

(a) The individual is licensed or certificated under this 6393
section or under the former version of this section as it 6394
existed prior to October 16, 2009. 6395

(b) The individual is not currently employed as an 6396
educator or is not currently employed by an entity that operates 6397
a local professional development committee under this section. 6398

Any committee that agrees to work with such an individual 6399
shall work to determine whether the proposed coursework, 6400
continuing education units, or other equivalent activities meet 6401
the requirements of the rules adopted by the state board under 6402
this section. 6403

(3) Any public agency that is not specified in division 6404
(G) (1) or (2) of this section but provides educational services 6405
and employs or contracts for services of classroom teachers 6406
licensed or certificated under this section or section 3319.222 6407
of the Revised Code, or under the former version of either 6408
section as it existed prior to October 16, 2009, may establish a 6409
local professional development committee, subject to the 6410
approval of the department of education. The committee shall be 6411
structured in accordance with guidelines issued by the state 6412
board. 6413

(H) Not later than July 1, 2016, the state board, in 6414
accordance with Chapter 119. of the Revised Code, shall adopt 6415
rules pursuant to division (A) (3) of this section that do both 6416
of the following: 6417

(1) Exempt consistently high-performing teachers from the 6418
requirement to complete any additional coursework for the 6419
renewal of an educator license issued under this section or 6420
section 3319.26 of the Revised Code. The rules also shall 6421
specify that such teachers are exempt from any requirements 6422
prescribed by professional development committees established 6423
under divisions (F) and (G) of this section. 6424

(2) For purposes of division (H)(1) of this section, the state board shall define the term "consistently high-performing teacher."

(I) The state board shall issue a resident educator license, professional educator license, senior professional educator license, lead professional educator license, or any other educator license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a resident educator, professional educator, senior professional educator, lead professional educator, or any other type of educator in a state that does not issue one or more of those licenses.

Sec. 3319.226. (A) Beginning July 1, 2019, the state board of education shall issue educator licenses for substitute teaching only under this section.

(B) ~~The~~ Except as provided in division (E) of this section, the state board shall adopt rules establishing standards and requirements for obtaining a license under this section and for renewal of the license. Except as provided in division (F) of section 3319.229 of the Revised Code, the rules shall require an applicant to hold a post-secondary degree, but not in any specified subject area. The rules also shall allow the holder of a license issued under this section to work:

(1) For an unlimited number of school days if the license holder has a post-secondary degree in either education or a subject area directly related to the subject of the class the

license holder will teach; 6454

(2) For one full semester, subject to the approval of the 6455
employing school district board of education, if the license 6456
holder has a post-secondary degree in a subject area that is not 6457
directly related to the subject of the class that the license 6458
holder will teach. 6459

The district superintendent may request that the board 6460
approve one or more additional subsequent semester-long periods 6461
of teaching for the license holder. 6462

(C) The rules adopted under division (B) of this section 6463
shall permit a substitute career-technical teaching license 6464
holder to teach outside the license holder's certified career 6465
field for up to one semester, subject to approval of the 6466
employing school district superintendent. 6467

(D) Any license issued or renewed under former section 6468
3319.226 of the Revised Code that was still in force on November 6469
2, 2018, shall remain in force for the remainder of the term for 6470
which it was issued or renewed. Upon the expiration of that 6471
term, the holder of that license shall be subject to licensure 6472
under the rules adopted under this section. 6473

(E) The state board shall issue an educator license for 6474
substitute teaching in accordance with Chapter 4796. of the 6475
Revised Code to an applicant if either of the following applies: 6476

(1) The applicant holds a license in another state. 6477

(2) The applicant has satisfactory work experience, a 6478
government certification, or a private certification as 6479
described in that chapter as a substitute teacher in a state 6480
that does not issue that license. 6481

Sec. 3319.229. (A) (1) Notwithstanding the repeal of former 6482
section 3319.229 of the Revised Code by S.B. 216 of the 132nd 6483
general assembly, the state board of education shall accept 6484
applications for new, and for renewal of, professional career- 6485
technical teaching licenses through June 30, 2019, and issue 6486
them on the basis of the applications received by that date in 6487
accordance with the rules described in that former section. 6488
Except as otherwise provided in divisions (A) (2) and (3) of this 6489
section, beginning July 1, 2019, the state board shall issue 6490
career-technical workforce development educator licenses only 6491
under this section. 6492

(2) An individual who, on July 1, 2019, holds a 6493
professional career-technical teaching license issued under the 6494
rules described in former section 3319.229 of the Revised Code, 6495
may continue to renew that license in accordance with those 6496
rules for the remainder of the individual's teaching career. 6497
However, nothing in this division shall be construed to prohibit 6498
the individual from applying to the state board for a career- 6499
technical workforce development educator license under this 6500
section. 6501

(3) An individual who, on July 1, 2019, holds an 6502
alternative resident educator license for teaching career- 6503
technical education issued under section 3319.26 of the Revised 6504
Code may, upon the expiration of the license, apply for a 6505
professional career-technical teaching license issued under the 6506
rules described in former section 3319.229 of the Revised Code. 6507
Such an individual may continue to renew the professional 6508
license in accordance with those rules for the remainder of the 6509
individual's teaching career. However, nothing in this division 6510
shall be construed to prohibit the individual from applying to 6511
the state board for a career-technical workforce development 6512

educator license under this section. 6513

(B) ~~The~~ Except as provided in division (G) of this 6514
section, the state board, in collaboration with the chancellor 6515
of higher education, shall adopt rules establishing standards 6516
and requirements for obtaining a two-year initial career- 6517
technical workforce development educator license and a five-year 6518
advanced career-technical workforce development educator 6519
license. Each license shall be valid for teaching career- 6520
technical education or workforce development programs in grades 6521
four through twelve. The rules shall require applicants for 6522
either license to have a high school diploma or a certificate of 6523
high school equivalence as awarded under section 3301.80 of the 6524
Revised Code or as recognized as the equivalent of such 6525
certificate under division (C) of that section. 6526

(C) (1) ~~The~~ Except as provided in division (G) of this 6527
section, the state board shall issue an initial career-technical 6528
workforce development educator license to an applicant upon 6529
request from the superintendent of a school district that has 6530
agreed to employ the applicant. In making the request, the 6531
superintendent shall provide documentation, in accordance with 6532
procedures prescribed by the department of education, showing 6533
that the applicant has at least five years of work experience, 6534
or the equivalent, in the subject area in which the applicant 6535
will teach. The license shall be valid for teaching only in the 6536
requesting district. The superintendent also shall provide 6537
documentation, in accordance with procedures prescribed by the 6538
department, that the applicant is enrolled in a career-technical 6539
workforce development educator preparation program offered by an 6540
institution of higher education that has an existing teacher 6541
preparatory program in place that meets all of the following 6542
criteria: 6543

- (a) Is approved by the chancellor of higher education to provide instruction in teaching methods and principles; 6544
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- (b) Provides classroom support to the license holder; 6546
- (c) Includes at least three semester hours of coursework in the teaching of reading in the subject area; 6547
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- (d) Is aligned with career-technical education and workforce development competencies developed by the department; 6549
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- (e) Uses a summative performance-based assessment developed by the program and aligned to the competencies described in division (C) (1) (d) of this section to evaluate the license holder's knowledge and skills; 6551
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- (f) Consists of not less than twenty-four semester hours of coursework, or the equivalent. 6555
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- (2) As a condition of continuing to hold the initial career-technical workforce development license, the holder of the license shall be participating in a career-technical workforce development educator preparation program described in division (C) (1) of this section. 6557
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- (3) The state board shall renew an initial career-technical workforce development educator license if the supervisor of the program described in division (C) (1) of this section and the superintendent of the employing school district indicate that the applicant is making sufficient progress in both the program and the teaching position. 6562
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- (D) ~~The~~ Except as provided in division (G) of this section, the state board shall issue an advanced career-technical workforce development educator license to an applicant who has successfully completed the program described in division 6568
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(C) (1) of this section, as indicated by the supervisor of the 6572
program, and who demonstrates mastery of the applicable career- 6573
technical education and workforce development competencies 6574
described in division (C) (1) (d) of this section in the teaching 6575
position, as indicated by the superintendent of the employing 6576
school district. 6577

(E) The holder of an advanced career-technical workforce 6578
development educator license shall work with a local 6579
professional development committee established under section 6580
3319.22 of the Revised Code in meeting requirements for renewal 6581
of the license. 6582

(F) Notwithstanding the provisions of section 3319.226 of 6583
the Revised Code, the state board shall not require any 6584
applicant for an educator license for substitute teaching who 6585
holds a license issued under this section to hold a post- 6586
secondary degree in order to be issued a license under section 6587
3319.226 of the Revised Code to work as a substitute teacher for 6588
career-technical education classes. 6589

(G) The state board shall issue a license to practice as 6590
an initial career-technical workforce development educator or 6591
advanced career-technical workforce development educator in 6592
accordance with Chapter 4796. of the Revised Code to an 6593
applicant if either of the following applies: 6594

(1) The applicant holds a license in another state. 6595

(2) The applicant has satisfactory work experience, a 6596
government certification, or a private certification as 6597
described in that chapter as a career-technical workforce 6598
development educator in a state that does not issue one or both 6599
of those licenses. 6600

Sec. 3319.26. (A) ~~The~~ Except as provided in division (H) 6601
of this section, the state board of education shall adopt rules 6602
establishing the standards and requirements for obtaining an 6603
alternative resident educator license for teaching in grades 6604
kindergarten to twelve, or the equivalent, in a designated 6605
subject area or in the area of intervention specialist, as 6606
defined by rule of the state board. The rules shall also include 6607
the reasons for which an alternative resident educator license 6608
may be renewed under division (D) of this section. 6609

(B) The superintendent of public instruction and the 6610
chancellor of higher education jointly shall develop an 6611
intensive pedagogical training institute to provide instruction 6612
in the principles and practices of teaching for individuals 6613
seeking an alternative resident educator license. The 6614
instruction shall cover such topics as student development and 6615
learning, pupil assessment procedures, curriculum development, 6616
classroom management, and teaching methodology. 6617

(C) ~~The~~ Except as provided in division (H) of this 6618
section, the rules adopted under this section shall require 6619
applicants for the alternative resident educator license to 6620
satisfy the following conditions prior to issuance of the 6621
license, but they shall not require applicants to have completed 6622
a major or coursework in the subject area for which application 6623
is being made: 6624

(1) Hold a minimum of a baccalaureate degree; 6625

(2) Successfully complete the pedagogical training 6626
institute described in division (B) of this section or the 6627
preservice training provided to participants of a teacher 6628
preparation program that has been approved by the chancellor. 6629
The chancellor may approve any such program that requires 6630

participants to hold a bachelor's degree; have either a 6631
cumulative undergraduate grade point average of at least 2.5 out 6632
of 4.0, or its equivalent or a cumulative graduate school grade 6633
point average of at least 3.0 out of 4.0; and successfully 6634
complete the program's preservice training. 6635

(3) Pass an examination in the subject area for which 6636
application is being made. 6637

(D) An alternative resident educator license shall be 6638
valid for four years and shall be renewable for reasons 6639
specified by rules adopted by the state board pursuant to 6640
division (A) of this section. The state board, on a case-by-case 6641
basis, may extend the license's duration as necessary to enable 6642
the license holder to complete the Ohio teacher residency 6643
program established under section 3319.223 of the Revised Code. 6644

(E) The rules shall require the holder of an alternative 6645
resident educator license, as a condition of continuing to hold 6646
the license, to do all of the following: 6647

(1) Participate in the Ohio teacher residency program; 6648

(2) Show satisfactory progress in taking and successfully 6649
completing one of the following: 6650

(a) At least twelve additional semester hours, or the 6651
equivalent, of college coursework in the principles and 6652
practices of teaching in such topics as student development and 6653
learning, pupil assessment procedures, curriculum development, 6654
classroom management, and teaching methodology; 6655

(b) Professional development provided by a teacher 6656
preparation program that has been approved by the chancellor 6657
under division (C) (2) of this section. 6658

(3) Take an assessment of professional knowledge in the 6659
second year of teaching under the license. 6660

(F) The rules shall provide for the granting of a 6661
professional educator license to a holder of an alternative 6662
resident educator license upon successfully completing all of 6663
the following: 6664

(1) Four years of teaching under the alternative license; 6665

(2) The additional college coursework or professional 6666
development described in division (E) (2) of this section; 6667

(3) The assessment of professional knowledge described in 6668
division (E) (3) of this section. The standards for successfully 6669
completing this assessment and the manner of conducting the 6670
assessment shall be the same as for any other individual who is 6671
required to take the assessment pursuant to rules adopted by the 6672
state board under section 3319.22 of the Revised Code. 6673

(4) The Ohio teacher residency program; 6674

(5) All other requirements for a professional educator 6675
license adopted by the state board under section 3319.22 of the 6676
Revised Code. 6677

(G) A person who is assigned to teach in this state as a 6678
participant in the teach for America program or who has 6679
completed two years of teaching in another state as a 6680
participant in that program shall be eligible for a license only 6681
under section 3319.227 of the Revised Code and shall not be 6682
eligible for a license under this section. 6683

(H) The board shall issue an alternative resident educator 6684
license in accordance with Chapter 4796. of the Revised Code to 6685
an applicant if either of the following applies: 6686

(1) The applicant holds a license in another state. 6687

(2) The applicant has satisfactory work experience, a 6688
government certification, or a private certification as 6689
described in that chapter as an educator for grades kindergarten 6690
through twelve in a state that does not issue that license. 6691

Sec. 3319.261. (A) Notwithstanding any other provision of 6692
the Revised Code or any rule adopted by the state board of 6693
education to the contrary and except as provided in division (C) 6694
of this section, the state board shall issue an alternative 6695
resident educator license under division (C) of section 3319.26 6696
of the Revised Code to each applicant who meets the following 6697
conditions: 6698

(1) Holds a bachelor's degree from an accredited 6699
institution of higher education; 6700

(2) Has successfully completed a teacher education program 6701
offered by one of the following entities: 6702

(a) The American Montessori society; 6703

(b) The association Montessori internationale; 6704

(c) An institution accredited by the Montessori 6705
accreditation council for teacher education. 6706

(3) Is employed in a school that operates a program that 6707
uses the Montessori method endorsed by the American Montessori 6708
society, the Montessori accreditation council for teacher 6709
education, or the association Montessori internationale as its 6710
primary method of instruction. 6711

(B) The holder of an alternative resident educator license 6712
issued under this section shall be subject to divisions (A), 6713
(B), (D), and (E) of section 3319.26 of the Revised Code and 6714

shall be granted a professional educator license upon successful 6715
completion of the requirements described in division (F) of 6716
section 3319.26 of the Revised Code. 6717

(C) The state board shall issue an alternative resident 6718
educator license under this section in accordance with Chapter 6719
4796. of the Revised Code to an applicant if either of the 6720
following applies: 6721

(1) The applicant holds a license in another state. 6722

(2) The applicant has satisfactory work experience, a 6723
government certification, or a private certification as 6724
described in that chapter as an educator providing instruction 6725
in a Montessori-method school in a state that does not issue 6726
that license. 6727

Sec. 3319.262. (A) Notwithstanding any other provision of 6728
the Revised Code or any rule adopted by the state board of 6729
education to the contrary and except as provided in division (C) 6730
of this section, the state board shall adopt rules establishing 6731
standards and requirements for obtaining a nonrenewable four- 6732
year initial early college high school educator license for 6733
teaching grades seven through twelve at an early college high 6734
school described in section 3313.6013 of the Revised Code to any 6735
applicant who meets the following conditions: 6736

(1) Has a graduate or terminal degree from an accredited 6737
institution of higher education in a field related to the 6738
subject area to be taught, as determined by the department of 6739
education; 6740

(2) Has obtained a passing score on an examination in the 6741
subject area to be taught, as prescribed by the state board; 6742

(3) Has experience teaching students at any grade level, 6743

including post-secondary students; 6744

(4) Has proof that an early college high school intends to 6745
employ the applicant pending a valid license under this section. 6746

An individual licensed under this section shall be subject 6747
to sections 3319.291 and 3319.39 of the Revised Code. An initial 6748
educator license issued under division (A) of this section shall 6749
be valid for teaching only at the employing school described in 6750
division (A) (4) of this section. 6751

(B) After four years of teaching under an initial early 6752
college high school educator license issued under this section, 6753
an individual may apply for a renewable five-year professional 6754
educator license in the same subject area named in the initial 6755
license. The state board shall issue the applicant a 6756
professional educator license if the applicant attains a passing 6757
score on an assessment of professional knowledge prescribed by 6758
the state board. Nothing in division (B) of this section shall 6759
be construed to prohibit an individual from applying for a 6760
professional-~~education~~ educator license under section 3319.22 of 6761
the Revised Code. 6762

(C) The state board shall issue an initial early college 6763
high school educator license in accordance with Chapter 4796. of 6764
the Revised Code to an applicant if either of the following 6765
applies: 6766

(1) The applicant holds a license in another state. 6767

(2) The applicant has satisfactory work experience, a 6768
government certification, or a private certification as 6769
described in that chapter as an early college high school 6770
educator in a state that does not issue that license. 6771

Sec. 3319.27. (A) The ~~Except as provided in division (C)~~ 6772

of this section, the state board of education shall adopt rules 6773
that establish an alternative principal license. The rules 6774
establishing an alternative principal license shall include a 6775
requirement that an applicant have obtained classroom teaching 6776
experience. Beginning on the effective date of the rules, the 6777
state board shall cease to issue temporary educator licenses 6778
pursuant to section 3319.225 of the Revised Code for employment 6779
as a principal. Any person who on the effective date of the 6780
rules holds a valid temporary educator license issued under that 6781
section and is employed as a principal shall be allowed to 6782
continue employment as a principal until the expiration of the 6783
license. Employment of any such person as a principal by a 6784
school district after the expiration of the temporary educator 6785
license shall be contingent upon the state board issuing the 6786
person an alternative principal license in accordance with the 6787
rules adopted under this division. 6788

(B) The Except as provided in division (C) of this 6789
section, the state board shall adopt rules that establish an 6790
alternative administrator license, which shall be valid for 6791
employment as a superintendent or in any other administrative 6792
position except principal. Beginning on the effective date of 6793
the rules, the state board shall cease to issue temporary 6794
educator licenses pursuant to section 3319.225 of the Revised 6795
Code for employment as a superintendent or in any other 6796
administrative position except principal. Any person who on the 6797
effective date of the rules holds a valid temporary educator 6798
license issued under that section and is employed as a 6799
superintendent or in any other administrative position except 6800
principal shall be allowed to continue employment in that 6801
position until the expiration of the license. Employment of any 6802
such person as a superintendent or in any other administrative 6803

position except principal by a school district after the 6804
expiration of the temporary educator license shall be contingent 6805
upon the state board issuing the person an alternative 6806
administrator license in accordance with the rules adopted under 6807
this division. 6808

(C) The state board shall issue an alternative principal 6809
or alternative administrator license in accordance with Chapter 6810
4796. of the Revised Code to an applicant if either of the 6811
following applies: 6812

(1) The applicant holds a license in another state. 6813

(2) The applicant has satisfactory work experience, a 6814
government certification, or a private certification as 6815
described in that chapter as a school principal or school 6816
administrator in a state that does not issue one or both of 6817
those licenses. 6818

Sec. 3319.28. (A) As used in this section, "STEM school" 6819
means a science, technology, engineering, and mathematics school 6820
established under Chapter 3326. of the Revised Code. 6821

(B) Notwithstanding any other provision of the Revised 6822
Code or any rule adopted by the state board of education to the 6823
contrary and except as provided in division (F) of this section, 6824
the state board shall issue a two-year provisional educator 6825
license for teaching science, technology, engineering, or 6826
mathematics in grades six through twelve in a STEM school to any 6827
applicant who meets the following conditions: 6828

(1) Holds a bachelor's degree from an accredited 6829
institution of higher education in a field related to the 6830
subject area to be taught; 6831

(2) Has passed an examination prescribed by the state 6832

board in the subject area to be taught.	6833
(C) The holder of a provisional educator license issued	6834
under this section shall complete a structured apprenticeship	6835
program provided by an educational service center or a teacher	6836
preparation program approved under section 3333.048 of the	6837
Revised Code, in partnership with the STEM school that employs	6838
the license holder. The apprenticeship program shall include the	6839
following:	6840
(1) Mentoring by a teacher or administrator who regularly	6841
observes the license holder's classroom instruction, provides	6842
feedback on the license holder's teaching strategies and	6843
classroom management, and engages the license holder in	6844
discussions about methods for fostering and measuring student	6845
learning;	6846
(2) Regularly scheduled seminars or meetings that address	6847
the following topics:	6848
(a) The statewide academic standards adopted by the state	6849
board under section 3301.079 of the Revised Code and the	6850
importance of aligning curriculum with those standards;	6851
(b) The achievement assessments prescribed by section	6852
3301.0710 of the Revised Code;	6853
(c) The school district and building accountability system	6854
established under Chapter 3302. of the Revised Code;	6855
(d) Instructional methods and strategies;	6856
(e) Student development;	6857
(f) Assessing student progress and providing remediation	6858
and intervention, as necessary, to meet students' special needs;	6859

(g) Classroom management and record keeping.	6860
(D) After two years of teaching under a provisional educator license issued under this section, a person may apply for a five-year professional educator license in the same subject area named in the provisional license. The state board shall issue the applicant a professional educator license if the applicant meets the following conditions:	6861 6862 6863 6864 6865 6866
(1) The applicant completed the apprenticeship program described in division (C) of this section.	6867 6868
(2) The applicant receives a positive recommendation indicating that the applicant is an effective teacher from both of the following:	6869 6870 6871
(a) The chief administrative officer of the STEM school that most recently employed the applicant as a classroom teacher;	6872 6873 6874
(b) The educational service center or teacher preparation program administrator in charge of the apprenticeship program completed by the applicant.	6875 6876 6877
(3) The applicant meets all other requirements for a professional educator license adopted by the state board under section 3319.22 of the Revised Code.	6878 6879 6880
(E) The department of education shall evaluate the experiences of STEM schools with classroom teachers holding provisional educator licenses issued under this section. The evaluation shall cover the first two school years for which licenses are issued and shall consider at least the schools' satisfaction with the teachers and the operation of the apprenticeship programs.	6881 6882 6883 6884 6885 6886 6887

(F) The state board shall issue a provisional educator license for teaching in a STEM school in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 6888
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(1) The applicant holds a license in another state. 6892

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a STEM educator in a state that does not issue that license. 6893
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Sec. 3319.301. (A) As used in this section: 6897

(1) "Dropout recovery community school" means a community school established under Chapter 3314. of the Revised Code in which a majority of the students are enrolled in a dropout prevention and recovery program that is operated by the school. 6898
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(2) "Industry-recognized credential program" means a career-technical course in which a student may earn an industry-recognized credential approved under section 3313.6113 of the Revised Code. 6902
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(3) "STEM school" means a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code. 6906
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(B) The state board of education shall issue permits to individuals who are not licensed as required by sections 3319.22 to 3319.30 of the Revised Code, but who are otherwise qualified, to teach classes for not more than a total of twelve hours a week, except that an individual teaching in a STEM school or an individual teaching an industry-recognized credential program offered at a dropout recovery community school may teach classes for not more than a total of forty hours a week. The state 6909
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board, by rule, shall set forth the qualifications, other than 6917
licensure under sections 3319.22 to 3319.30 of the Revised Code, 6918
to be met by individuals in order to be issued a permit as 6919
provided in this section. Such qualifications shall include the 6920
possession of a baccalaureate, master's, or doctoral degree in, 6921
or significant experience related to, the subject the individual 6922
is to teach. For an individual assigned to teach a career- 6923
technical class, significant experience related to a subject 6924
shall include career-technical experience. Applications for 6925
permits pursuant to this section shall be made in accordance 6926
with section 3319.29 of the Revised Code. A permit issued under 6927
this section shall be renewable. 6928

The state board, by rule, shall authorize the board of 6929
education of each school district and each STEM school to engage 6930
individuals holding permits issued under this section to teach 6931
classes for not more than the total number of hours a week 6932
specified in the permit. The rules shall include provisions with 6933
regard to each of the following: 6934

(1) That a board of education or STEM school shall engage 6935
a nonlicensed individual to teach pursuant to this section on a 6936
volunteer basis, or by entering into a contract with the 6937
individual or the individual's employer on such terms and 6938
conditions as are agreed to between the board or school and the 6939
individual or the individual's employer; 6940

(2) That an employee of the board of education or STEM 6941
school who is licensed under sections 3319.22 to 3319.30 of the 6942
Revised Code shall directly supervise a nonlicensed individual 6943
who is engaged to teach pursuant to this section until the 6944
superintendent of the school district or the chief 6945
administrative officer of the STEM school is satisfied that the 6946

nonlicensed individual has sufficient understanding of, and 6947
experience in, effective teaching methods to teach without 6948
supervision. 6949

(C) A nonlicensed individual engaged to teach pursuant to 6950
this section is a teacher for the purposes of Title XXXIII of 6951
the Revised Code except for the purposes of Chapters 3307. and 6952
3317. and sections 3319.07 to 3319.31 of the Revised Code. Such 6953
an individual is not an employee of the board of education or 6954
STEM school for the purpose of Titles I or XLI or Chapter 3309. 6955
of the Revised Code. 6956

(D) Students enrolled in a class taught by a nonlicensed 6957
individual pursuant to this section and rules adopted thereunder 6958
shall receive the same credit as if the class had been taught by 6959
an employee licensed pursuant to sections 3319.22 to 3319.30 of 6960
the Revised Code. 6961

(E) No board of education of any school district shall 6962
engage any one or more nonlicensed individuals if such 6963
employment displaces from employment an existing licensed 6964
employee of the district. 6965

(F) Chapter 4796. of the Revised Code does not apply to 6966
permits issued under this section. 6967

Sec. 3319.303. (A) ~~The~~ Except as provided in division (D) 6968
of this section, the state board of education shall adopt rules 6969
establishing standards and requirements for obtaining a pupil- 6970
activity program permit for any individual who does not hold a 6971
valid educator license, certificate, or permit issued by the 6972
state board under section 3319.22, 3319.26, or 3319.27 of the 6973
Revised Code. The permit issued under this section shall be 6974
valid for coaching, supervising, or directing a pupil-activity 6975

program under section 3313.53 of the Revised Code. Subject to 6976
the provisions of section 3319.31 of the Revised Code, a permit 6977
issued under this division shall be valid for three years and 6978
shall be renewable. 6979

(B) The state board shall adopt rules applicable to 6980
individuals who hold valid educator licenses, certificates, or 6981
permits issued by the state board under section 3319.22, 6982
3319.26, or 3319.27 of the Revised Code setting forth standards 6983
to assure any such individual's competence to direct, supervise, 6984
or coach a pupil-activity program described in section 3313.53 6985
of the Revised Code. The rules adopted under this division shall 6986
not be more stringent than the standards set forth in rules 6987
applicable to individuals who do not hold such licenses, 6988
certificates, or permits adopted under division (A) of this 6989
section. Subject to the provisions of section 3319.31 of the 6990
Revised Code, a permit issued to an individual under this 6991
division shall be valid for the same number of years as the 6992
individual's educator license, certificate, or permit issued 6993
under section 3319.22, 3319.26, or 3319.27 of the Revised Code 6994
and shall be renewable. 6995

~~(C) As a condition to issuing or renewing a pupil-activity-~~ 6996
~~program permit to coach interscholastic athletics:~~ 6997

(1) ~~The~~ Except as provided in division (D) of this 6998
section, as a condition to issuing a pupil-activity program 6999
permit to coach interscholastic athletics, the state board shall 7000
require each individual applying for a first permit on or after 7001
April 26, 2013, to successfully complete a training program that 7002
is specifically focused on brain trauma and brain injury 7003
management. 7004

(2) The state board shall require, as a condition to 7005

renewing a pupil-activity program permit to coach interscholastic athletics, each individual applying for a permit renewal on or after that date to present evidence that the individual has successfully completed, within the previous three years, a training program in recognizing the symptoms of concussions and head injuries to which the department of health has provided a link on its internet web site under section 3707.52 of the Revised Code or a training program authorized and required by an organization that regulates interscholastic athletic competition and conducts interscholastic athletic events.

(D) The state board shall issue a permit for coaching, supervising, or directing a pupil-activity program in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license or permit in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a coach, supervisor, or pupil-activity program director in a state that does not issue that permit.

Sec. 3319.361. (A) ~~The~~ Except as provided in division (F) of this section, the state board of education shall establish rules for the issuance of a supplemental teaching license. This license shall be issued at the request of the superintendent of a city, local, exempted village, or joint vocational school district, educational service center, or the governing authority of a STEM school, chartered nonpublic school, or community school to an individual who meets all of the following criteria:

- (1) Holds a current professional or permanent Ohio
teaching certificate or resident educator license, professional
educator license, senior professional educator license, or lead
professional educator license, as issued under section 3319.22
or 3319.26 of the Revised Code;
- (2) Is of good moral character;
- (3) Is employed in a supplemental licensure area or
teaching field, as defined by the state board;
- (4) Completes an examination prescribed by the state board
in the licensure area;
- (5) Completes, while employed under the supplemental
teaching license and subsequent renewals thereof, additional
coursework, if applicable, and testing requirements for full
licensure in the supplemental area as a condition of holding and
teaching under a supplemental teaching license.
- (B) The employing school district, service center, or
school shall assign a mentor to the individual holding a
supplemental teaching license. The assigned mentor shall be an
experienced teacher who currently holds a license in the same,
or a related, content area as the supplemental license.
- (C) Before the department of education will issue an
individual a supplemental teaching license in another area, the
supplemental licensee must complete the supplemental licensure
program, or its equivalent, and be issued a standard teaching
license in the area of the currently held supplemental license.
- (D) An individual may advance from a supplemental teaching
license to a standard teaching license upon:
- (1) Verification from the employing superintendent or

governing authority that the individual holding the supplemental 7064
teaching license has taught successfully in the licensure area 7065
for a minimum of two years; and 7066

(2) Completing requirements as applicable to the licensure 7067
area or teaching field as established by the state board. 7068

(E) A licensee who has filed an application under this 7069
section may work in the supplemental licensure area for up to 7070
sixty school days while completing the requirements in division 7071
(A) (4) of this section. If the requirements are not completed 7072
within sixty days, the application shall be declined. 7073

(F) The state board shall issue a supplemental teaching 7074
license in accordance with Chapter 4796. of the Revised Code to 7075
an applicant if either of the following applies: 7076

(1) The applicant holds a license in another state. 7077

(2) The applicant has satisfactory work experience, a 7078
government certification, or a private certification as 7079
described in that chapter as an educator providing supplemental 7080
instruction in a state that does not issue that license. 7081

Sec. 3327.10. (A) ~~No~~ Except as provided in division (L) of 7082
this section, no person shall be employed as driver of a school 7083
bus or motor van, owned and operated by any school district or 7084
educational service center or privately owned and operated under 7085
contract with any school district or service center in this 7086
state, who has not received a certificate from either the 7087
educational service center governing board that has entered into 7088
an agreement with the school district under section 3313.843 or 7089
3313.845 of the Revised Code or the superintendent of the school 7090
district, certifying that such person is at least eighteen years 7091
of age and is qualified physically and otherwise for such 7092

position. The service center governing board or the 7093
superintendent, as the case may be, shall provide for an annual 7094
physical examination that conforms with rules adopted by the 7095
state board of education of each driver to ascertain the 7096
driver's physical fitness for such employment. The examination 7097
shall be performed by one of the following: 7098

(1) A person licensed under Chapter 4731. or 4734. of the 7099
Revised Code or by another state to practice medicine and 7100
surgery, osteopathic medicine and surgery, or chiropractic; 7101

(2) A physician assistant; 7102

(3) A certified nurse practitioner; 7103

(4) A clinical nurse specialist; 7104

(5) A certified nurse-midwife; 7105

(6) A medical examiner who is listed on the national 7106
registry of certified medical examiners established by the 7107
federal motor carrier safety administration in accordance with 7108
49 C.F.R. part 390. 7109

Any certificate may be revoked by the authority granting 7110
the same on proof that the holder has been guilty of failing to 7111
comply with division (D) (1) of this section, or upon a 7112
conviction or a guilty plea for a violation, or any other 7113
action, that results in a loss or suspension of driving rights. 7114
Failure to comply with such division may be cause for 7115
disciplinary action or termination of employment under division 7116
(C) of section 3319.081, or section 124.34 of the Revised Code. 7117

(B) ~~No~~ Except as provided in division (L) of this section, 7118
no person shall be employed as driver of a school bus or motor 7119
van not subject to the rules of the department of education 7120

pursuant to division (A) of this section who has not received a certificate from the school administrator or contractor certifying that such person is at least eighteen years of age and is qualified physically and otherwise for such position. Each driver shall have an annual physical examination which conforms to the state highway patrol rules, ascertaining the driver's physical fitness for such employment. The examination shall be performed by one of the following:

(1) A person licensed under Chapter 4731. or 4734. of the Revised Code or by another state to practice medicine and surgery, osteopathic medicine and surgery, or chiropractic;

(2) A physician assistant;

(3) A certified nurse practitioner;

(4) A clinical nurse specialist;

(5) A certified nurse-midwife;

(6) A medical examiner who is listed on the national registry of certified medical examiners established by the federal motor carrier safety administration in accordance with 49 C.F.R. part 390.

Any written documentation of the physical examination shall be completed by the individual who performed the examination.

Any certificate may be revoked by the authority granting the same on proof that the holder has been guilty of failing to comply with division (D) (2) of this section.

(C) Any person who drives a school bus or motor van must give satisfactory and sufficient bond except a driver who is an employee of a school district and who drives a bus or motor van

owned by the school district. 7149

(D) No person employed as driver of a school bus or motor 7150
van under this section who is convicted of a traffic violation 7151
or who has had the person's commercial driver's license 7152
suspended shall drive a school bus or motor van until the person 7153
has filed a written notice of the conviction or suspension, as 7154
follows: 7155

(1) If the person is employed under division (A) of this 7156
section, the person shall file the notice with the 7157
superintendent, or a person designated by the superintendent, of 7158
the school district for which the person drives a school bus or 7159
motor van as an employee or drives a privately owned and 7160
operated school bus or motor van under contract. 7161

(2) If employed under division (B) of this section, the 7162
person shall file the notice with the employing school 7163
administrator or contractor, or a person designated by the 7164
administrator or contractor. 7165

(E) In addition to resulting in possible revocation of a 7166
certificate as authorized by divisions (A) and (B) of this 7167
section, violation of division (D) of this section is a minor 7168
misdemeanor. 7169

(F) (1) Not later than thirty days after June 30, 2007, 7170
each owner of a school bus or motor van shall obtain the 7171
complete driving record for each person who is currently 7172
employed or otherwise authorized to drive the school bus or 7173
motor van. An owner of a school bus or motor van shall not 7174
permit a person to operate the school bus or motor van for the 7175
first time before the owner has obtained the person's complete 7176
driving record. Thereafter, the owner of a school bus or motor 7177

van shall obtain the person's driving record not less frequently 7178
than semiannually if the person remains employed or otherwise 7179
authorized to drive the school bus or motor van. An owner of a 7180
school bus or motor van shall not permit a person to resume 7181
operating a school bus or motor van, after an interruption of 7182
one year or longer, before the owner has obtained the person's 7183
complete driving record. 7184

(2) The owner of a school bus or motor van shall not 7185
permit a person to operate the school bus or motor van for ten 7186
years after the date on which the person pleads guilty to or is 7187
convicted of a violation of section 4511.19 of the Revised Code 7188
or a substantially equivalent municipal ordinance. 7189

(3) An owner of a school bus or motor van shall not permit 7190
any person to operate such a vehicle unless the person meets all 7191
other requirements contained in rules adopted by the state board 7192
of education prescribing qualifications of drivers of school 7193
buses and other student transportation. 7194

(G) No superintendent of a school district, educational 7195
service center, community school, or public or private employer 7196
shall permit the operation of a vehicle used for pupil 7197
transportation within this state by an individual unless both of 7198
the following apply: 7199

(1) Information pertaining to that driver has been 7200
submitted to the department of education, pursuant to procedures 7201
adopted by that department. Information to be reported shall 7202
include the name of the employer or school district, name of the 7203
driver, driver license number, date of birth, date of hire, 7204
status of physical evaluation, and status of training. 7205

(2) The most recent criminal records check required by 7206

division (J) of this section has been completed and received by 7207
the superintendent or public or private employer. 7208

(H) A person, school district, educational service center, 7209
community school, nonpublic school, or other public or nonpublic 7210
entity that owns a school bus or motor van, or that contracts 7211
with another entity to operate a school bus or motor van, may 7212
impose more stringent restrictions on drivers than those 7213
prescribed in this section, in any other section of the Revised 7214
Code, and in rules adopted by the state board. 7215

(I) For qualified drivers who, on July 1, 2007, are 7216
employed by the owner of a school bus or motor van to drive the 7217
school bus or motor van, any instance in which the driver was 7218
convicted of or pleaded guilty to a violation of section 4511.19 7219
of the Revised Code or a substantially equivalent municipal 7220
ordinance prior to two years prior to July 1, 2007, shall not be 7221
considered a disqualifying event with respect to division (F) of 7222
this section. 7223

(J) (1) This division applies to persons hired by a school 7224
district, educational service center, community school, 7225
chartered nonpublic school, or science, technology, engineering, 7226
and mathematics school established under Chapter 3326. of the 7227
Revised Code to operate a vehicle used for pupil transportation. 7228

For each person to whom this division applies who is hired 7229
on or after November 14, 2007, the employer shall request a 7230
criminal records check in accordance with section 3319.39 of the 7231
Revised Code and every six years thereafter. For each person to 7232
whom this division applies who is hired prior to that date, the 7233
employer shall request a criminal records check by a date 7234
prescribed by the department of education and every six years 7235
thereafter. 7236

(2) This division applies to persons hired by a public or private employer not described in division (J)(1) of this section to operate a vehicle used for pupil transportation.

For each person to whom this division applies who is hired on or after November 14, 2007, the employer shall request a criminal records check prior to the person's hiring and every six years thereafter. For each person to whom this division applies who is hired prior to that date, the employer shall request a criminal records check by a date prescribed by the department and every six years thereafter.

(3) Each request for a criminal records check under division (J) of this section shall be made to the superintendent of the bureau of criminal identification and investigation in the manner prescribed in section 3319.39 of the Revised Code, except that if both of the following conditions apply to the person subject to the records check, the employer shall request the superintendent only to obtain any criminal records that the federal bureau of investigation has on the person:

(a) The employer previously requested the superintendent to determine whether the bureau of criminal identification and investigation has any information, gathered pursuant to division (A) of section 109.57 of the Revised Code, on the person in conjunction with a criminal records check requested under section 3319.39 of the Revised Code or under division (J) of this section.

(b) The person presents proof that the person has been a resident of this state for the five-year period immediately prior to the date upon which the person becomes subject to a criminal records check under this section.

Upon receipt of a request, the superintendent shall 7266
conduct the criminal records check in accordance with section 7267
109.572 of the Revised Code as if the request had been made 7268
under section 3319.39 of the Revised Code. However, as specified 7269
in division (B) (2) of section 109.572 of the Revised Code, if 7270
the employer requests the superintendent only to obtain any 7271
criminal records that the federal bureau of investigation has on 7272
the person for whom the request is made, the superintendent 7273
shall not conduct the review prescribed by division (B) (1) of 7274
that section. 7275

(K) (1) Until the effective date of the amendments to rule 7276
3301-83-23 of the Ohio Administrative Code required by the 7277
second paragraph of division (E) of section 3319.39 of the 7278
Revised Code, any person who is the subject of a criminal 7279
records check under division (J) of this section and has been 7280
convicted of or pleaded guilty to any offense described in 7281
division (B) (1) of section 3319.39 of the Revised Code shall not 7282
be hired or shall be released from employment, as applicable, 7283
unless the person meets the rehabilitation standards prescribed 7284
for nonlicensed school personnel by rule 3301-20-03 of the Ohio 7285
Administrative Code. 7286

(2) Beginning on the effective date of the amendments to 7287
rule 3301-83-23 of the Ohio Administrative Code required by the 7288
second paragraph of division (E) of section 3319.39 of the 7289
Revised Code, any person who is the subject of a criminal 7290
records check under division (J) of this section and has been 7291
convicted of or pleaded guilty to any offense that, under the 7292
rule, disqualifies a person for employment to operate a vehicle 7293
used for pupil transportation shall not be hired or shall be 7294
released from employment, as applicable, unless the person meets 7295
the rehabilitation standards prescribed by the rule. 7296

(L) The superintendent of a school district or an educational service center governing board shall issue a certificate as a driver of a school bus or motor van or a certificate to operate a vehicle used for pupil transportation in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a certificate in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a school bus or motor van driver or a pupil transportation vehicle operator in a state that does not issue one or both of those certificates.

Sec. 3703.21. (A) Within ninety days after September 16, 2004, the superintendent of industrial compliance shall appoint a backflow advisory board consisting of not more than ten members, who shall serve at the pleasure of the superintendent. The superintendent shall appoint a representative from the plumbing section of the division of industrial compliance, three representatives recommended by the plumbing administrator of the division of industrial compliance, a representative of the drinking water program of the Ohio environmental protection agency, three representatives recommended by the director of environmental protection, and not more than two members who are not employed by the plumbing or water industry.

The board shall advise the superintendent on matters pertaining to the training and certification of backflow technicians.

(B) The superintendent shall adopt rules in accordance with Chapter 119. of the Revised Code to provide for the

certification of backflow technicians. The rules shall establish 7326
all of the following requirements, specifications, and 7327
procedures: 7328

(1) Requirements and procedures for the initial 7329
certification of backflow technicians, including eligibility 7330
criteria and application requirements and fees; 7331

(2) Specifications concerning and procedures for taking 7332
examinations required for certification as a backflow 7333
technician, including eligibility criteria to take the 7334
examination and application requirements and fees for taking the 7335
examination; 7336

(3) Specifications concerning and procedures for renewing 7337
a certification as a backflow technician, including eligibility 7338
criteria, application requirements, and fees for renewal; 7339

(4) Specifications concerning and procedures for both of 7340
the following: 7341

(a) Approval of training agencies authorized to teach 7342
required courses to candidates for certification as backflow 7343
technicians or continuing education courses to certified 7344
backflow technicians; 7345

(b) Renewal of the approval described in division (B) (4) 7346
(a) of this section. 7347

(5) Education requirements that candidates for initial 7348
certification as backflow technicians must satisfy and 7349
continuing education requirements that certified backflow 7350
technicians must satisfy; 7351

(6) Grounds and procedures for denying, suspending, or 7352
revoking certification, or denying the renewal of certification, 7353

as a backflow technician; 7354

(7) Procedures for issuing administrative orders for the 7355
remedy of any violation of this section or any rule adopted 7356
pursuant to division (B) of this section, including, but not 7357
limited to, procedures for assessing a civil penalty authorized 7358
under division ~~(D)~~(E) of this section; 7359

(8) Any provision the superintendent determines is 7360
necessary to administer or enforce this section. 7361

(C) The superintendent shall certify a backflow technician 7362
in accordance with Chapter 4796. of the Revised Code if either 7363
of the following applies: 7364

(1) The individual holds a license or certification in 7365
another state. 7366

(2) The individual has satisfactory work experience, a 7367
government certification, or a private certification as 7368
described in that chapter as a backflow technician in a state 7369
that does not issue that certification. 7370

(D) No individual shall engage in the installation, 7371
testing, or repair of any isolation backflow prevention device 7372
unless that individual possesses a valid certification as a 7373
backflow technician. This division does not apply with respect 7374
to the installation, testing, or repair of any containment 7375
backflow prevention device. 7376

~~(D)~~(E) Whoever violates division ~~(C)~~(D) of this section 7377
or any rule adopted pursuant to division (B) of this section 7378
shall pay a civil penalty of not more than five thousand dollars 7379
for each day that the violation continues. The superintendent 7380
may, by order, assess a civil penalty under this division, or 7381
may request the attorney general to bring a civil action to 7382

impose the civil penalty in the court of common pleas of the 7383
county in which the violation occurred or where the violator 7384
resides. 7385

~~(E)~~ (F) Any action taken under a rule adopted pursuant to 7386
division (B) (6) of this section is subject to the appeal process 7387
of Chapter 119. of the Revised Code. An administrative order 7388
issued pursuant to rules adopted under division (B) (7) of this 7389
section and an appeal to that type of administrative order shall 7390
be executed in accordance with Chapter 119. of the Revised Code. 7391

~~(F)~~ (G) As used in this section: 7392

(1) "Isolation backflow prevention device" means a device 7393
for the prevention of the backflow of liquids, solids, or gases 7394
that is regulated by the building code adopted pursuant to 7395
section 3781.10 of the Revised Code and rules adopted pursuant 7396
to this section. 7397

(2) "Containment backflow prevention device" means a 7398
device for the prevention of the backflow of liquids, solids, or 7399
gases that is installed by the supplier of, or as a requirement 7400
of, any public water system as defined in division (A) of 7401
section 6109.01 of the Revised Code. 7402

Sec. 3704.14. (A) (1) If the director of environmental 7403
protection determines that implementation of a motor vehicle 7404
inspection and maintenance program is necessary for the state to 7405
effectively comply with the federal Clean Air Act after June 30, 7406
2019, the director may provide for the implementation of the 7407
program in those counties in this state in which such a program 7408
is federally mandated. Upon making such a determination, the 7409
director of environmental protection may request the director of 7410
administrative services to extend the terms of the contract that 7411

was entered into under the authority of Am. Sub. H.B. 64 of the 7412
131st general assembly. Upon receiving the request, the director 7413
of administrative services shall extend the contract, beginning 7414
on July 1, 2019, in accordance with this section. The contract 7415
shall be extended for a period of up to twenty-four months with 7416
the contractor who conducted the motor vehicle inspection and 7417
maintenance program under that contract. 7418

(2) Prior to the expiration of the contract extension that 7419
is authorized by division (A)(1) of this section, the director 7420
of environmental protection shall request the director of 7421
administrative services to enter into a contract with a vendor 7422
to operate a decentralized motor vehicle inspection and 7423
maintenance program in each county in this state in which such a 7424
program is federally mandated through June 30, 2023, with an 7425
option for the state to renew the contract for a period of up to 7426
twenty-four months through June 30, 2025. The contract shall 7427
ensure that the decentralized motor vehicle inspection and 7428
maintenance program achieves at least the same emission 7429
reductions as achieved by the program operated under the 7430
authority of the contract that was extended under division (A) 7431
(1) of this section. The director of administrative services 7432
shall select a vendor through a competitive selection process in 7433
compliance with Chapter 125. of the Revised Code. 7434

(3) Notwithstanding any law to the contrary, the director 7435
of administrative services shall ensure that a competitive 7436
selection process regarding a contract to operate a 7437
decentralized motor vehicle inspection and maintenance program 7438
in this state incorporates the following, which shall be 7439
included in the contract: 7440

(a) For purposes of expanding the number of testing 7441

locations for consumer convenience, a requirement that the 7442
vendor utilize established local businesses, auto repair 7443
facilities, or leased properties to operate state-approved 7444
inspection and maintenance testing facilities; 7445

(b) A requirement that the vendor selected to operate the 7446
program provide notification of the program's requirements to 7447
each owner of a motor vehicle that is required to be inspected 7448
under the program. The contract shall require the notification 7449
to be provided not later than sixty days prior to the date by 7450
which the owner of the motor vehicle is required to have the 7451
motor vehicle inspected. The director of environmental 7452
protection and the vendor shall jointly agree on the content of 7453
the notice. However, the notice shall include at a minimum the 7454
locations of all inspection facilities within a specified 7455
distance of the address that is listed on the owner's motor 7456
vehicle registration; 7457

(c) A requirement that the vendor comply with testing 7458
methodology and supply the required equipment approved by the 7459
director of environmental protection as specified in the 7460
competitive selection process in compliance with Chapter 125. of 7461
the Revised Code. 7462

(4) A decentralized motor vehicle inspection and 7463
maintenance program operated under this section shall comply 7464
with division (B) of this section. The director of environmental 7465
protection shall administer the decentralized motor vehicle 7466
inspection and maintenance program operated under this section. 7467

(B) The decentralized motor vehicle inspection and 7468
maintenance program authorized by this section, at a minimum, 7469
shall do all of the following: 7470

- (1) Comply with the federal Clean Air Act; 7471
- (2) Provide for the issuance of inspection certificates; 7472
- (3) Provide for a new car exemption for motor vehicles 7473
four years old or newer and provide that a new motor vehicle is 7474
exempt for four years regardless of whether legal title to the 7475
motor vehicle is transferred during that period; 7476
- (4) Provide for an exemption for battery electric motor 7477
vehicles. 7478
- ~~(C)~~ (C) (1) The director of environmental protection shall 7479
adopt rules in accordance with Chapter 119. of the Revised Code 7480
that the director determines are necessary to implement this 7481
section. The director may continue to implement and enforce 7482
rules pertaining to the motor vehicle inspection and maintenance 7483
program previously implemented under former section 3704.14 of 7484
the Revised Code as that section existed prior to its repeal and 7485
reenactment by Am. Sub. H.B. 66 of the 126th general assembly, 7486
provided that the rules do not conflict with this section. 7487
- (2) The director of environmental protection shall issue 7488
an inspection certificate provided for under division (B) (2) of 7489
this section in accordance with Chapter 4796. of the Revised 7490
Code to an applicant if either of the following applies: 7491
- (a) The individual holds a certificate or license in 7492
another state. 7493
- (b) The individual has satisfactory work experience, a 7494
government certification, or a private certification as 7495
described in that chapter as a vehicle inspector in a state that 7496
does not issue that certificate. 7497
- (D) There is hereby created in the state treasury the auto 7498

emissions test fund, which shall consist of money received by 7499
the director from any cash transfers, state and local grants, 7500
and other contributions that are received for the purpose of 7501
funding the program established under this section. The director 7502
of environmental protection shall use money in the fund solely 7503
for the implementation, supervision, administration, operation, 7504
and enforcement of the motor vehicle inspection and maintenance 7505
program established under this section. Money in the fund shall 7506
not be used for either of the following: 7507

(1) To pay for the inspection costs incurred by a motor 7508
vehicle dealer so that the dealer may provide inspection 7509
certificates to an individual purchasing a motor vehicle from 7510
the dealer when that individual resides in a county that is 7511
subject to the motor vehicle inspection and maintenance program; 7512

(2) To provide payment for more than one free passing 7513
emissions inspection or a total of three emissions inspections 7514
for a motor vehicle in any three-hundred-sixty-five-day period. 7515
The owner or lessee of a motor vehicle is responsible for 7516
inspection fees that are related to emissions inspections beyond 7517
one free passing emissions inspection or three total emissions 7518
inspections in any three-hundred-sixty-five-day period. 7519
Inspection fees that are charged by a contractor conducting 7520
emissions inspections under a motor vehicle inspection and 7521
maintenance program shall be approved by the director of 7522
environmental protection. 7523

(E) The motor vehicle inspection and maintenance program 7524
established under this section expires upon the termination of 7525
all contracts entered into under this section and shall not be 7526
implemented beyond the final date on which termination occurs. 7527

(F) As used in this section "battery electric motor 7528

vehicle" has the same meaning as in section 4501.01 of the Revised Code.

Sec. 3713.05. (A) Applications to register to import, manufacture, renovate, wholesale, make, or reupholster stuffed toys or bedding in this state shall be made in writing on forms provided by the superintendent of industrial compliance. The application shall be accompanied by a registration fee of fifty dollars per person unless the applicant engages only in renovation, in which case the registration fee shall be thirty-five dollars.

~~(B)~~ Upon receipt of the application and the appropriate fee, the superintendent shall register the applicant and assign a registration number to the registrant.

(B) The superintendent shall register an applicant in accordance with Chapter 4796. of the Revised Code if either of the following applies:

(1) The applicant is licensed or registered to import, manufacture, renovate, wholesale, make, or reupholster stuffed toys or bedding in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter with or for importing, manufacturing, renovating, wholesaling, making, or reupholstering stuffed toys or bedding in a state that does not issue that registration.

(C) Notwithstanding section 3713.02 of the Revised Code and division (A) of this section, the following are exempt from registration:

(1) An organization described in section 501(c)(3) of the "Internal Revenue Code of 1986," and exempt from income tax

under section 501(a) of that code and that is operated 7558
exclusively to provide recreation or social services; 7559

(2) A person who is not regularly engaged in the business 7560
of manufacturing, making, wholesaling, or importing stuffed toys 7561
but who manufactures or makes stuffed toys as a leisure pursuit 7562
and who sells one hundred or fewer stuffed toys within one 7563
calendar year; 7564

(3) A person who is not regularly engaged in the business 7565
of manufacturing, making, wholesaling, or importing quilts, 7566
comforters, pillows, or cushions, but who manufactures or makes 7567
these items as a leisure pursuit and who sells five or fewer 7568
quilts, ten or fewer comforters, or twenty or fewer pillows or 7569
cushions within one calendar year. 7570

(D) Notwithstanding division (C) (2) or (3) of this 7571
section, a person exempt under that division must attach a label 7572
to each stuffed toy that contains all of the following 7573
information: 7574

(1) The person's name and address; 7575

(2) A statement that the person is not registered by the 7576
state of Ohio; 7577

(3) A statement that the contents of the product have not 7578
been inspected. 7579

Sec. 3717.09. (A) In accordance with rules adopted under 7580
section 3717.51 of the Revised Code, the director of health 7581
shall approve courses of study for certification in food 7582
protection as it pertains to retail food establishments and as 7583
it pertains to food service operations. ~~The~~ Except as provided 7584
in division (B) of this section, the director shall certify 7585
individuals in food protection who successfully complete a 7586

course of study approved under this section and meet all other 7587
certification requirements specified in rules adopted under 7588
section 3717.51 of the Revised Code. 7589

(B) The director shall issue a certification in food 7590
protection in accordance with Chapter 4796. of the Revised Code 7591
to an applicant if either of the following applies: 7592

(1) The applicant holds a license or certification in 7593
another state. 7594

(2) The applicant has satisfactory work experience, a 7595
government certification, or a private certification as 7596
described in that chapter working in food protection in a state 7597
that does not issue that certification. 7598

Sec. 3723.03. Pursuant to division (B) of section 3723.02 7599
of the Revised Code, an individual, business entity, or 7600
government entity that holds a valid license issued by another 7601
state authorizing practice as a radon tester, mitigation 7602
specialist, or mitigation contractor under the laws of that 7603
state may practice in this state without a license issued under 7604
this chapter for not more than ninety days in any calendar year 7605
as a radon tester, mitigation specialist, or mitigation 7606
contractor, if the director of health finds that the 7607
requirements for licensure in that state are comparable to the 7608
requirements for licensure under this chapter and the rules 7609
adopted under it and the individual, business entity, or 7610
government entity provides notice to the director of health, in 7611
accordance with rules adopted under section 3723.09 of the 7612
Revised Code, prior to commencing practice in this state. 7613
Chapter 4796. of the Revised Code does not apply to a 7614
nonresident individual authorized to practice under this 7615
section. 7616

Sec. 3723.06. (A) The director of health shall license 7617
radon testers, mitigation specialists, and mitigation 7618
contractors. Each applicant for a license shall submit a 7619
completed application to the director on a form the director 7620
shall prescribe and furnish. 7621

(B) ~~In-Except as provided in division (F) of this section~~ 7622
and in accordance with rules adopted under section 3723.09 of 7623
the Revised Code, the director shall issue the appropriate 7624
license to each applicant that pays the license fee prescribed 7625
by the director, meets the licensing criteria established by the 7626
director, and complies with any other licensing and training 7627
requirements established by the director. An individual, 7628
business entity, or government entity may hold more than one 7629
license issued under this section, but a separate application is 7630
required for each license. 7631

(C) Notwithstanding division (B) of this section and 7632
except as provided in division (F) of this section, the director 7633
shall issue a radon mitigation contractor license on request to 7634
the holder of a radon mitigation specialist license if the 7635
license holder is the owner or chief stockholder of a business 7636
entity for which the license holder is the only individual who 7637
will work as a radon mitigation specialist. The licensing 7638
criteria and any other licensing and training requirements the 7639
individual was required to meet to qualify for the radon 7640
mitigation specialist license are hereby deemed to satisfy any 7641
and all criteria and requirements for a radon mitigation 7642
contractor license. A license issued under this division shall 7643
expire at the same time as the individual's radon mitigation 7644
specialist license. No license fee shall be imposed for a 7645
license issued under this division. 7646

(D) A license issued under this section expires biennially 7647
and may be renewed by the director in accordance with criteria 7648
and procedures established in rules adopted under section 7649
3723.09 of the Revised Code and on payment of the license 7650
renewal fee prescribed in those rules. 7651

(E) In accordance with Chapter 119. of the Revised Code, 7652
the director may do either of the following: 7653

(1) Refuse to issue a license to an individual, business 7654
entity, or government entity that does not meet the requirements 7655
of this chapter or the rules adopted under it or has been in 7656
violation of those requirements; 7657

(2) Suspend, revoke, or refuse to renew the license of an 7658
individual, business entity, or government entity that is or has 7659
been in violation of the requirements of this chapter or the 7660
rules adopted under it. 7661

(F) The director shall issue a radon tester, mitigation 7662
specialist, or mitigation contractor license in accordance with 7663
Chapter 4796. of the Revised Code to an applicant if either of 7664
the following applies: 7665

(1) The applicant holds a license in another state. 7666

(2) The applicant has satisfactory work experience, a 7667
government certification, or a private certification as 7668
described in that chapter as a radon tester, mitigation 7669
specialist, or mitigation contractor in a state that does not 7670
issue one or more of those licenses. 7671

Sec. 3737.83. The state fire marshal shall, as part of the 7672
state fire code, adopt rules to: 7673

(A) Establish minimum standards of performance for fire 7674

protection equipment and fire fighting equipment; 7675

(B) Establish minimum standards of training, fix minimum 7676
qualifications, and require certificates for all persons who 7677
engage in the business for profit of installing, testing, 7678
repairing, or maintaining fire protection equipment; 7679

(C) Provide for the issuance of certificates required 7680
under division (B) of this section and establish the fees to be 7681
charged for such certificates. A certificate shall be granted, 7682
renewed, or revoked according to rules the state fire marshal 7683
shall adopt, except that the state fire marshal shall grant a 7684
certificate in accordance with Chapter 4796. of the Revised Code 7685
to an applicant if either of the following applies: 7686

(1) The applicant holds a license or certificate in 7687
another state. 7688

(2) The applicant has satisfactory work experience, a 7689
government certification, or a private certification as 7690
described in that chapter as a person engaged in the business of 7691
installing, testing, repairing, or maintaining fire protection 7692
equipment in a state that does not issue that certificate. 7693

(D) Establish minimum standards of flammability for 7694
consumer goods in any case where the federal government or any 7695
department or agency thereof has established, or may from time 7696
to time establish standards of flammability for consumer goods. 7697
The standards established by the state fire marshal shall be 7698
identical to the minimum federal standards. 7699

In any case where the federal government or any department 7700
or agency thereof, establishes standards of flammability for 7701
consumer goods subsequent to the adoption of a flammability 7702
standard by the state fire marshal, standards previously adopted 7703

by the state fire marshal shall not continue in effect to the 7704
extent such standards are not identical to the minimum federal 7705
standards. 7706

With respect to the adoption of minimum standards of 7707
flammability, this division shall supersede any authority 7708
granted a political subdivision by any other section of the 7709
Revised Code. 7710

(E) Establish minimum standards pursuant to section 7711
5104.05 of the Revised Code for fire prevention and fire safety 7712
in child day-care centers and in type A family day-care homes, 7713
as defined in section 5104.01 of the Revised Code. 7714

(F) Establish minimum standards for fire prevention and 7715
safety in a residential facility licensed under section 5119.34 7716
of the Revised Code that provides accommodations, supervision, 7717
and personal care services for three to sixteen unrelated 7718
adults. The state fire marshal shall adopt the rules under this 7719
division in consultation with the director of mental health and 7720
addiction services and interested parties designated by the 7721
director of mental health and addiction services. 7722

Sec. 3737.881. (A) The state fire marshal shall certify 7723
underground storage tank systems installers who meet the 7724
standards for certification established in rules adopted under 7725
division (D) (1) of this section, pass the certification 7726
examination required by this division, and pay the certificate 7727
fee established in rules adopted under division (D) (5) of this 7728
section. Any individual who wishes to obtain certification as an 7729
installer shall apply to the state fire marshal on a form 7730
prescribed by the state fire marshal. The application shall be 7731
accompanied by the application and examination fees established 7732
in rules adopted under division (D) (5) of this section. 7733

The state fire marshal shall prescribe an examination 7734
designed to test the knowledge of applicants for certification 7735
as underground storage tank system installers in the 7736
installation, repair, abandonment, and removal of those systems. 7737
The examination shall also test the applicants' knowledge and 7738
understanding of the requirements and standards established in 7739
rules adopted under sections 3737.88 and 3737.882 of the Revised 7740
Code pertaining to the installation, repair, abandonment, and 7741
removal of those systems. 7742

Installer certifications issued under this division shall 7743
be renewed annually, upon submission of a certification renewal 7744
form prescribed by the state fire marshal, provision of proof of 7745
successful completion of continuing education requirements, and 7746
payment of the certification renewal fee established in rules 7747
adopted under division (D) (5) of this section. In addition, the 7748
fire marshal may from time to time prescribe an examination for 7749
certification renewal and may require applicants to pass the 7750
examination and pay the fee established for it in rules adopted 7751
under division (D) (5) of this section. 7752

The state fire marshal may, in accordance with Chapter 7753
119. of the Revised Code, deny, suspend, revoke, or refuse to 7754
renew an installer's certification or renewal thereof after 7755
finding that any of the following applies: 7756

(1) The applicant for certification or certificate holder 7757
fails to meet the standards for certification or renewal thereof 7758
under this section and rules adopted under it; 7759

(2) The certification was obtained through fraud or 7760
misrepresentation; 7761

(3) The certificate holder recklessly caused or permitted 7762

a person under the certificate holder's supervision to install, 7763
perform major repairs on site to, abandon, or remove an 7764
underground storage tank system in violation of the performance 7765
standards set forth in rules adopted under section 3737.88 or 7766
3737.882 of the Revised Code. 7767

As used in division (A) (3) of this section, "recklessly" 7768
has the same meaning as in section 2901.22 of the Revised Code. 7769

(B) The state fire marshal shall certify persons who 7770
sponsor training programs for underground storage tank system 7771
installers who meet the criteria for certification established 7772
in rules adopted by the state fire marshal under division (D) (4) 7773
of this section and pay the certificate fee established in rules 7774
adopted under division (D) (5) of this section. Any person who 7775
wishes to obtain certification to sponsor such a training 7776
program shall apply to the state fire marshal on a form 7777
prescribed by the state fire marshal. Training program 7778
certificates issued under this division shall expire annually. 7779
Upon submission of a certification renewal application form 7780
prescribed by the state fire marshal and payment of the 7781
application and certification renewal fees established in rules 7782
adopted under division (D) (5) of this section, the state fire 7783
marshal shall issue a training program renewal certificate to 7784
the applicant. 7785

The state fire marshal may, in accordance with Chapter 7786
119. of the Revised Code, deny an application for, suspend, or 7787
revoke a training program certificate or renewal or renewal of a 7788
training program certificate after finding that the training 7789
program does not or will not meet the standards for 7790
certification established in rules adopted under division (D) (4) 7791
of this section. 7792

(C) The state fire marshal may conduct or cause to be 7793
conducted training programs for underground storage tank systems 7794
installers as the fire marshal considers to be necessary or 7795
appropriate. The state fire marshal is not subject to division 7796
(B) of this section with respect to training programs conducted 7797
by employees of the office of the state fire marshal. 7798

(D) The state fire marshal shall adopt, and may amend and 7799
rescind, rules doing all of the following: 7800

(1) Defining the activities that constitute supervision 7801
over the installation, performance of major repairs on site to, 7802
abandonment of, and removal of underground storage tank systems; 7803

(2) Establishing standards and procedures for 7804
certification of underground storage tank systems installers; 7805

(3) Establishing standards and procedures for continuing 7806
education for certification renewal, subject to the provisions 7807
of section 5903.12 of the Revised Code relating to active duty 7808
military service; 7809

(4) Establishing standards and procedures for 7810
certification of training programs for installers; 7811

(5) Establishing fees for applications for certifications 7812
under this section, the examinations prescribed under division 7813
(A) of this section, the issuance and renewal of certificates 7814
under divisions (A) and (B) of this section, and attendance at 7815
training programs conducted by the fire marshal under division 7816
(C) of this section. Fees received under this section shall be 7817
credited to the underground storage tank administration fund 7818
created in section 3737.02 of the Revised Code and shall be used 7819
to defray the costs of implementing, administering, and 7820
enforcing this section and the rules adopted thereunder, 7821

conducting training sessions, and facilitating prevention of 7822
releases. 7823

(6) That are necessary or appropriate for the 7824
implementation, administration, and enforcement of this section. 7825

(E) Nothing in this section or the rules adopted under it 7826
prohibits an owner or operator of an underground storage tank 7827
system from installing, making major repairs on site to, 7828
abandoning, or removing an underground storage tank system under 7829
the supervision of an installer certified under division (A) of 7830
this section who is a full-time or part-time employee of the 7831
owner or operator. 7832

(F) On and after January 7, 1990, no person shall do any 7833
of the following: 7834

(1) Install, make major repairs on site to, abandon, or 7835
remove an underground storage tank system unless the activity is 7836
performed under the supervision of a qualified individual who 7837
holds a valid installer certificate issued under division (A) of 7838
this section; 7839

(2) Act in the capacity of providing supervision for the 7840
installation of, performance of major repairs on site to, 7841
abandonment of, or removal of an underground storage tank system 7842
unless the person holds a valid installer certificate issued 7843
under division (A) of this section; 7844

(3) Except as provided in division (C) of this section, 7845
sponsor a training program for underground storage tank systems 7846
installers unless the person holds a valid training program 7847
certificate issued under division (B) of this section. 7848

(G) Notwithstanding any provision of this section to the 7849
contrary, the state fire marshal shall issue an installer's 7850

certification or a training program certificate in accordance 7851
with Chapter 4796. of the Revised Code to an applicant if either 7852
of the following applies: 7853

(1) The applicant holds an installer's license or 7854
certification or a training program license or certificate in 7855
another state. 7856

(2) The applicant has satisfactory work experience, a 7857
government certification, or a private certification as 7858
described in that chapter as an installer of underground storage 7859
tank systems in a state that does not issue one or both of those 7860
certifications. 7861

Sec. 3742.05. (A) (1) The director of health shall issue 7862
lead inspector, lead abatement contractor, lead risk assessor, 7863
lead abatement project designer, lead abatement worker, and 7864
clearance technician licenses. ~~The~~ Except as provided in 7865
division (C) of this section, the director shall issue a license 7866
to an applicant who meets all of the following requirements: 7867

(a) Submits an application to the director on a form 7868
prescribed by the director; 7869

(b) Meets the licensing and training requirements 7870
established in rules adopted under section 3742.03 of the 7871
Revised Code; 7872

(c) Successfully completes the licensing examination for 7873
the applicant's area of expertise administered under section 7874
3742.08 of the Revised Code and any training required by the 7875
director under that section; 7876

(d) Pays the license fee established in rules adopted 7877
under section 3742.03 of the Revised Code; 7878

(e) Provides the applicant's social security number and 7879
any information the director may require to demonstrate the 7880
applicant's compliance with this chapter and the rules adopted 7881
under it. 7882

(2) An individual may hold more than one license issued 7883
under this section, but a separate application is required for 7884
each license. 7885

(B) A license issued under this section expires two years 7886
after the date of issuance. The director shall renew a license 7887
in accordance with the standard renewal procedure set forth in 7888
Chapter 4745. of the Revised Code, if the licensee does all of 7889
the following: 7890

(1) Continues to meet the requirements of division (A) of 7891
this section; 7892

(2) Demonstrates compliance with procedures to prevent 7893
public exposure to lead hazards and for worker protection during 7894
lead abatement projects established in rules adopted under 7895
section 3742.03 of the Revised Code; 7896

(3) Meets the record-keeping and reporting requirements 7897
for lead abatement projects or clearance examinations 7898
established in rules adopted under section 3742.03 of the 7899
Revised Code; 7900

(4) Pays the license renewal fee established in rules 7901
adopted under section 3742.03 of the Revised Code. 7902

(C) ~~An individual licensed, certified, or otherwise~~ 7903
~~approved under the law of another state to perform functions~~ 7904
~~substantially similar to those of~~ The director shall issue a 7905
lead inspector, lead abatement contractor, lead risk assessor, 7906
lead abatement project designer, lead abatement worker, or 7907

~~clearance technician may apply to the director of health for licensure in accordance with the procedures set forth in division (A) of this section. The director shall license an individual under this division on a determination that the standards for licensure, certification, or approval in that state are at least substantially equivalent to those established by this chapter and the rules adopted under it. The director may require an examination for licensure under this division~~
license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a lead inspector, lead abatement contractor, lead risk assessor, lead abatement project designer, lead abatement worker, or clearance technician in a state that does not issue one or more of those licenses.

Sec. 3743.03. (A) If a person submits an application for licensure as a manufacturer of fireworks, together with the license fee, fingerprints, and proof of the insurance coverage, as required by section 3743.02 of the Revised Code, the state fire marshal shall review the application and accompanying matter, request the criminal records check described in division (E) of this section, inspect the premises of the fireworks plant described in the application, and determine whether the applicant will be issued the license. In determining whether to issue the license, the state fire marshal shall consider the results of the criminal records check and the inspection, and the information set forth in the application, and shall decide whether the applicant and the fireworks plant described in the

application conform to sections 3743.02 to 3743.08 of the 7938
Revised Code and the rules adopted by the state fire marshal 7939
pursuant to section 3743.05 of the Revised Code, and are in full 7940
compliance with Chapters 3781. and 3791. of the Revised Code, 7941
and any applicable building or zoning regulations. 7942

(B) Subject to division (F) of this section and section 7943
3743.70 of the Revised Code, the state fire marshal shall issue 7944
a license in accordance with Chapter 119. of the Revised Code to 7945
an applicant for licensure as a manufacturer of fireworks only 7946
if the applicant and the fireworks plant described in the 7947
application conform to sections 3743.02 to 3743.08 of the 7948
Revised Code and the rules adopted by the state fire marshal 7949
pursuant to section 3743.05 of the Revised Code, only if the 7950
fireworks plant described in the application complies with the 7951
Ohio building code adopted under Chapter 3781. of the Revised 7952
Code, if that fireworks plant was constructed after May 30, 7953
1986, and only if the state fire marshal is satisfied that the 7954
application and accompanying matter are complete and in 7955
conformity with section 3743.02 of the Revised Code. The 7956
requirements of this chapter and of the rules adopted under this 7957
chapter as applicable to the structure of a building do not 7958
apply to a building in a fireworks plant if the building was 7959
inspected and approved by the department of industrial relations 7960
or by any building department certified pursuant to division (E) 7961
of section 3781.10 of the Revised Code prior to May 30, 1986. 7962

(C) Each license issued pursuant to this section shall 7963
contain a distinct number assigned to the licensed manufacturer 7964
and, if the licensed manufacturer will engage in the processing 7965
of fireworks as any part of its manufacturing of fireworks at 7966
the fireworks plants, a notation indicating that fact. The state 7967
fire marshal shall maintain a list of all licensed manufacturers 7968

of fireworks. In the list next to each manufacturer's name, the 7969
state fire marshal shall insert the period of licensure, the 7970
license number of the manufacturer, and, if applicable, a 7971
notation that the manufacturer will engage in the processing of 7972
fireworks as part of its manufacturing of fireworks. 7973

(D) The holder of a license issued pursuant to this 7974
section may request the state fire marshal to cancel that 7975
license and issue in its place a license to sell fireworks at 7976
wholesale under section 3743.16 of the Revised Code. Upon 7977
receipt of such a request, the state fire marshal shall cancel 7978
the license issued under this section and issue a license under 7979
section 3743.16 of the Revised Code if the applicant meets the 7980
requirements of that section. 7981

(E) Upon receipt of an application and the required 7982
accompanying matter under section 3743.02 of the Revised Code, 7983
the state fire marshal shall forward to the superintendent of 7984
the bureau of criminal identification and investigation a 7985
request that the bureau conduct an investigation of the 7986
applicant and, if applicable, additional individuals who hold, 7987
own, or control a five per cent or greater beneficial or equity 7988
interest in the applicant, to determine whether the applicant or 7989
the additional associated individuals have been convicted of or 7990
pled guilty to a disqualifying offense as determined under 7991
section 9.79 of the Revised Code, under the laws of this state, 7992
another state, or the United States. 7993

If the applicant for initial licensure has resided in this 7994
state for less than five continuous years immediately prior to 7995
the date the applicant submits an initial application, the 7996
superintendent also shall request that the federal bureau of 7997
investigation conduct an investigation of the applicant and, if 7998

applicable, additional individuals who hold, own, or control a 7999
five per cent or greater beneficial or equity interest in the 8000
applicant, to determine whether the applicant or the additional 8001
associated individuals have been convicted of or pled guilty to 8002
a disqualifying offense as determined under section 9.79 of the 8003
Revised Code, under the laws of this state, another state, or 8004
the United States. 8005

The superintendent shall forward the results of an 8006
investigation conducted pursuant to this division to the state 8007
fire marshal and may charge a reasonable fee for providing the 8008
results. The state fire marshal shall assess any fee charged by 8009
the superintendent for the results to the applicant. 8010

(F) A person shall not apply for licensure as a 8011
manufacturer of fireworks in the person's individual capacity. 8012
The state fire marshal shall not issue a license to act as a 8013
manufacturer of fireworks to a person in the person's individual 8014
capacity. 8015

Sec. 3743.16. (A) If a person submits an application for 8016
licensure as a wholesaler of fireworks, together with the 8017
license fee, fingerprints, and proof of the insurance coverage, 8018
as required by section 3743.15 of the Revised Code, the state 8019
fire marshal shall review the application and accompanying 8020
matter, request the criminal records check described in division 8021
(D) of this section, inspect the premises on which the fireworks 8022
would be sold, and determine whether the applicant will be 8023
issued the license. In determining whether to issue the license, 8024
the state fire marshal shall consider the results of the 8025
criminal records check and the inspection, and the information 8026
set forth in the application, and shall decide whether the 8027
applicant and the premises on which the fireworks will be sold 8028

conform to sections 3743.15 to 3743.21 of the Revised Code and 8029
the rules adopted by the state fire marshal pursuant to section 8030
3743.18 of the Revised Code, and are in full compliance with 8031
Chapters 3781. and 3791. of the Revised Code, and any applicable 8032
building or zoning regulations. 8033

(B) Subject to division (E) of this section and section 8034
3743.70 of the Revised Code, the state fire marshal shall issue 8035
a license in accordance with Chapter 119. of the Revised Code to 8036
the applicant for licensure as a wholesaler of fireworks only if 8037
the applicant and the premises on which the fireworks will be 8038
sold conform to sections 3743.15 to 3743.21 of the Revised Code 8039
and the rules adopted by the state fire marshal pursuant to 8040
section 3743.18 of the Revised Code, only if the premises on 8041
which the fireworks will be sold complies with the Ohio building 8042
code adopted under Chapter 3781. of the Revised Code, if that 8043
premises was constructed after May 30, 1986, and only if the 8044
state fire marshal is satisfied that the application and 8045
accompanying matter are complete and in conformity with section 8046
3743.15 of the Revised Code. The requirements of this chapter 8047
and of the rules adopted under this chapter as applicable to the 8048
structure of a building do not apply to a building used by a 8049
wholesaler if the building was inspected and approved by the 8050
department of industrial relations or by any building department 8051
certified pursuant to division (E) of section 3781.10 of the 8052
Revised Code prior to May 30, 1986. 8053

(C) Each license issued pursuant to this section shall 8054
contain a distinct number assigned to the particular wholesaler. 8055
The state fire marshal shall maintain a list of all licensed 8056
wholesalers of fireworks. In this list next to each wholesaler's 8057
name, the state fire marshal shall insert the period of 8058
licensure and the license number of the particular wholesaler. 8059

(D) Upon receipt of an application and the required 8060
accompanying matter under section 3743.15 of the Revised Code, 8061
the state fire marshal shall forward to the superintendent of 8062
the bureau of criminal identification and investigation a 8063
request that the bureau conduct an investigation of the 8064
applicant and, if applicable, additional individuals who hold, 8065
own, or control a five per cent or greater beneficial or equity 8066
interest in the applicant, to determine whether the applicant or 8067
the additional associated individuals have been convicted of or 8068
pled guilty to a disqualifying offense in accordance with 8069
section 9.79 of the Revised Code, under the laws of this state, 8070
another state, or the United States. 8071

If the applicant for initial licensure has resided in this 8072
state for less than five continuous years immediately prior to 8073
the date the applicant submits an initial application, the 8074
superintendent also shall request that the federal bureau of 8075
investigation conduct an investigation of the applicant and, if 8076
applicable, additional individuals who hold, own, or control a 8077
five per cent or greater beneficial or equity interest in the 8078
applicant, to determine whether the applicant or the additional 8079
associated individuals have been convicted of or pled guilty to 8080
a disqualifying offense in accordance with section 9.79 of the 8081
Revised Code, under the laws of this state, another state, or 8082
the United States. 8083

The superintendent shall forward the results of an 8084
investigation conducted pursuant to this division to the state 8085
fire marshal and may charge a reasonable fee for providing the 8086
results. The state fire marshal shall assess any fee charged by 8087
the superintendent for the results to the applicant. 8088

(E) A person shall not apply for licensure as a wholesaler 8089

of fireworks in the person's individual capacity. The state fire 8090
marshal shall not issue a license to act as a wholesaler of 8091
fireworks to a person in the person's individual capacity. 8092

Sec. 3743.40. (A) Any person who resides in another state 8093
and who intends to ship fireworks into this state shall submit 8094
to the state fire marshal an application for a shipping permit. 8095
As used in this section, "fireworks" includes only 1.3G and 1.4G 8096
fireworks. The application shall be submitted prior to shipping 8097
fireworks into this state, shall be on a form prescribed by the 8098
state fire marshal, shall contain the information required by 8099
division (B) of this section and all information requested by 8100
the state fire marshal, and shall be accompanied by the fee and 8101
the documentation described in division (C) of this section. 8102

The state fire marshal shall prescribe a form for 8103
applications for shipping permits and make a copy of the form 8104
available, upon request, to persons who seek such a permit. 8105

(B) In an application for a shipping permit, the applicant 8106
shall specify the types of fireworks to be shipped into this 8107
state. 8108

(C) An application for a shipping permit shall be 8109
accompanied by a fee of two thousand seven hundred fifty 8110
dollars. 8111

An application for a shipping permit shall be accompanied 8112
by a certified copy or other copy acceptable to the state fire 8113
marshal of the applicant's license or permit issued in the 8114
applicant's state of residence and authorizing the applicant to 8115
engage in the manufacture, wholesale sale, or transportation of 8116
fireworks in that state, if that state issues such a license or 8117
permit, and by a statement by the applicant that the applicant 8118

understands and will abide by rules adopted by the state fire 8119
marshal pursuant to section 3743.58 of the Revised Code for 8120
transporting fireworks. 8121

(D) Except as otherwise provided in this division, and 8122
subject to section 3743.70 of the Revised Code, the state fire 8123
marshal shall issue a shipping permit to an applicant only if 8124
the state fire marshal determines that the applicant is a 8125
resident of another state and is the holder of a license or 8126
permit issued by that state authorizing it to engage in the 8127
manufacture, wholesale sale, or transportation of fireworks in 8128
that state, and the state fire marshal is satisfied that the 8129
application and documentation are complete and in conformity 8130
with this section and that the applicant will transport 8131
fireworks into this state in accordance with rules adopted by 8132
the state fire marshal pursuant to section 3743.58 of the 8133
Revised Code. The state fire marshal shall issue a shipping 8134
permit to an applicant if the applicant meets all of the 8135
requirements of this section for the issuance of a shipping 8136
permit except that the applicant does not hold a license or 8137
permit issued by the state of residence authorizing the 8138
applicant to engage in the manufacture, wholesale sale, or 8139
transportation of fireworks in that state because that state 8140
does not issue such a license or permit. 8141

(E) Each permit issued pursuant to this section shall 8142
contain a distinct number assigned to the particular permit 8143
holder, and contain the information described in division (B) of 8144
this section. 8145

The state fire marshal shall maintain a list of all 8146
persons issued shipping permits. In this list next to each 8147
person's name, the state fire marshal shall insert the date upon 8148

which the permit was issued and the information described in 8149
division (B) of this section. 8150

(F) A shipping permit is valid for one year from the date 8151
of issuance by the state fire marshal and only if the permit 8152
holder ships the fireworks directly into this state to the 8153
holder of a license issued under section 3743.03 or 3743.16 of 8154
the Revised Code or a license holder under section 3743.51 of 8155
the Revised Code who possesses a valid exhibition permit issued 8156
in accordance with section 3743.54 of the Revised Code and the 8157
fireworks shipped are to be used at the specifically permitted 8158
exhibition. The permit authorizes the permit holder to ship 8159
fireworks, as described in rules adopted by the state fire 8160
marshal under Chapter 119. of the Revised Code, directly to the 8161
holder of a license issued under section 3743.03 or 3743.16 of 8162
the Revised Code, and to possess the fireworks in this state 8163
while the permit holder is in the course of shipping them 8164
directly into this state. 8165

The holder of a shipping permit shall have the permit in 8166
the holder's possession in this state at all times while in the 8167
course of shipping the fireworks directly into this state. A 8168
shipping permit is not transferable or assignable. 8169

(G) The state fire marshal shall not require a person 8170
holding a shipping permit issued under this section to obtain a 8171
shipping permit pursuant to Chapter 4796. of the Revised Code. 8172

Sec. 3743.51. (A) If a person submits an application for 8173
licensure as an exhibitor of fireworks, together with the fee, 8174
as required by section 3743.50 of the Revised Code, the state 8175
fire marshal shall review the application and determine whether 8176
the applicant satisfies sections 3743.50 to 3743.55 of the 8177
Revised Code and the rules adopted by the state fire marshal 8178

pursuant to division (A) of section 3743.53 of the Revised Code. 8179

(B) ~~Subject~~ Except as provided in division (D) of this 8180
section and subject to section 3743.70 of the Revised Code, the 8181
state fire marshal shall issue a license in accordance with 8182
Chapter 119. of the Revised Code to the applicant for licensure 8183
as an exhibitor of fireworks only if the applicant satisfies 8184
sections 3743.50 to 3743.55 of the Revised Code and the rules 8185
adopted by the state fire marshal pursuant to division (A) of 8186
section 3743.53 of the Revised Code, and only if the state fire 8187
marshal is satisfied that the application is complete and in 8188
conformity with section 3743.50 of the Revised Code. 8189

(C) Each license issued pursuant to this section shall 8190
contain a distinct number assigned to the particular exhibitor. 8191
The state fire marshal shall maintain a list of all licensed 8192
exhibitors of fireworks. In this list next to each exhibitor's 8193
name, the state fire marshal shall insert the period of 8194
licensure and the license number of the particular exhibitor. 8195

(D) The state fire marshal shall issue a license to act as 8196
an exhibitor of fireworks in accordance with Chapter 4796. of 8197
the Revised Code to an applicant if either of the following 8198
applies: 8199

(1) The applicant is licensed in another state. 8200

(2) The applicant has satisfactory work experience, a 8201
government certification, or a private certification as 8202
described in that chapter as an exhibitor of fireworks in a 8203
state that does not issue that license. 8204

Sec. 3746.041. The director of environmental protection 8205
shall issue an environmental professional certification provided 8206
for under division (B) (5) of section 3746.04 of the Revised Code 8207

in accordance with Chapter 4796. of the Revised Code if an 8208
applicant either holds a certification or license in another 8209
state, or the applicant has satisfactory work experience, a 8210
government certification, or a private certification as 8211
described in that chapter as an environmental professional in a 8212
state that does not issue that certification. 8213

Sec. 3748.07. (A) ~~Every~~ Except as provided in division (G) 8214
of this section, every facility that proposes to handle 8215
radioactive material or radiation-generating equipment for which 8216
licensure or registration, respectively, by its handler is 8217
required shall apply in writing to the director of health on 8218
forms prescribed and provided by the director for licensure or 8219
registration. Terms and conditions of licenses and certificates 8220
of registration may be amended in accordance with rules adopted 8221
under section 3748.04 of the Revised Code or orders issued by 8222
the director pursuant to section 3748.05 of the Revised Code. 8223

(B) (1) ~~An~~ Except as provided in division (G) of this 8224
section, an applicant proposing to handle radioactive material 8225
shall pay for a license or renewal of a license the appropriate 8226
fee specified in rules adopted under section 3748.04 of the 8227
Revised Code and listed on an invoice provided by the director. 8228
The applicant shall pay the fee on receipt of the invoice. 8229

(2) (a) Except as provided in division (B) (2) (b) of this 8230
section, until fees are established in rules adopted under 8231
division (A) (8) (b) of section 3748.04 of the Revised Code, an 8232
applicant proposing to handle radiation-generating equipment 8233
shall pay for a certificate of registration or renewal of a 8234
certificate a biennial registration fee of two hundred sixty-two 8235
dollars. 8236

Except as provided in division (B) (2) (b) of this section, 8237

on and after the effective date of the rules in which fees are 8238
established under division (A) (8) (b) of section 3748.04 of the 8239
Revised Code, an applicant proposing to handle radiation- 8240
generating equipment shall pay for a certificate of registration 8241
or renewal of a certificate the appropriate fee established in 8242
those rules. 8243

The applicant shall pay the fees described in division (B) 8244
(2) (a) of this section at the time of applying for a certificate 8245
of registration or renewal of a certificate. 8246

(b) An applicant that is, or is operated by, a medical 8247
practitioner or medical-practitioner group and proposes to 8248
handle radiation-generating equipment shall pay for a 8249
certificate of registration or renewal of a certificate a 8250
biennial registration fee of two hundred sixty-two dollars. The 8251
applicant shall pay the fee at the time of applying for a 8252
certificate of registration or renewal of the certificate. 8253

(C) All fees collected under this section shall be 8254
deposited in the state treasury to the credit of the general 8255
operations fund created in section 3701.83 of the Revised Code. 8256
The fees shall be used solely to administer and enforce this 8257
chapter and rules adopted under it. 8258

(D) Any fee required under this section that remains 8259
unpaid on the ninety-first day after the original invoice date 8260
shall be assessed an additional amount equal to ten per cent of 8261
the original fee. 8262

(E) The director shall grant a license or registration to 8263
any applicant who has paid the required fee and is in compliance 8264
with this chapter and rules adopted under it. 8265

(F) Except as provided in division (B) (2) of this section, 8266

licenses and certificates of registration shall be effective for 8267
the applicable period established in rules adopted under section 8268
3748.04 of the Revised Code. Licenses and certificates of 8269
registration shall be renewed in accordance with the renewal 8270
procedure established in rules adopted under section 3748.04 of 8271
the Revised Code. 8272

(G) The director shall issue a license to handle 8273
radioactive material or a certificate of registration to handle 8274
radiation-generating equipment in accordance with Chapter 4796. 8275
of the Revised Code to an applicant if either of the following 8276
applies: 8277

(1) The applicant holds a license or certificate in 8278
another state. 8279

(2) The applicant has satisfactory work experience, a 8280
government certification, or a private certification as 8281
described in that chapter in handling radioactive material or 8282
radiation-generating equipment in a state that does not issue 8283
that license or certification or both. 8284

Sec. 3748.12. ~~The~~ (A) Except as provided in division (C) 8285
of this section, the director of health shall certify radiation 8286
experts pursuant to rules adopted under division (C) of section 8287
3748.04 of the Revised Code. The director shall issue a 8288
certificate to each person certified under this section. An 8289
individual certified by the director is qualified to develop, 8290
provide periodic review of, and conduct audits of the quality 8291
assurance program for sources of radiation for which such a 8292
program is required under division (A) of section 3748.13 of the 8293
Revised Code. 8294

(B) The director shall establish an application fee for 8295

applying for certification and a biennial certification renewal 8296
fee in rules adopted under division (C) of section 3748.04 of 8297
the Revised Code. A certificate issued under this section shall 8298
expire two years after the date of its issuance. To maintain 8299
certification, a radiation expert shall apply to the director 8300
for renewal of certification in accordance with the standard 8301
renewal procedures established in Chapter 4745. of the Revised 8302
Code. The certification renewal fee is not required for initial 8303
certification, but shall be paid for every renewal of 8304
certification. Fees collected under this section shall be 8305
deposited into the state treasury to the credit of the general 8306
operations fund created in section 3701.83 of the Revised Code. 8307
The fees shall be used solely to administer and enforce this 8308
chapter and rules adopted under it. Any fee required under this 8309
section that remains unpaid on the ninety-first day after the 8310
original invoice date shall be assessed an additional amount 8311
equal to ten per cent of the original fee. 8312

(C) The director shall issue a certificate in accordance 8313
with Chapter 4796. of the Revised Code to an applicant if either 8314
of the following applies: 8315

(1) The applicant holds a license or certificate in 8316
another state. 8317

(2) The applicant has satisfactory work experience, a 8318
government certification, or a private certification as 8319
described in that chapter as a radiation expert in a state that 8320
does not issue that certificate. 8321

Sec. 3769.03. The state racing commission shall prescribe 8322
the rules and conditions under which horse racing may be 8323
conducted and may issue, deny, suspend, diminish, or revoke 8324
permits to conduct horse racing as authorized by sections 8325

3769.01 to 3769.14 of the Revised Code. The commission may 8326
impose, in addition to any other penalty imposed by the 8327
commission, fines in an amount not to exceed ten thousand 8328
dollars on any permit holder or any other person who violates 8329
the rules or orders of the commission. The commission may 8330
prescribe the forms of wagering that are permissible, the number 8331
of races, the procedures on wagering, and the wagering 8332
information to be provided to the public. 8333

The commission may require totalizator equipment to 8334
display the amount of wagering in each wagering pool. The 8335
commission shall initiate safeguards as necessary to account for 8336
the amount of money wagered at each track in each wagering pool. 8337
It may require permit holders to install equipment that will 8338
provide a complete check and analysis of the functioning of any 8339
computers and require safeguards on their performance. The 8340
commission shall require all permit holders, except those 8341
holding state fair, county fair, or other fair permits, to 8342
provide a photographic recording, approved by the commission, of 8343
the entire running of all races conducted by the permit holder. 8344

The state racing commission may issue, deny, suspend, or 8345
revoke licenses to those persons engaged in racing and to those 8346
employees of permit holders as is in the public interest for the 8347
purpose of maintaining a proper control over horse-racing 8348
meetings. The commission, as is in the public interest for the 8349
purpose of maintaining proper control over horse-racing 8350
meetings, also may rule any person off a permit holder's 8351
premises. License fees shall include registration fees and shall 8352
be set by the commission. Each license issued by the commission, 8353
unless revoked for cause, shall be for the period of one year 8354
from the first day of January of the year in which it is issued, 8355
except as otherwise provided in section 3769.07 of the Revised 8356

Code. Applicants for licenses issued by the commission shall 8357
submit their fingerprints to the commission, and the commission 8358
may forward the fingerprints to the federal bureau of 8359
investigation or to any other agency, or to both, for 8360
examination. The commission shall issue a license to a person 8361
engaged in racing or an employee of a permit holder in 8362
accordance with Chapter 4796. of the Revised Code if that person 8363
or employee holds a license in another state, or that person or 8364
employee has satisfactory work experience, a government 8365
certification, or a private certification as described in that 8366
chapter in horse racing in a state that does not issue that 8367
license. 8368

There is hereby created in the state treasury the state 8369
racing commission operating fund. All license fees established 8370
and collected by the commission pursuant to this section, and 8371
the amounts specified in divisions (B) and (C) of section 8372
3769.08 and division (A) (5) of section 3769.087 of the Revised 8373
Code, shall be paid into the state treasury to the credit of the 8374
fund. Moneys in the fund shall be expended by the commission to 8375
defray its operating costs, salaries and expenses, and the cost 8376
of administering and enforcing this chapter. 8377

The commission may deny a permit to any permit holder that 8378
has defaulted in payments to the public, employees, or the 8379
horsemen and may deny a permit to any successor purchaser of a 8380
track for as long as any of those defaults have not been 8381
satisfied by either the seller or purchaser. 8382

The commission shall deny a permit to any permit holder 8383
that has defaulted in payments to the state or has defaulted in 8384
payments required under section 3769.089 or 3769.0810 of the 8385
Revised Code and shall deny a permit to any successor purchaser 8386

of a track for as long as those defaults have not been satisfied 8387
by either the seller or purchaser. 8388

Any violation of this chapter, of any rule of racing 8389
adopted by the commission, or of any law or rule with respect to 8390
racing in any jurisdiction shall be sufficient reason for a 8391
refusal to issue a license, or a suspension or revocation of any 8392
license issued, pursuant to this section. 8393

With respect to the issuance, denial, suspension, or 8394
revocation of a license to a participant in horse racing, the 8395
action of the commission shall be subject to Chapter 119. of the 8396
Revised Code. 8397

The commission may sue and be sued in its own name. Any 8398
action against the commission shall be brought in the court of 8399
common pleas of Franklin county. Any appeal from a determination 8400
or decision of the commission rendered in the exercise of its 8401
powers and duties under this chapter shall be brought in the 8402
court of common pleas of Franklin county. 8403

The commission, biennially, shall make a full report to 8404
the governor of its proceedings for the two-year period ending 8405
with the thirty-first day of December preceding the convening of 8406
the general assembly and shall include its recommendations in 8407
the report. The commission, semiannually, on the thirtieth day 8408
of June and on the thirty-first day of December of each year, 8409
shall make a report and accounting to the governor. 8410

Sec. 3772.13. (A) No person may be employed as a key 8411
employee of a casino operator, management company, or holding 8412
company unless the person is the holder of a valid key employee 8413
license issued by the commission. 8414

(B) No person may be employed as a key employee of a 8415

gaming-related vendor unless that person is either the holder of 8416
a valid key employee license issued by the commission, or the 8417
person, at least five business days prior to the first day of 8418
employment as a key employee, has filed a notification of 8419
employment with the commission and subsequently files a 8420
completed application for a key employee license within the 8421
first thirty days of employment as a key employee. 8422

(C) Each applicant shall, before the issuance of any key 8423
employee license, produce information, documentation, and 8424
assurances as are required by this chapter and rules adopted 8425
thereunder. In addition, each applicant shall, in writing, 8426
authorize the examination of all bank accounts and records as 8427
may be deemed necessary by the commission. 8428

(D) To be eligible for a key employee license, the 8429
applicant shall be at least twenty-one years of age and shall 8430
meet the criteria set forth by rule by the commission. 8431

(E) Each application for a key employee license shall be 8432
on a form prescribed by the commission and shall contain all 8433
information required by the commission. The applicant shall set 8434
forth in the application if the applicant has been issued prior 8435
gambling-related licenses; if the applicant has been licensed in 8436
any other state under any other name, and, if so, the name under 8437
which the license was issued and the applicant's age at the time 8438
the license was issued; any criminal conviction the applicant 8439
has had; and if a permit or license issued to the applicant in 8440
any other state has been suspended, restricted, or revoked, and, 8441
if so, the cause and the duration of each action. The applicant 8442
also shall complete a cover sheet for the application on which 8443
the applicant shall disclose the applicant's name, the business 8444
address of the casino operator, management company, holding 8445

company, or gaming-related vendor employing the applicant, the 8446
business address and telephone number of such employer, and the 8447
county, state, and country in which the applicant's residence is 8448
located. 8449

(F) Each applicant shall submit with each application, on 8450
a form provided by the commission, two sets of fingerprints and 8451
a photograph. The commission shall charge each applicant an 8452
application fee set by the commission to cover all actual costs 8453
generated by each licensee and all background checks under this 8454
section and section 3772.07 of the Revised Code. 8455

(G) (1) The casino operator, management company, or holding 8456
company by whom a person is employed as a key employee shall 8457
terminate the person's employment in any capacity requiring a 8458
license under this chapter and shall not in any manner permit 8459
the person to exercise a significant influence over the 8460
operation of a casino facility if: 8461

(a) The person does not apply for and receive a key 8462
employee license within three months of being issued a 8463
provisional license, as established under commission rule. 8464

(b) The person's application for a key employee license is 8465
denied by the commission. 8466

(c) The person's key employee license is revoked by the 8467
commission. 8468

The commission shall notify the casino operator, 8469
management company, or holding company who employs such a person 8470
by certified mail of any such finding, denial, or revocation. 8471

(2) A casino operator, management company, or holding 8472
company shall not pay to a person whose employment is terminated 8473
under division (G) (1) of this section, any remuneration for any 8474

services performed in any capacity in which the person is 8475
required to be licensed, except for amounts due for services 8476
rendered before notice was received under that division. A 8477
contract or other agreement for personal services or for the 8478
conduct of any casino gaming at a casino facility between a 8479
casino operator, management company, or holding company and a 8480
person whose employment is terminated under division (G)(1) of 8481
this section may be terminated by the casino operator, 8482
management company, or holding company without further liability 8483
on the part of the casino operator, management company, or 8484
holding company. Any such contract or other agreement is deemed 8485
to include a term authorizing its termination without further 8486
liability on the part of the casino operator, management 8487
company, or holding company upon receiving notice under division 8488
(G)(1) of this section. That a contract or other agreement does 8489
not expressly include such a term is not a defense in any action 8490
brought to terminate the contract or other agreement, and is not 8491
grounds for relief in any action brought questioning termination 8492
of the contract or other agreement. 8493

(3) A casino operator, management company, or holding 8494
company, without having obtained the prior approval of the 8495
commission, shall not enter into any contract or other agreement 8496
with a person who has been found unsuitable, who has been denied 8497
a license, or whose license has been revoked under division (G) 8498
(1) of this section, or with any business enterprise under the 8499
control of such a person, after the date on which the casino 8500
operator, management company, or holding company receives notice 8501
under that division. 8502

(H) Notwithstanding the requirements for a license under 8503
this section, the commission shall issue a key employee license 8504
in accordance with Chapter 4796. of the Revised Code to an 8505

applicant if either of the following applies: 8506

(1) The applicant holds a license in another state. 8507

(2) The applicant has satisfactory work experience, a 8508
government certification, or a private certification as 8509
described in that chapter as a key employee of a casino 8510
operator, management company, or holding company in a state that 8511
does not issue that license. 8512

Sec. 3772.131. (A) All casino gaming employees are 8513
required to have a casino gaming employee license. "Casino 8514
gaming employee" means the following and their supervisors: 8515

(1) Individuals involved in operating a casino gaming pit, 8516
including dealers, shills, clerks, hosts, and junket 8517
representatives; 8518

(2) Individuals involved in handling money, including 8519
cashiers, change persons, count teams, and coin wrappers; 8520

(3) Individuals involved in operating casino games; 8521

(4) Individuals involved in operating and maintaining slot 8522
machines, including mechanics, floor persons, and change and 8523
payoff persons; 8524

(5) Individuals involved in security, including guards and 8525
game observers; 8526

(6) Individuals with duties similar to those described in 8527
divisions (A) (1) to (5) of this section or other persons as the 8528
commission determines. "Casino gaming employee" does not include 8529
an individual whose duties are related solely to nongaming 8530
activities such as entertainment, hotel operation, maintenance, 8531
or preparing or serving food and beverages. 8532

(B) The commission may issue a casino gaming employee license to an applicant after it has determined that the applicant is eligible for a license under rules adopted by the commission and paid any applicable fee. All applications shall be made under oath.

(C) To be eligible for a casino gaming employee license, an applicant shall be at least twenty-one years of age.

(D) Each application for a casino gaming employee license shall be on a form prescribed by the commission and shall contain all information required by the commission. The applicant shall set forth in the application if the applicant has been issued prior gambling-related licenses; if the applicant has been licensed in any other state under any other name, and, if so, the name under which the license was issued and the applicant's age at the time the license was issued; any criminal conviction the applicant has had; and if a permit or license issued to the applicant in any other state has been suspended, restricted, or revoked, and, if so, the cause and the duration of each action.

(E) Each applicant shall submit with each application, on a form provided by the commission, two sets of the applicant's fingerprints and a photograph. The commission shall charge each applicant an application fee to cover all actual costs generated by each licensee and all background checks.

(F) Notwithstanding the requirements for a license under this section, the commission shall issue a casino gaming employee license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a 8562
government certification, or a private certification as 8563
described in that chapter as a casino gaming employee in a state 8564
that does not issue that license. 8565

Sec. 3773.36. (A) Upon the proper filing of an application 8566
to conduct any public or private competition that involves 8567
boxing, mixed martial arts, kick boxing, tough man contests, 8568
tough guy contests, or any other form of boxing or martial arts, 8569
accompanied by the surety bond and the application fee, or upon 8570
the proper filing of an application to conduct any public or 8571
private competition that involves wrestling accompanied by the 8572
application fee, the Ohio athletic commission shall issue a 8573
promoter's license to the applicant if it finds that the 8574
applicant is not in default on any payment, obligation, or debt 8575
payable to the state under sections 3773.31 to 3773.57 of the 8576
Revised Code, is financially responsible, and is knowledgeable 8577
in the proper conduct of such matches or exhibitions. 8578

(B) Notwithstanding the requirements for a license under 8579
division (A) of this section, the commission shall issue a 8580
promoter's license in accordance with Chapter 4796. of the 8581
Revised Code to an applicant if either of the following applies: 8582

(1) The applicant holds a license in another state. 8583

(2) The applicant has satisfactory work experience, a 8584
government certification, or a private certification as 8585
described in that chapter as a promoter in a state that does not 8586
issue that license. 8587

(C) Each license issued pursuant to this section shall 8588
bear the name of the licensee, the post office address of the 8589
licensee, the date of expiration, an identification number 8590

designated by the commission, and the seal of the commission. 8591

(D) A promoter's license shall expire twelve months after 8592
its date of issuance and shall become invalid on that date 8593
unless renewed. A promoter's license may be renewed upon 8594
application to the commission and upon payment of the renewal 8595
fee prescribed in section 3773.43 of the Revised Code. The 8596
commission shall renew the license unless it denies the 8597
application for renewal for one or more reasons stated in 8598
section 3123.47 or 3773.53 of the Revised Code. 8599

Sec. 3773.421. ~~A member of the~~ The Ohio athletic 8600
commission ~~may grant~~ shall issue a referee's, judge's, 8601
matchmaker's, timekeeper's, manager's, trainer's, contestant's, 8602
or second's license ~~at any time prior to the beginning of a~~ 8603
~~public boxing match or exhibition in accordance with Chapter~~ 8604
4796. of the Revised Code to an applicant ~~from~~ if either of the 8605
following applies: 8606

(A) ~~The applicant holds a license in another state who~~ 8607
~~wishes to participate as specified in section 3773.41 of the~~ 8608
~~Revised Code and who furnishes satisfactory proof to the member~~ 8609
~~that the applicant holds a license that is not under suspension,~~ 8610
~~revocation, or other disciplinary action, if the license was~~ 8611
~~issued by an agency that is similar to the commission, is a~~ 8612
~~member of the association of boxing commissions, and has~~ 8613
~~licensing requirements that are at least as stringent as those~~ 8614
~~established by the commission.~~ 8615

(B) The applicant has satisfactory work experience, a 8616
government certification, or a private certification as 8617
described in that chapter as a referee, judge, matchmaker, 8618
timekeeper, manager, trainer, contestant, or second in a state 8619
that does not issue that license. 8620

Sec. 3781.10. (A) (1) The board of building standards shall 8621
formulate and adopt rules governing the erection, construction, 8622
repair, alteration, and maintenance of all buildings or classes 8623
of buildings specified in section 3781.06 of the Revised Code, 8624
including land area incidental to those buildings, the 8625
construction of industrialized units, the installation of 8626
equipment, and the standards or requirements for materials used 8627
in connection with those buildings. The board shall incorporate 8628
those rules into separate residential and nonresidential 8629
building codes. The standards shall relate to the conservation 8630
of energy and the safety and sanitation of those buildings. 8631

(2) The rules governing nonresidential buildings are the 8632
lawful minimum requirements specified for those buildings and 8633
industrialized units, except that no rule other than as provided 8634
in division (C) of section 3781.108 of the Revised Code that 8635
specifies a higher requirement than is imposed by any section of 8636
the Revised Code is enforceable. The rules governing residential 8637
buildings are uniform requirements for residential buildings in 8638
any area with a building department certified to enforce the 8639
state residential building code. In no case shall any local code 8640
or regulation differ from the state residential building code 8641
unless that code or regulation addresses subject matter not 8642
addressed by the state residential building code or is adopted 8643
pursuant to section 3781.01 of the Revised Code. 8644

(3) The rules adopted pursuant to this section are 8645
complete, lawful alternatives to any requirements specified for 8646
buildings or industrialized units in any section of the Revised 8647
Code. Except as otherwise provided in division (I) of this 8648
section, the board shall, on its own motion or on application 8649
made under sections 3781.12 and 3781.13 of the Revised Code, 8650
formulate, propose, adopt, modify, amend, or repeal the rules to 8651

the extent necessary or desirable to effectuate the purposes of 8652
sections 3781.06 to 3781.18 of the Revised Code. 8653

(B) The board shall report to the general assembly 8654
proposals for amendments to existing statutes relating to the 8655
purposes declared in section 3781.06 of the Revised Code that 8656
public health and safety and the development of the arts require 8657
and shall recommend any additional legislation to assist in 8658
carrying out fully, in statutory form, the purposes declared in 8659
that section. The board shall prepare and submit to the general 8660
assembly a summary report of the number, nature, and disposition 8661
of the petitions filed under sections 3781.13 and 3781.14 of the 8662
Revised Code. 8663

(C) On its own motion or on application made under 8664
sections 3781.12 and 3781.13 of the Revised Code, and after 8665
thorough testing and evaluation, the board shall determine by 8666
rule that any particular fixture, device, material, process of 8667
manufacture, manufactured unit or component, method of 8668
manufacture, system, or method of construction complies with 8669
performance standards adopted pursuant to section 3781.11 of the 8670
Revised Code. The board shall make its determination with regard 8671
to adaptability for safe and sanitary erection, use, or 8672
construction, to that described in any section of the Revised 8673
Code, wherever the use of a fixture, device, material, method of 8674
manufacture, system, or method of construction described in that 8675
section of the Revised Code is permitted by law. The board shall 8676
amend or annul any rule or issue an authorization for the use of 8677
a new material or manufactured unit on any like application. No 8678
department, officer, board, or commission of the state other 8679
than the board of building standards or the board of building 8680
appeals shall permit the use of any fixture, device, material, 8681
method of manufacture, newly designed product, system, or method 8682

of construction at variance with what is described in any rule 8683
the board of building standards adopts or issues or that is 8684
authorized by any section of the Revised Code. Nothing in this 8685
section shall be construed as requiring approval, by rule, of 8686
plans for an industrialized unit that conforms with the rules 8687
the board of building standards adopts pursuant to section 8688
3781.11 of the Revised Code. 8689

(D) The board shall recommend rules, codes, and standards 8690
to help carry out the purposes of section 3781.06 of the Revised 8691
Code and to help secure uniformity of state administrative 8692
rulings and local legislation and administrative action to the 8693
bureau of workers' compensation, the director of commerce, any 8694
other department, officer, board, or commission of the state, 8695
and to legislative authorities and building departments of 8696
counties, townships, and municipal corporations, and shall 8697
recommend that they audit those recommended rules, codes, and 8698
standards by any appropriate action that they are allowed 8699
pursuant to law or the constitution. 8700

(E) (1) The board shall certify municipal, township, and 8701
county building departments, the personnel of those building 8702
departments, persons described in division (E) (7) of this 8703
section, and employees of individuals, firms, the state, or 8704
corporations described in division (E) (7) of this section to 8705
exercise enforcement authority, to accept and approve plans and 8706
specifications, and to make inspections, pursuant to sections 8707
3781.03, 3791.04, and 4104.43 of the Revised Code. 8708

(2) The board shall certify departments, personnel, and 8709
persons to enforce the state residential building code, to 8710
enforce the nonresidential building code, or to enforce both the 8711
residential and the nonresidential building codes. Any 8712

department, personnel, or person may enforce only the type of 8713
building code for which certified. 8714

(3) The board shall not require a building department, its 8715
personnel, or any persons that it employs to be certified for 8716
residential building code enforcement if that building 8717
department does not enforce the state residential building code. 8718
The board shall specify, in rules adopted pursuant to Chapter 8719
119. of the Revised Code, the requirements for certification for 8720
residential and nonresidential building code enforcement, which 8721
shall be consistent with this division. The requirements for 8722
residential and nonresidential certification may differ. Except 8723
as otherwise provided in this division, the requirements shall 8724
include, but are not limited to, the satisfactory completion of 8725
an initial examination and, to remain certified, the completion 8726
of a specified number of hours of continuing building code 8727
education within each three-year period following the date of 8728
certification which shall be not less than thirty hours. The 8729
rules shall provide that continuing education credits and 8730
certification issued by the council of American building 8731
officials, national model code organizations, and agencies or 8732
entities the board recognizes are acceptable for purposes of 8733
this division. The rules shall specify requirements that are 8734
consistent with the provisions of section 5903.12 of the Revised 8735
Code relating to active duty military service and are 8736
compatible, to the extent possible, with requirements the 8737
council of American building officials and national model code 8738
organizations establish. 8739

(4) The board shall establish and collect a certification 8740
and renewal fee for building department personnel, and persons 8741
and employees of persons, firms, or corporations as described in 8742
this section, who are certified pursuant to this division. 8743

(5) Any individual certified pursuant to this division 8744
shall complete the number of hours of continuing building code 8745
education that the board requires or, for failure to do so, 8746
forfeit certification. 8747

(6) This division does not require or authorize the board 8748
to certify personnel of municipal, township, and county building 8749
departments, and persons and employees of persons, firms, or 8750
corporations as described in this section, whose 8751
responsibilities do not include the exercise of enforcement 8752
authority, the approval of plans and specifications, or making 8753
inspections under the state residential and nonresidential 8754
building codes. 8755

(7) Enforcement authority for approval of plans and 8756
specifications and enforcement authority for inspections may be 8757
exercised, and plans and specifications may be approved and 8758
inspections may be made on behalf of a municipal corporation, 8759
township, or county, by any of the following who the board of 8760
building standards certifies: 8761

(a) Officers or employees of the municipal corporation, 8762
township, or county; 8763

(b) Persons, or employees of persons, firms, or 8764
corporations, pursuant to a contract to furnish architectural, 8765
engineering, or other services to the municipal corporation, 8766
township, or county; 8767

(c) Officers or employees of, and persons under contract 8768
with, a municipal corporation, township, county, health 8769
district, or other political subdivision, pursuant to a contract 8770
to furnish architectural, engineering, or other services; 8771

(d) Officers or employees of the division of industrial 8772

compliance in the department of commerce pursuant to a contract 8773
authorized by division (B) of section 121.083 of the Revised 8774
Code. 8775

(8) Municipal, township, and county building departments 8776
have jurisdiction within the meaning of sections 3781.03, 8777
3791.04, and 4104.43 of the Revised Code, only with respect to 8778
the types of buildings and subject matters for which they are 8779
certified under this section. 8780

(9) A certified municipal, township, or county building 8781
department may exercise enforcement authority, accept and 8782
approve plans and specifications, and make inspections pursuant 8783
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 8784
for a park district created pursuant to Chapter 1545. of the 8785
Revised Code upon the approval, by resolution, of the board of 8786
park commissioners of the park district requesting the 8787
department to exercise that authority and conduct those 8788
activities, as applicable. 8789

(10) Certification shall be granted upon application by 8790
the municipal corporation, the board of township trustees, or 8791
the board of county commissioners and approval of that 8792
application by the board of building standards. The application 8793
shall set forth: 8794

(a) Whether the certification is requested for residential 8795
or nonresidential buildings, or both; 8796

(b) The number and qualifications of the staff composing 8797
the building department; 8798

(c) The names, addresses, and qualifications of persons, 8799
firms, or corporations contracting to furnish work or services 8800
pursuant to division (E) (7) (b) of this section; 8801

(d) The names of any other municipal corporation, 8802
township, county, health district, or political subdivision 8803
under contract to furnish work or services pursuant to division 8804
(E) (7) of this section; 8805

(e) The proposed budget for the operation of the building 8806
department. 8807

(11) The board of building standards shall adopt rules 8808
governing all of the following: 8809

(a) The certification of building department personnel and 8810
persons and employees of persons, firms, or corporations 8811
exercising authority pursuant to division (E) (7) of this 8812
section. The rules shall disqualify any employee of the 8813
department or person who contracts for services with the 8814
department from performing services for the department when that 8815
employee or person would have to pass upon, inspect, or 8816
otherwise exercise authority over any labor, material, or 8817
equipment the employee or person furnishes for the construction, 8818
alteration, or maintenance of a building or the preparation of 8819
working drawings or specifications for work within the 8820
jurisdictional area of the department. The department shall 8821
provide other similarly qualified personnel to enforce the 8822
residential and nonresidential building codes as they pertain to 8823
that work. 8824

(b) The minimum services to be provided by a certified 8825
building department. 8826

(12) The board of building standards may revoke or suspend 8827
certification to enforce the residential and nonresidential 8828
building codes, on petition to the board by any person affected 8829
by that enforcement or approval of plans, or by the board on its 8830

own motion. Hearings shall be held and appeals permitted on any 8831
proceedings for certification or revocation or suspension of 8832
certification in the same manner as provided in section 3781.101 8833
of the Revised Code for other proceedings of the board of 8834
building standards. 8835

(13) Upon certification, and until that authority is 8836
revoked, any county or township building department shall 8837
enforce the residential and nonresidential building codes for 8838
which it is certified without regard to limitation upon the 8839
authority of boards of county commissioners under Chapter 307. 8840
of the Revised Code or boards of township trustees under Chapter 8841
505. of the Revised Code. 8842

(14) The board shall certify a person to exercise 8843
enforcement authority, to accept and approve plans and 8844
specifications, or to make inspections in this state in 8845
accordance with Chapter 4796. of the Revised Code if either of 8846
the following applies: 8847

(a) The person holds a license or certificate in another 8848
state. 8849

(b) The person has satisfactory work experience, a 8850
government certification, or a private certification as 8851
described in that chapter in the same profession, occupation, or 8852
occupational activity as the profession, occupation, or 8853
occupational activity for which the certificate is required in 8854
this state in a state that does not issue that license or 8855
certificate. 8856

(F) In addition to hearings sections 3781.06 to 3781.18 8857
and 3791.04 of the Revised Code require, the board of building 8858
standards shall make investigations and tests, and require from 8859

other state departments, officers, boards, and commissions 8860
information the board considers necessary or desirable to assist 8861
it in the discharge of any duty or the exercise of any power 8862
mentioned in this section or in sections 3781.06 to 3781.18, 8863
3791.04, and 4104.43 of the Revised Code. 8864

(G) The board shall adopt rules and establish reasonable 8865
fees for the review of all applications submitted where the 8866
applicant applies for authority to use a new material, assembly, 8867
or product of a manufacturing process. The fee shall bear some 8868
reasonable relationship to the cost of the review or testing of 8869
the materials, assembly, or products and for the notification of 8870
approval or disapproval as provided in section 3781.12 of the 8871
Revised Code. 8872

(H) The residential construction advisory committee shall 8873
provide the board with a proposal for a state residential 8874
building code that the committee recommends pursuant to division 8875
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 8876
recommendation from the committee that is acceptable to the 8877
board, the board shall adopt rules establishing that code as the 8878
state residential building code. 8879

(I) (1) The committee may provide the board with proposed 8880
rules to update or amend the state residential building code 8881
that the committee recommends pursuant to division (E) of 8882
section 4740.14 of the Revised Code. 8883

(2) If the board receives a proposed rule to update or 8884
amend the state residential building code as provided in 8885
division (I) (1) of this section, the board either may accept or 8886
reject the proposed rule for incorporation into the residential 8887
building code. If the board does not act to either accept or 8888
reject the proposed rule within ninety days after receiving the 8889

proposed rule from the committee as described in division (I) (1) 8890
of this section, the proposed rule shall become part of the 8891
residential building code. 8892

(J) The board shall cooperate with the director of job and 8893
family services when the director promulgates rules pursuant to 8894
section 5104.05 of the Revised Code regarding safety and 8895
sanitation in type A family day-care homes. 8896

(K) The board shall adopt rules to implement the 8897
requirements of section 3781.108 of the Revised Code. 8898

Sec. 3781.102. (A) Any county or municipal building 8899
department certified pursuant to division (E) of section 3781.10 8900
of the Revised Code as of September 14, 1970, and that, as of 8901
that date, was inspecting single-family, two-family, and three- 8902
family residences, and any township building department 8903
certified pursuant to division (E) of section 3781.10 of the 8904
Revised Code, is hereby declared to be certified to inspect 8905
single-family, two-family, and three-family residences 8906
containing industrialized units, and shall inspect the buildings 8907
or classes of buildings subject to division (E) of section 8908
3781.10 of the Revised Code. 8909

(B) Each board of county commissioners may adopt, by 8910
resolution, rules establishing standards and providing for the 8911
licensing of electrical and heating, ventilating, and air 8912
conditioning contractors who are not required to hold a valid 8913
and unexpired license pursuant to Chapter 4740. of the Revised 8914
Code. 8915

Rules adopted by a board of county commissioners pursuant 8916
to this division may be enforced within the unincorporated areas 8917
of the county and within any municipal corporation where the 8918

legislative authority of the municipal corporation has 8919
contracted with the board for the enforcement of the county 8920
rules within the municipal corporation pursuant to section 8921
307.15 of the Revised Code. The rules shall not conflict with 8922
rules adopted by the board of building standards pursuant to 8923
section 3781.10 of the Revised Code or by the department of 8924
commerce pursuant to Chapter 3703. of the Revised Code. This 8925
division does not impair or restrict the power of municipal 8926
corporations under Section 3 of Article XVIII, Ohio 8927
Constitution, to adopt rules concerning the erection, 8928
construction, repair, alteration, and maintenance of buildings 8929
and structures or of establishing standards and providing for 8930
the licensing of specialty contractors pursuant to section 8931
715.27 of the Revised Code. 8932

A board of county commissioners, pursuant to this 8933
division, may require all electrical contractors and heating, 8934
ventilating, and air conditioning contractors, other than those 8935
who hold a valid and unexpired license issued pursuant to 8936
Chapter 4740. of the Revised Code, to successfully complete an 8937
examination, test, or demonstration of technical skills, and may 8938
impose a fee and additional requirements for a license to engage 8939
in their respective occupations within the jurisdiction of the 8940
board's rules under this division. 8941

(C) No board of county commissioners shall require any 8942
specialty contractor who holds a valid and unexpired license 8943
issued pursuant to Chapter 4740. of the Revised Code to 8944
successfully complete an examination, test, or demonstration of 8945
technical skills in order to engage in the type of contracting 8946
for which the license is held, within the unincorporated areas 8947
of the county and within any municipal corporation whose 8948
legislative authority has contracted with the board for the 8949

enforcement of county regulations within the municipal 8950
corporation, pursuant to section 307.15 of the Revised Code. 8951

(D) A board may impose a fee for registration of a 8952
specialty contractor who holds a valid and unexpired license 8953
issued pursuant to Chapter 4740. of the Revised Code before that 8954
specialty contractor may engage in the type of contracting for 8955
which the license is held within the unincorporated areas of the 8956
county and within any municipal corporation whose legislative 8957
authority has contracted with the board for the enforcement of 8958
county regulations within the municipal corporation, pursuant to 8959
section 307.15 of the Revised Code, provided that the fee is the 8960
same for all specialty contractors who wish to engage in that 8961
type of contracting. If a board imposes such a fee, the board 8962
immediately shall permit a specialty contractor who presents 8963
proof of holding a valid and unexpired license and pays the 8964
required fee to engage in the type of contracting for which the 8965
license is held within the unincorporated areas of the county 8966
and within any municipal corporation whose legislative authority 8967
has contracted with the board for the enforcement of county 8968
regulations within the municipal corporation, pursuant to 8969
section 307.15 of the Revised Code. 8970

(E) The political subdivision associated with each 8971
municipal, township, and county building department the board of 8972
building standards certifies pursuant to division (E) of section 8973
3781.10 of the Revised Code may prescribe fees to be paid by 8974
persons, political subdivisions, or any department, agency, 8975
board, commission, or institution of the state, for the 8976
acceptance and approval of plans and specifications, and for the 8977
making of inspections, pursuant to sections 3781.03 and 3791.04 8978
of the Revised Code. 8979

(F) Each political subdivision that prescribes fees 8980
pursuant to division (E) of this section shall collect, on 8981
behalf of the board of building standards, fees equal to the 8982
following: 8983

(1) Three per cent of the fees the political subdivision 8984
collects in connection with nonresidential buildings; 8985

(2) One per cent of the fees the political subdivision 8986
collects in connection with residential buildings. 8987

(G) (1) The board shall adopt rules, in accordance with 8988
Chapter 119. of the Revised Code, specifying the manner in which 8989
the fee assessed pursuant to division (F) of this section shall 8990
be collected and remitted monthly to the board. The board shall 8991
pay the fees into the state treasury to the credit of the 8992
industrial compliance operating fund created in section 121.084 8993
of the Revised Code. 8994

(2) All money credited to the industrial compliance 8995
operating fund under this division shall be used exclusively for 8996
the following: 8997

(a) Operating costs of the board; 8998

(b) Providing services, including educational programs, 8999
for the building departments that are certified by the board 9000
pursuant to division (E) of section 3781.10 of the Revised Code; 9001

(c) Paying the expenses of the residential construction 9002
advisory committee, including the expenses of committee members 9003
as provided in section 4740.14 of the Revised Code. 9004

(H) A board of county commissioners that adopts rules 9005
providing for the licensing of electrical and heating, 9006
ventilating, and air conditioning contractors, pursuant to 9007

division (B) of this section, may accept, for purposes of 9008
satisfying the requirements of rules adopted under that 9009
division, a valid and unexpired license issued pursuant to 9010
Chapter 4740. of the Revised Code that is held by an electrical 9011
or heating, ventilating, and air conditioning contractor, for 9012
the construction, replacement, maintenance, or repair of one- 9013
family, two-family, or three-family dwelling houses or accessory 9014
structures incidental to those dwelling houses. 9015

(I) A board of county commissioners shall not register a 9016
specialty contractor who is required to hold a license under 9017
Chapter 4740. of the Revised Code but does not hold a valid 9018
license issued under that chapter. 9019

(J) If a board of county commissioners regulates a 9020
profession, occupation, or occupational activity under this 9021
section, the board shall comply with Chapter 4796. of the 9022
Revised Code. 9023

(K) As used in this section, "specialty contractor" means 9024
a heating, ventilating, and air conditioning contractor, 9025
refrigeration contractor, electrical contractor, plumbing 9026
contractor, or hydronics contractor, as those contractors are 9027
described in Chapter 4740. of the Revised Code. 9028

Sec. 3781.105. (A) The board of building standards shall 9029
certify individuals who design fire protection systems for 9030
buildings and who meet the requirements specified in this 9031
section. The board may establish separate certification 9032
categories for specific types of fire protection systems. 9033

(B) Any individual who wishes to obtain certification 9034
shall make application to the board on a form prescribed by the 9035
board. The application shall be accompanied by an application 9036

fee and an initial certification fee. The initial certification 9037
fee shall be refunded if the applicant fails to obtain 9038
certification. Certification may be renewed annually upon 9039
payment of a renewal fee. 9040

Fees required to be paid under this division shall be 9041
established by rule adopted by the board. The application fee 9042
shall bear a reasonable relationship to processing the 9043
individual's application, the certification fee shall bear a 9044
reasonable relationship to certifying the individual, and the 9045
certification renewal fee shall bear a reasonable relationship 9046
to renewing the individual's certification. 9047

(C) Each applicant shall submit evidence satisfactory to 9048
the board that the applicant has directly engaged in designing 9049
and preparing drawings for the category of the type of fire 9050
protection system for which the applicant seeks certification. 9051

(D) The board shall certify any qualified applicant who 9052
passes an examination prescribed either by the board or by the 9053
national institute for certification in engineering 9054
technologies. The examination shall demonstrate the applicant's 9055
knowledge and understanding of the category of the type of fire 9056
protection system for which the applicant seeks certification. 9057

(E) The board, after a hearing in accordance with Chapter 9058
119. of the Revised Code, may suspend or revoke any category of 9059
certification of any individual who proves at any time to be 9060
incompetent to submit and certify plans and specifications for 9061
that category to the appropriate building department under 9062
section 3791.04 of the Revised Code, and may suspend or revoke 9063
all categories of certification of any individual who engages in 9064
any illegal or fraudulent acts in connection with the design of 9065
fire protection systems. 9066

~~(H)~~(F) The board may adopt rules in accordance with 9067
Chapter 119. of the Revised Code for the administration and 9068
enforcement of this section. 9069

(G) Notwithstanding any other provision of this section to 9070
the contrary, the board shall certify an applicant in accordance 9071
with Chapter 4796. of the Revised Code if either of the 9072
following applies: 9073

(1) The applicant is licensed or certified in another 9074
state. 9075

(2) The applicant has satisfactory work experience, a 9076
government certification, or a private certification as 9077
described in that chapter as a designer of fire protection 9078
systems in a state that does not issue that license or 9079
certificate. 9080

Sec. 3916.03. (A) An Except as provided in division (H) of 9081
this section, an applicant for a license as a viatical 9082
settlement provider or viatical settlement broker shall submit 9083
an application for the license in a manner prescribed by the 9084
superintendent of insurance. The application shall be 9085
accompanied by a fee established by the superintendent by rule 9086
adopted in accordance with Chapter 119. of the Revised Code. 9087

(B) A license issued under this chapter to a person other 9088
than an individual authorizes all partners, officers, members, 9089
or designated employees of the person to act as viatical 9090
settlement providers or viatical settlement brokers, as 9091
applicable, and all those partners, officers, members, or 9092
designated employees shall be named in the application and any 9093
supplements to the application. 9094

(C) Upon Except as provided in division (H) of this 9095

section, upon the filing of an application under this section 9096
and the payment of the license fee, the superintendent shall 9097
make an investigation of the applicant and issue to the 9098
applicant a license that states in substance that the person is 9099
authorized to act as a viatical settlement provider or viatical 9100
settlement broker, as applicable, if all of the following apply: 9101

(1) Regarding an application for a license as a viatical 9102
settlement provider, the applicant provides all of the 9103
following: 9104

(a) A detailed plan of operation; 9105

(b) Proof of financial responsibility pursuant to division 9106
(D) of this section; 9107

(c) A general description of the method the applicant will 9108
use to determine life expectancies, including a description of 9109
the applicant's intended receipt of life expectancies, the 9110
applicant's intended use of life expectancies, the applicant's 9111
intended use of life expectancy providers, and a written plan of 9112
policies and procedures used to determine life expectancies. 9113

(2) The superintendent finds all of the following: 9114

(a) The applicant is competent and trustworthy and intends 9115
to act in good faith in the capacity of a viatical settlement 9116
provider or viatical settlement broker, as applicable. 9117

(b) The applicant has a good business reputation and has 9118
had experience, training, or education so as to be qualified to 9119
act in the capacity of a viatical settlement provider or 9120
viatical settlement broker, as applicable. 9121

(3) If the applicant is a person other than an individual, 9122
the applicant provides a certificate of good standing from the 9123

state of its organization. 9124

(4) The applicant provides an antifraud plan that meets 9125
the requirements of division (G) of section 3916.18 of the 9126
Revised Code. 9127

(D) (1) An applicant for licensure as a viatical settlement 9128
provider may provide proof of financial responsibility through 9129
one of the following means: 9130

(a) Submitting audited financial statements that show a 9131
minimum equity of not less than two hundred fifty thousand 9132
dollars in cash or cash equivalents; 9133

(b) Submitting both audited annual financial statements 9134
that show positive equity and either of the following: 9135

(i) A surety bond in the amount of two hundred fifty 9136
thousand dollars in favor of this state issued by an insurer 9137
authorized to issue surety bonds in this state; 9138

(ii) An unconditional and irrevocable letter of credit, 9139
deposit of cash, or securities, in any combination, in the 9140
aggregate amount of two hundred fifty thousand dollars. 9141

~~(2) If an applicant is licensed as a viatical settlement 9142
provider in another state, the superintendent may accept as 9143
valid any similar proof of financial responsibility the 9144
applicant filed in that state. 9145~~

~~(3) The superintendent may request proof of financial 9146
responsibility at any time the superintendent considers 9147
necessary. 9148~~

(E) An applicant shall provide all information requested 9149
by the superintendent. The superintendent may, at any time, 9150
require an applicant to fully disclose the identity of all 9151

shareholders, partners, officers, members, and employees, and 9152
may, in the exercise of the superintendent's discretion, refuse 9153
to issue a license to an applicant that is not an individual if 9154
the superintendent is not satisfied that each officer, employee, 9155
shareholder, partner, or member who may materially influence the 9156
applicant's conduct meets the standards set forth in this 9157
chapter. 9158

(F) Except as otherwise provided in this division, a 9159
license as a viatical settlement provider or viatical settlement 9160
broker expires on the last day of March next after its issuance 9161
or continuance. A license as a viatical settlement provider or 9162
viatical settlement broker may, in the discretion of the 9163
superintendent and the payment of an annual renewal fee 9164
established by the superintendent by rule adopted in accordance 9165
with Chapter 119. of the Revised Code, be continued past the 9166
last day of March next after its issue and after the last day of 9167
March in each succeeding year. Failure to pay the renewal fee by 9168
the required date results in the expiration of the license. 9169

(G) Any individual licensed as a viatical settlement 9170
broker shall complete not less than fifteen hours of continuing 9171
education biennially. The superintendent shall approve 9172
continuing education courses that shall be related to viatical 9173
settlements and viatical settlement transactions. The 9174
superintendent shall adopt rules for the enforcement of this 9175
division. 9176

(H) The superintendent shall ~~not~~ issue a license to a 9177
~~nonresident~~ an applicant who is licensed in another state or has 9178
satisfactory work experience, a government certification, or a 9179
private certification as described in Chapter 4796. of the 9180
Revised Code as a viatical settlement provider or viatical 9181

settlement broker in a state that does not issue that license in 9182
accordance with that chapter, unless-if either of the following 9183
applies: 9184

(1) The applicant files and maintains a written 9185
designation of an agent for service of process with the 9186
superintendent. 9187

(2) The applicant has filed with the superintendent the 9188
applicant's written irrevocable consent that any action against 9189
the applicant may be commenced against the applicant by service 9190
of process on the superintendent. 9191

(I) A viatical settlement provider or viatical settlement 9192
broker shall provide to the superintendent new or revised 9193
information regarding any change in its officers, any 9194
shareholder owning ten per cent or more of its voting 9195
securities, or its partners, directors, members, or designated 9196
employees within thirty days of the change. 9197

(J) Any fee collected under this section shall be paid 9198
into the state treasury to the credit of the department of 9199
insurance operating fund created by section 3901.021 of the 9200
Revised Code. 9201

Sec. 3951.03. (A) Before any certificate of authority 9202
shall be issued by the superintendent of insurance there shall 9203
be filed in ~~his~~ the superintendent's office a written 9204
application therefor. Such application shall be in the form or 9205
forms and supplements thereto prescribed by the superintendent 9206
and shall set forth: 9207

~~(A)~~ (1) The name and address of the applicant, and if the 9208
applicant be a firm, association, or partnership, the name and 9209
address of each member thereof, and if the applicant be a 9210

corporation, the name and address of each of its officers and 9211
directors; 9212

~~(B)~~ (2) Whether any license or certificate of authority as 9213
agent, broker, or public insurance adjuster has been issued 9214
previously by the superintendent of this state or by the 9215
insurance department of any state to the individual applicant, 9216
and, if the applicant be an individual, whether any such 9217
certificate has been issued previously to any firm, association, 9218
or partnership of which ~~he~~ the individual was or is an officer 9219
or director, and, if the applicant be a firm, association, or 9220
partnership, whether any such certificate has been issued 9221
previously to any member thereof, and, if the applicant be a 9222
corporation, whether any such certificate has been issued 9223
previously to any officer or director of such corporation; 9224

~~(C)~~ (3) The business or employment in which the applicant 9225
has been engaged for the five years next preceding the date of 9226
the application, and the name and address of such business and 9227
the name or names and addresses of his employer or employers; 9228

~~(D)~~ (4) Such information as the superintendent may require 9229
of applicants in order to determine their trustworthiness and 9230
competency to transact the business of public insurance 9231
adjusters, in such manner as to safeguard the interest of the 9232
public; 9233

~~(E)~~ ~~The~~ ~~(B)~~ Except as provided in division (C) of this 9234
section, the superintendent shall issue a public insurance 9235
adjuster agent certificate to a person, who is a bona fide 9236
employee of a public insurance adjuster without examination, 9237
provided said application is made by a person, partnership, 9238
association, or corporation engaged in the public insurance 9239
adjusting business. The fee to be paid by the applicant for such 9240

a license at the time the application is made, and annually 9241
thereafter for the renewal thereof according to the standard 9242
renewal procedure of sections 4745.01 to 4745.03, inclusive, of 9243
the Revised Code, shall be fifty dollars, and such applicant 9244
shall be bonded in the amount of one thousand dollars as 9245
provided for in division (D) of section 3951.06 of the Revised 9246
Code. 9247

(C) The superintendent shall issue a public insurance 9248
adjuster agent certificate in accordance with Chapter 4796. of 9249
the Revised Code to an applicant if either of the following 9250
applies: 9251

(1) The applicant holds a license or certificate in 9252
another state. 9253

(2) The applicant has satisfactory work experience, a 9254
government certification, or a private certification as 9255
described in that chapter as a public insurance adjuster agent 9256
in a state that does not issue that license or certificate. 9257

(D) An application for any certificate of authority shall 9258
be signed and verified under oath by the applicant and, if made 9259
by a firm, association, partnership, or corporation, by each 9260
member or officer and director thereof to be authorized thereby 9261
to act as a public insurance adjuster. 9262

Sec. 3951.05. The superintendent of insurance shall, in 9263
order to determine the trustworthiness and competency of any 9264
applicant for a certificate of authority to act as a public 9265
insurance adjuster, require such applicant or in the case of a 9266
firm, association, partnership, or corporation, such of its 9267
employees, members, officers, or directors, who are to be 9268
individually authorized to act under its certificate of 9269

authority, to submit to a written examination, ~~except applicants~~ 9270
~~who are granted a waiver of examination in accordance with~~ 9271
~~section 3951.09 of the Revised Code.~~ Examinations shall be held 9272
in such place in this state and at such time as the 9273
superintendent may designate. 9274

Sec. 3951.09. The superintendent ~~may waive the requirement~~ 9275
~~that an applicant submit to an examination to obtain of~~ 9276
insurance shall issue a certificate of authority under this 9277
chapter, ~~provided that the applicant is licensed as a public~~ 9278
~~insurance adjuster in another state that required the applicant~~ 9279
~~to submit to an examination as a condition of licensure. Prior~~ 9280
~~to waiving the examination requirement with respect to a public~~ 9281
~~insurance adjuster licensed in another state, the superintendent~~ 9282
~~shall issue a notice at least sixty days prior to the effective~~ 9283
~~date of the waiver identifying the applicant's other state of~~ 9284
~~licensure. The notice shall be issued in a manner deemed~~ 9285
~~appropriate by the superintendent. Once the superintendent has~~ 9286
~~issued a notice under this section identifying an applicant's~~ 9287
~~other state of licensure, the superintendent need not issue~~ 9288
~~subsequent notices as to applicants licensed in the same state~~ 9289
~~in order to waive the examination requirement for those~~ 9290
applicants in accordance with Chapter 4796. of the Revised Code 9291
to an applicant if either of the following applies: 9292

(A) The applicant holds a license or certificate in 9293
another state. 9294

(B) The applicant has satisfactory work experience, a 9295
government certification, or a private certification as 9296
described in Chapter 4796. of the Revised Code as a public 9297
insurance adjuster in a state that does not issue that license 9298
or certificate. 9299

Sec. 4104.07. (A) ~~An~~ Except as provided in division (E) of 9300
this section, an application for examination as an inspector of 9301
boilers and pressure vessels shall be in writing, accompanied by 9302
a fee of one hundred fifty dollars, upon a blank to be furnished 9303
by the superintendent of industrial compliance. Any moneys 9304
collected under this section shall be paid into the state 9305
treasury to the credit of the industrial compliance operating 9306
fund created in section 121.084 of the Revised Code. 9307

(B) The superintendent shall determine if an applicant 9308
meets all the requirements for examination in accordance with 9309
rules adopted by the board of building standards under section 9310
4104.02 of the Revised Code. An application shall be rejected 9311
which contains any willful falsification, or untruthful 9312
statements. 9313

(C) An applicant shall be examined by the superintendent, 9314
by a written examination, prescribed by the board, dealing with 9315
the construction, installation, operation, maintenance, and 9316
repair of boilers and pressure vessels and their appurtenances, 9317
and the applicant shall be accepted or rejected on the merits of 9318
the applicant's application and examination. 9319

(D) Upon a favorable report by the superintendent of the 9320
result of an examination, the superintendent shall immediately 9321
issue to the successful applicant a certificate of competency to 9322
that effect. 9323

(E) The superintendent shall issue a certificate of 9324
competency in accordance with Chapter 4796. of the Revised Code 9325
to an applicant if either of the following applies: 9326

(1) The applicant holds a license or certificate in 9327
another state. 9328

(2) The applicant has satisfactory work experience, a 9329
government certification, or a private certification as 9330
described in that chapter as an inspector of boilers and 9331
pressure vessels in a state that does not issue that license or 9332
certificate. 9333

Sec. 4104.101. (A) No person shall install or make major 9334
repairs or modifications to any boiler without first registering 9335
to do so with the division of industrial compliance. 9336

(B) No person shall make any installation or major repair 9337
or modification of any boiler without first obtaining a permit 9338
to do so from the division. The permit application form shall 9339
provide the name and address of the owner, location of the 9340
boiler, and type of repair or modification that will be made. 9341
The application permit fee shall be one hundred dollars. 9342

(C) The superintendent of industrial compliance shall 9343
require annual registration of all contractors who install, make 9344
major repairs to, or modify any boiler. The board of building 9345
standards shall establish a reasonable fee to cover the cost of 9346
processing registrations. 9347

(D) Notwithstanding any provision of this section to the 9348
contrary, the superintendent shall register a contractor to 9349
install, make major repairs to, or modify boilers in accordance 9350
with Chapter 4796. of the Revised Code if either of the 9351
following applies: 9352

(1) The contractor is licensed or registered in another 9353
state to install, make major repairs to, or modify boilers. 9354

(2) The contractor has satisfactory work experience, a 9355
government certification, or a private certification as 9356
described in that chapter to install, make major repairs to, or 9357

modify boilers in a state that does not issue that license or 9358
registration. 9359

Sec. 4104.19. (A) Any Except as provided in division (H) 9360
of this section, any person seeking a license to operate as a 9361
steam engineer, high pressure boiler operator, or low pressure 9362
boiler operator shall file a written application with the 9363
superintendent of industrial compliance on a form prescribed by 9364
the superintendent with the appropriate application fee as set 9365
forth in section 4104.18 of the Revised Code. The application 9366
shall contain information satisfactory to the superintendent to 9367
demonstrate that the applicant meets the requirements of 9368
division (B) of this section. The application shall be filed 9369
with the superintendent not more than sixty days and not less 9370
than thirty days before the license examination is offered. 9371

(B) To qualify to take the examination required to obtain 9372
a steam engineer, high pressure boiler operator, or low pressure 9373
boiler operator license, a person shall meet both of the 9374
following requirements: 9375

(1) Be at least eighteen years of age; 9376

(2) Have one year of experience in the operation of steam 9377
engines, high pressure boilers, or low pressure boilers as 9378
applicable to the type of license being sought, or a combination 9379
of experience and education for the type of license sought as 9380
determined to be acceptable by the superintendent. 9381

(C) No applicant shall qualify to take an examination or 9382
to renew a license if the applicant has violated this chapter or 9383
if the applicant has obtained or renewed a license issued under 9384
this chapter by fraud, misrepresentation, or deception. 9385

(D) The superintendent shall issue a license to each 9386

applicant who receives a passing score on the examination, as 9387
determined by the superintendent, for the license for which the 9388
applicant applied. 9389

(E) The superintendent may select and contract with one or 9390
more persons to do all of the following relative to the 9391
examinations for a license to operate as a steam engineer, high 9392
pressure boiler operator, or low pressure boiler operator: 9393

(1) Prepare, administer, score, and maintain the 9394
confidentiality of the examination; 9395

(2) Maintain responsibility for all expenses required to 9396
fulfill division (E) (1) of this section; 9397

(3) Charge each applicant a fee for administering the 9398
examination, in an amount authorized by the superintendent; 9399

(4) Design the examination for each type of license to 9400
determine an applicant's competence to operate the equipment for 9401
which the applicant is seeking licensure. 9402

(F) Each license issued under this chapter expires one 9403
year after the date of issue. Each person holding a valid, 9404
unexpired license may renew the license, without reexamination, 9405
by applying to the superintendent not more than ninety days 9406
before the expiration of the license, and submitting with the 9407
application the renewal fee established in section 4104.18 of 9408
the Revised Code. Upon receipt of the renewal information and 9409
fee, the superintendent shall issue the licensee a certificate 9410
of renewal. 9411

(G) The superintendent, in accordance with Chapter 119. of 9412
the Revised Code, may suspend or revoke any license, or may 9413
refuse to issue a license under this chapter upon finding that a 9414
licensee or an applicant for a license has violated or is 9415

violating the requirements of this chapter. The superintendent 9416
shall not refuse to issue a license to an applicant because of a 9417
disqualifying offense unless the refusal is in accordance with 9418
section 9.79 of the Revised Code. 9419

(H) The superintendent shall issue a license in accordance 9420
with Chapter 4796. of the Revised Code to an applicant if either 9421
of the following applies: 9422

(1) The applicant holds a license in another state. 9423

(2) The applicant has satisfactory work experience, a 9424
government certification, or a private certification as 9425
described in that chapter as a steam engineer, high pressure 9426
boiler operator, or low pressure boiler operator in a state that 9427
does not issue that license. 9428

Sec. 4105.02. No person may act, either as a general 9429
inspector or as a special inspector, of elevators, unless the 9430
person holds a certificate of competency from the division of 9431
industrial compliance. 9432

Application for examination as an inspector of elevators 9433
shall be in writing, accompanied by a fee to be established as 9434
provided in section 4105.17 of the Revised Code, and upon a 9435
blank to be furnished by the division, stating the school 9436
education of the applicant, a list of the applicant's employers, 9437
the applicant's period of employment, and the position held with 9438
each. An applicant shall also submit a letter from one or more 9439
of the applicant's previous employers certifying as to the 9440
applicant's character and experience. 9441

Applications shall be rejected which contain any willful 9442
falsification or untruthful statements. An applicant, if the 9443
division considers the applicant's history and experience 9444

sufficient, shall be examined by the superintendent of 9445
industrial compliance by a written examination dealing with the 9446
construction, installation, operation, maintenance, and repair 9447
of elevators and their appurtenances, and the applicant shall be 9448
accepted or rejected on the merits of the applicant's 9449
application and examination. 9450

~~The~~ Except as provided in this section, the superintendent 9451
shall issue a certificate of competency in the inspection of 9452
elevators to any applicant found competent upon examination. A 9453
rejected applicant shall be entitled, after the expiration of 9454
ninety days and upon payment of an examination fee to be 9455
established as provided in section 4105.17 of the Revised Code, 9456
to another examination. Should an applicant fail to pass the 9457
prescribed examination on second trial, the applicant will not 9458
be permitted to be an applicant for another examination for a 9459
period of one year after the second examination. 9460

The superintendent shall issue a certificate of competency 9461
in the inspection of elevators in accordance with Chapter 4796. 9462
of the Revised Code to an applicant if either of the following 9463
applies: 9464

(A) The applicant holds a license or certificate in 9465
another state. 9466

(B) The applicant has satisfactory work experience, a 9467
government certification, or a private certification as 9468
described in that chapter as an inspector of elevators in a 9469
state that does not issue that license or certificate. 9470

Sec. 4169.03. (A) Before a passenger tramway operator may 9471
operate any passenger tramway in the state, the operator shall 9472
apply to the division of industrial compliance in the department 9473

of commerce, on forms prepared by it, for registration by the 9474
division. The application shall contain an inventory of the 9475
passenger tramways that the applicant intends to operate and 9476
other information as the division may reasonably require and 9477
shall be accompanied by the following annual fees: 9478

(1) Each aerial passenger tramway, five hundred dollars; 9479

(2) Each skimobile, two hundred dollars; 9480

(3) Each chair lift, two hundred dollars; 9481

(4) Each J bar, T bar, or platter pull, one hundred 9482
dollars; 9483

(5) Each rope tow, fifty dollars; 9484

(6) Each wire rope tow, seventy-five dollars; 9485

(7) Each conveyor, one hundred dollars. 9486

When an operator operates an aerial passenger tramway, a 9487
skimobile, or a chair lift during both a winter and summer 9488
season, the annual fee shall be one and one-half the above 9489
amount for the respective passenger tramway. 9490

(B) Upon payment of the appropriate annual fees in 9491
accordance with division (A) of this section and successful 9492
completion of the inspection described in section 4169.04 of the 9493
Revised Code, the division shall issue a registration 9494
certificate to the operator. Each certificate shall remain in 9495
force until the thirtieth day of September next ensuing. The 9496
division shall renew an operator's certificate in accordance 9497
with the standard renewal procedure in Chapter 4745. of the 9498
Revised Code upon payment of the appropriate annual fees. 9499

(C) Money received from the registration fees and from the 9500

finer collected pursuant to section 4169.99 of the Revised Code 9501
shall be paid into the state treasury to the credit of the 9502
industrial compliance operating fund created in section 121.084 9503
of the Revised Code. 9504

(D) No person shall operate a passenger tramway in this 9505
state unless the person has been registered by the division. 9506

(E) The division shall issue a registration certificate in 9507
accordance with Chapter 4796. of the Revised Code to an operator 9508
if either of the following applies: 9509

(1) The operator is licensed or registered in another 9510
state. 9511

(2) The operator has satisfactory work experience, a 9512
government certification, or a private certification as 9513
described in that chapter as a passenger tramway operator in a 9514
state that does not issue that license or registration. 9515

Sec. 4301.10. (A) The division of liquor control shall do 9516
all of the following: 9517

(1) Control the traffic in beer and intoxicating liquor in 9518
this state, including the manufacture, importation, and sale of 9519
beer and intoxicating liquor; 9520

(2) Grant or refuse permits for the manufacture, 9521
distribution, transportation, and sale of beer and intoxicating 9522
liquor and the sale of alcohol, as authorized or required by 9523
this chapter and Chapter 4303. of the Revised Code. A 9524
certificate, signed by the superintendent of liquor control and 9525
to which is affixed the official seal of the division, stating 9526
that it appears from the records of the division that no permit 9527
has been issued to the person specified in the certificate, or 9528
that a permit, if issued, has been revoked, canceled, or 9529

suspended, shall be received as prima-facie evidence of the 9530
facts recited in the certificate in any court or before any 9531
officer of this state. 9532

(3) Put into operation, manage, and control a system of 9533
state liquor stores for the sale of spirituous liquor at retail 9534
and to holders of permits authorizing the sale of spirituous 9535
liquor; however, the division shall not establish any drive-in 9536
state liquor stores; and by means of those types of stores, and 9537
any manufacturing plants, distributing and bottling plants, 9538
warehouses, and other facilities that it considers expedient, 9539
establish and maintain a state monopoly of the distribution of 9540
spirituous liquor and its sale in packages or containers; and 9541
for that purpose, manufacture, buy, import, possess, and sell 9542
spirituous liquors as provided in this chapter and Chapter 4303. 9543
of the Revised Code, and in the rules promulgated by the 9544
superintendent of liquor control pursuant to those chapters; 9545
lease or in any manner acquire the use of any land or building 9546
required for any of those purposes; purchase any equipment that 9547
is required; and borrow money to carry on its business, and 9548
issue, sign, endorse, and accept notes, checks, and bills of 9549
exchange; but all obligations of the division created under 9550
authority of this division shall be a charge only upon the 9551
moneys received by the division from the sale of spirituous 9552
liquor and its other business transactions in connection with 9553
the sale of spirituous liquor, and shall not be general 9554
obligations of the state; 9555

(4) Enforce the administrative provisions of this chapter 9556
and Chapter 4303. of the Revised Code, and the rules and orders 9557
of the liquor control commission and the superintendent relating 9558
to the manufacture, importation, transportation, distribution, 9559
and sale of beer or intoxicating liquor. The attorney general, 9560

any prosecuting attorney, and any prosecuting officer of a 9561
municipal corporation or a municipal court shall, at the request 9562
of the division of liquor control or the department of public 9563
safety, prosecute any person charged with the violation of any 9564
provision in those chapters or of any section of the Revised 9565
Code relating to the manufacture, importation, transportation, 9566
distribution, and sale of beer or intoxicating liquor. 9567

(5) Determine the locations of all state liquor stores and 9568
manufacturing, distributing, and bottling plants required in 9569
connection with those stores, subject to this chapter and 9570
Chapter 4303. of the Revised Code; 9571

(6) Conduct inspections of liquor permit premises to 9572
determine compliance with the administrative provisions of this 9573
chapter and Chapter 4303. of the Revised Code and the rules 9574
adopted under those provisions by the liquor control commission. 9575

Except as otherwise provided in division (A) (6) of this 9576
section, those inspections may be conducted only during those 9577
hours in which the permit holder is open for business and only 9578
by authorized agents or employees of the division or by any 9579
peace officer, as defined in section 2935.01 of the Revised 9580
Code. Inspections may be conducted at other hours only to 9581
determine compliance with laws or commission rules that regulate 9582
the hours of sale of beer or intoxicating liquor and only if the 9583
investigator has reasonable cause to believe that those laws or 9584
rules are being violated. Any inspection conducted pursuant to 9585
division (A) (6) of this section is subject to all of the 9586
following requirements: 9587

(a) The only property that may be confiscated is 9588
contraband, as defined in section 2901.01 of the Revised Code, 9589
or property that is otherwise necessary for evidentiary 9590

purposes. 9591

(b) A complete inventory of all property confiscated from 9592
the premises shall be given to the permit holder or the permit 9593
holder's agent or employee by the confiscating agent or officer 9594
at the conclusion of the inspection. At that time, the inventory 9595
shall be signed by the confiscating agent or officer, and the 9596
agent or officer shall give the permit holder or the permit 9597
holder's agent or employee the opportunity to sign the 9598
inventory. 9599

(c) Inspections conducted pursuant to division (A) (6) of 9600
this section shall be conducted in a reasonable manner. A 9601
finding by any court of competent jurisdiction that an 9602
inspection was not conducted in a reasonable manner in 9603
accordance with this section or any rules adopted by the 9604
commission may be considered grounds for suppression of 9605
evidence. A finding by the commission that an inspection was not 9606
conducted in a reasonable manner in accordance with this section 9607
or any rules adopted by it may be considered grounds for 9608
dismissal of the commission case. 9609

If any court of competent jurisdiction finds that property 9610
confiscated as the result of an administrative inspection is not 9611
necessary for evidentiary purposes and is not contraband, as 9612
defined in section 2901.01 of the Revised Code, the court shall 9613
order the immediate return of the confiscated property, provided 9614
that property is not otherwise subject to forfeiture, to the 9615
permit holder. However, the return of this property is not 9616
grounds for dismissal of the case. The commission likewise may 9617
order the return of confiscated property if no criminal 9618
prosecution is pending or anticipated. 9619

(7) Delegate to any of its agents or employees any power 9620

of investigation that the division possesses with respect to the 9621
enforcement of any of the administrative laws relating to beer 9622
or intoxicating liquor, provided that this division does not 9623
authorize the division to designate any agent or employee to 9624
serve as an enforcement agent. The employment and designation of 9625
enforcement agents shall be within the exclusive authority of 9626
the director of public safety pursuant to sections 5502.13 to 9627
5502.19 of the Revised Code. 9628

(8) Collect the following fees: 9629

(a) A biennial fifty-dollar registration fee for each 9630
agent, solicitor, trade marketing professional, or salesperson, 9631
registered pursuant to section 4303.25 of the Revised Code, of a 9632
beer or intoxicating liquor manufacturer, supplier, broker, 9633
trade marketing company, or wholesale distributor doing business 9634
in this state; 9635

(b) A fifty-dollar product registration fee for each new 9636
beer or intoxicating liquor product sold in this state. The 9637
product registration fee also applies to products sold in this 9638
state by B-2a, S-1, and S-2 permit holders. The product 9639
registration fee shall be accompanied by a copy of the federal 9640
label and product approval for the new product. 9641

(c) An annual three-hundred-dollar supplier registration 9642
fee from each manufacturer or supplier that produces and ships 9643
into this state, or ships into this state, intoxicating liquor 9644
or beer, in addition to an initial application fee of one 9645
hundred dollars. A manufacturer that produces and ships beer or 9646
wine into this state and that holds only an S-1 or S-2 permit, 9647
as applicable, is exempt from the supplier registration fee. A 9648
manufacturer that produces and ships beer or wine into this 9649
state and that holds a B-2a permit shall pay an annual seventy- 9650

six-dollar supplier registration fee. A manufacturer that 9651
produces and ships wine into this state and that does not hold 9652
either an S-1 or a B-2a permit, but that produces less than two 9653
hundred fifty thousand gallons of wine per year shall pay an 9654
annual seventy-six-dollar supplier registration fee. A B-2a, S- 9655
1, or S-2 permit holder that does not sell its wine to wholesale 9656
distributors of wine in this state and an S-1 permit holder that 9657
does not sell its beer to wholesale distributors of beer in this 9658
state shall not be required to submit to the division territory 9659
designation forms. 9660

Each supplier, agent, solicitor, trade marketing 9661
professional, or salesperson registration issued under this 9662
division shall authorize the person named to carry on the 9663
activity specified in the registration. Each The division shall 9664
register a supplier, agent, solicitor, trade marketing 9665
professional, or salesperson in accordance with Chapter 4796. of 9666
the Revised Code if either of the following applies: 9667

(i) The supplier, agent, solicitor, trade marketing 9668
professional, or salesperson is licensed or registered in 9669
another state. 9670

(ii) The supplier, agent, solicitor, trade marketing 9671
professional, or salesperson has satisfactory work experience, a 9672
government certification, or a private certification as 9673
described in that chapter as a supplier, agent, solicitor, trade 9674
marketing professional, or salesperson in a state that does not 9675
issue that license or registration. 9676

Each agent, solicitor, trade marketing professional, or 9677
salesperson registration is valid for two years or for the 9678
unexpired portion of a two-year registration period. Each 9679
supplier registration is valid for one year or for the unexpired 9680

portion of a one-year registration period. Registrations shall 9681
end on their respective uniform expiration date, which shall be 9682
designated by the division, and are subject to suspension, 9683
revocation, cancellation, or fine as authorized by this chapter 9684
and Chapter 4303. of the Revised Code. 9685

As used in this division, "trade marketing company" and 9686
"trade marketing professional" have the same meanings as in 9687
section 4301.171 of the Revised Code. 9688

(9) Establish a system of electronic data interchange 9689
within the division and regulate the electronic transfer of 9690
information and funds among persons and governmental entities 9691
engaged in the manufacture, distribution, and retail sale of 9692
alcoholic beverages; 9693

(10) Notify all holders of retail permits of the forms of 9694
permissible identification for purposes of division (A) of 9695
section 4301.639 of the Revised Code; 9696

(11) Exercise all other powers expressly or by necessary 9697
implication conferred upon the division by this chapter and 9698
Chapter 4303. of the Revised Code, and all powers necessary for 9699
the exercise or discharge of any power, duty, or function 9700
expressly conferred or imposed upon the division by those 9701
chapters. 9702

(B) The division may do all of the following: 9703

(1) Sue, but may be sued only in connection with the 9704
execution of leases of real estate and the purchases and 9705
contracts necessary for the operation of the state liquor stores 9706
that are made under this chapter and Chapter 4303. of the 9707
Revised Code; 9708

(2) Enter into leases and contracts of all descriptions 9709

and acquire and transfer title to personal property with regard 9710
to the sale, distribution, and storage of spirituous liquor 9711
within the state; 9712

(3) Terminate at will any lease entered into pursuant to 9713
division (B) (2) of this section upon first giving ninety days' 9714
notice in writing to the lessor of its intention to do so; 9715

(4) Fix the wholesale and retail prices at which the 9716
various classes, varieties, and brands of spirituous liquor 9717
shall be sold by the division. Those retail prices shall be the 9718
same at all state liquor stores, except to the extent that a 9719
price differential is required to collect a county sales tax 9720
levied pursuant to section 5739.021 of the Revised Code and for 9721
which tax the tax commissioner has authorized prepayment 9722
pursuant to section 5739.05 of the Revised Code. In fixing 9723
selling prices, the division shall compute an anticipated gross 9724
profit at least sufficient to provide in each calendar year all 9725
costs and expenses of the division and also an adequate working 9726
capital reserve for the division. The gross profit shall not 9727
exceed forty per cent of the retail selling price based on costs 9728
of the division, and in addition the sum required by section 9729
4301.12 of the Revised Code to be paid into the state treasury. 9730
An amount equal to one and one-half per cent of that gross 9731
profit shall be paid into the statewide treatment and prevention 9732
fund created by section 4301.30 of the Revised Code and be 9733
appropriated by the general assembly from the fund to the 9734
department of mental health and addiction services as provided 9735
in section 4301.30 of the Revised Code. 9736

On spirituous liquor manufactured in this state from the 9737
juice of grapes or fruits grown in this state, the division 9738
shall compute an anticipated gross profit of not to exceed ten 9739

per cent. 9740

The wholesale prices fixed under this division shall be at 9741
a discount of not less than six per cent of the retail selling 9742
prices as determined by the division in accordance with this 9743
section. 9744

(C) The division may approve the expansion or diminution 9745
of a premises to which a liquor permit has been issued and may 9746
adopt standards governing such an expansion or diminution. 9747

Sec. 4508.03. (A) No person shall establish a driver 9748
training school or continue the operation of an existing school 9749
unless the person applies for and obtains from the director of 9750
public safety a license in the manner and form prescribed by the 9751
director. 9752

The director shall adopt rules that establish the 9753
requirements for a school license, including requirements 9754
concerning location, equipment, courses of instruction, 9755
instructors, previous records of the school and instructors, 9756
financial statements, schedule of fees and charges, insurance in 9757
the sum and with those provisions as the director considers 9758
necessary to protect adequately the interests of the public, and 9759
any other matters as the director may prescribe for the 9760
protection of the public. The rules also shall require financial 9761
responsibility information as part of the driver education 9762
curriculum. 9763

(B) Any school that offers a driver training program for 9764
disabled persons shall provide specially trained instructors for 9765
the driver training of such persons. No school shall operate a 9766
driver training program for disabled persons after June 30, 9767
1978, unless it has been licensed for such operation by the 9768

director. No person shall act as a specially trained instructor 9769
in a driver training program for disabled persons operated by a 9770
school after June 30, 1978, unless that person has been licensed 9771
by the director. 9772

(C) The director shall certify instructors to teach driver 9773
training to disabled persons in accordance with training program 9774
requirements established by the department of public safety. 9775

The director shall issue a certificate to teach driver 9776
training to disabled persons in accordance with Chapter 4796. of 9777
the Revised Code to a person if either of the following applies: 9778

(1) The person holds a license or certificate in another 9779
state. 9780

(2) The person has satisfactory work experience, a 9781
government certification, or a private certification as 9782
described in that chapter teaching driver training to disabled 9783
persons in a state that does not issue that license or 9784
certificate. 9785

(D) No person shall operate a driver training school 9786
unless the person has a valid license issued by the director 9787
under this section. 9788

(E) Whoever violates division (D) of this section is 9789
guilty of operating a driver training school without a valid 9790
license, a misdemeanor of the second degree. On a second or 9791
subsequent offense within two years after the first offense, the 9792
person is guilty of a misdemeanor of the first degree. 9793

Sec. 4508.04. (A) No person shall act as a driver training 9794
instructor, and no person shall act as a driver training 9795
instructor for disabled persons, unless such person applies for 9796
and obtains from the director of public safety a license in the 9797

manner and form prescribed by the director. The director shall 9798
provide by rule for instructors' license requirements including 9799
physical condition, knowledge of the courses of instruction, 9800
motor vehicle laws and safety principles, previous personal and 9801
employment records, and such other matters as the director may 9802
prescribe for the protection of the public. Driver training 9803
instructors for disabled persons shall meet such additional 9804
requirements and receive such additional classroom and practical 9805
instruction as the director shall prescribe by rule. 9806

(B) The director may issue a license under this section to 9807
a person convicted of a disqualifying offense as determined in 9808
accordance with section 9.79 of the Revised Code. 9809

(C) No person shall knowingly make a false statement on a 9810
license application submitted under this section. 9811

(D) Upon successful completion of all requirements for an 9812
initial instructor license, the director shall issue an 9813
applicant a probationary license, which expires one hundred 9814
eighty days from the date of issuance. In order to receive a 9815
driver training instructor license, a person issued a 9816
probationary license shall pass an assessment prescribed in 9817
rules adopted by the director pursuant to section 4508.02 of the 9818
Revised Code. The person shall pass the assessment prior to 9819
expiration of the probationary license. If the person fails to 9820
pass the assessment, or fails to meet any standards required for 9821
a driver training instructor license, the director may extend 9822
the expiration date of the person's probationary license. Upon 9823
successful completion of the assessment and approval of the 9824
director, the director shall issue to the person a driver 9825
training instructor license. 9826

(E) ~~(1)~~ Notwithstanding the requirements for a license 9827

issued under this section, the board shall issue a license in 9828
accordance with Chapter 4796. of the Revised Code to a person if 9829
either of the following applies: 9830

(1) The person holds a license in another state. 9831

(2) The person has satisfactory work experience, a 9832
government certification, or a private certification as 9833
described in that chapter as a driver training instructor in a 9834
state that does not issue that license. 9835

(F) (1) Whoever violates division (A) of this section is 9836
guilty of acting as a driver training instructor without a valid 9837
license, a misdemeanor of the first degree. 9838

(2) Whoever violates division (C) of this section may be 9839
charged with falsification under section 2921.13 of the Revised 9840
Code. 9841

Sec. 4508.08. There is hereby created in the department of 9842
public safety the motorcycle safety and education program. The 9843
director of public safety shall administer the program in 9844
accordance with the following guidelines: 9845

(A) (1) The program shall include courses of instruction 9846
conducted at vocational schools, community colleges, or other 9847
suitable locations, by instructors who have obtained 9848
certification in the manner and form prescribed by the director. 9849
The courses shall meet standards established in rules adopted by 9850
the department in accordance with Chapter 119. of the Revised 9851
Code. The courses may include instruction for novice motorcycle 9852
operators, instruction in motorist awareness and alcohol and 9853
drug awareness, and any other kind of instruction the director 9854
considers appropriate. A reasonable tuition fee, as determined 9855
by the director, may be charged. All tuition fees collected by 9856

the director shall be deposited into the motorcycle safety and education fund created in section 4501.13 of the Revised Code. The director may authorize private organizations or corporations to offer courses without tuition fee restrictions, but such entities are not eligible for reimbursement of expenses or subsidies from the motorcycle safety and education fund.

(2) The director shall do both of the following:

(a) Authorize private organizations or corporations to offer any nationally recognized motorcycle operator training courses or curriculum and any course established in accordance with division (A)(1) of this section;

(b) Permit an applicant for a motorcycle operator's endorsement or a restricted license that permits only the operation of a motorcycle who has completed any motorcycle operator training course or curriculum as authorized in division (A)(2)(a) of this section successfully within the preceding sixty days to be eligible for the examination waiver as described in division (B)(1) of section 4507.11 of the Revised Code.

(B) In addition to courses of instruction, the program may include provisions for equipment purchases, marketing and promotion, improving motorcycle license testing procedures, and any other provisions the director considers appropriate.

(C) The director shall evaluate all programs, including any nationally recognized motorcycle operator training course or curriculum authorized under division (A)(2)(a) of this section, every two years and shall periodically inspect the facilities, equipment, training course, curriculum, and procedures used in the courses of instruction. The director may suspend or revoke

the authorization for a private organization or corporation to 9886
offer its course under division (A) (2) (a) of this section if the 9887
private organization or corporation fails to maintain the 9888
curriculum, standards, and any other requirements specified 9889
during its initial authorization. The director shall adopt rules 9890
in accordance with Chapter 119. of the Revised Code to implement 9891
and administer this division. 9892

(D) The director shall appoint at least one training 9893
specialist who shall oversee the operation of the program, 9894
establish courses of instruction, and supervise instructors. The 9895
training specialist shall be a licensed motorcycle operator and 9896
shall obtain certification in the manner and form prescribed by 9897
the director. 9898

(E) The director may contract with other public agencies 9899
or with private organizations or corporations to assist in 9900
administering the program. 9901

(F) Notwithstanding any provision of Chapter 102. of the 9902
Revised Code, the director, in order to administer the program, 9903
may participate in a motorcycle manufacturer's motorcycle loan 9904
program. 9905

(G) The director shall contract with an insurance company 9906
or companies authorized to do business in this state to purchase 9907
a policy or policies of insurance with respect to the 9908
establishment or administration, or any other aspect of the 9909
operation of the program. 9910

(H) A private organization or corporation that offers any 9911
nationally recognized motorcycle operator training course or 9912
curriculum is not required to use the end-of-course skills 9913
evaluation used by a course established in accordance with 9914

division (A) of this section if the evaluation used by the 9915
private organization or corporation meets or exceeds the 9916
requirements of the evaluation authorized by the director under 9917
this section. 9918

(I) An instructor for a nationally recognized motorcycle 9919
operator training course or curriculum offered by an authorized 9920
private organization or corporation shall obtain certification 9921
in the manner and form prescribed by the director under division 9922
(A) (1) of this section and in accordance with the rules adopted 9923
by the director. However, the director shall not require an 9924
instructor for a nationally recognized motorcycle operator 9925
training course or curriculum to participate in the state 9926
instructor training curriculum if the director determines that 9927
both of the following apply: 9928

(1) The instructor has completed the training required by 9929
the authorized private organization or corporation and the 9930
training meets or exceeds the state instructor training 9931
curriculum. 9932

(2) The instructor has met all other state requirements 9933
for certification. 9934

(J) The director shall charge the following fees: 9935

(1) Beginning on ~~the effective date of this amendment~~ 9936
August 31, 2022, a one-time fee of four hundred dollars for the 9937
initial authorization of a private organization or corporation 9938
to offer a nationally recognized motorcycle operator training 9939
course or curriculum in accordance with division (A) (2) (a) of 9940
this section; 9941

(2) A one-time fee of fifty dollars for the initial state 9942
certification of an instructor of a course authorized under 9943

division (A) (2) (a) of this section; 9944

(3) One hundred seventy-five dollars at the time of the 9945
two-year program evaluation required under division (C) of this 9946
section for a private organization or corporation to continue to 9947
offer a nationally recognized motorcycle operator training 9948
course or curriculum in accordance with division (A) (2) (a) of 9949
this section. 9950

The director shall deposit all fees received under this 9951
division into the motorcycle safety and education fund 9952
established under section 4501.13 of the Revised Code. 9953

(K) Notwithstanding the requirements for a motorcycle 9954
instructor certificate issued under this section, the director 9955
shall issue a certificate in accordance with Chapter 4796. of 9956
the Revised Code to a person if either of the following applies: 9957

(1) The person holds a license or certificate in another 9958
state. 9959

(2) The person has satisfactory work experience, a 9960
government certification, or a private certification as 9961
described in that chapter as a motorcycle instructor in a state 9962
that does not issue that license or certificate. 9963

Sec. 4511.763. (A) No person, partnership, association, or 9964
corporation shall transport pupils to or from school on a school 9965
bus or enter into a contract with a board of education of any 9966
school district for the transportation of pupils on a school 9967
bus, without being licensed by the department of public safety. 9968

Notwithstanding the requirements for a license issued 9969
under this division, the director shall issue a license in 9970
accordance with Chapter 4796. of the Revised Code to a person if 9971
either of the following applies: 9972

(1) The person holds a license or certificate in another 9973
state. 9974

(2) The person has satisfactory work experience, a 9975
government certification, or a private certification as 9976
described in that chapter transporting pupils on a school bus in 9977
a state that does not issue that license or certificate. 9978

(B) Except as otherwise provided in this division, whoever 9979
violates this section is guilty of a minor misdemeanor. If, 9980
within one year of the offense, the offender previously has been 9981
convicted of or pleaded guilty to one predicate motor vehicle or 9982
traffic offense, whoever violates this section is guilty of a 9983
misdemeanor of the fourth degree. If, within one year of the 9984
offense, the offender previously has been convicted of two or 9985
more predicate motor vehicle or traffic offenses, whoever 9986
violates this section is guilty of a misdemeanor of the third 9987
degree. 9988

Sec. 4701.06. (A) The accountancy board shall grant the 9989
certificate of "certified public accountant" to any person who 9990
satisfies the following requirements: 9991

(1) The person is a resident of this state or has a place 9992
of business in this state or, as an employee, is regularly 9993
employed in this state. The board may determine by rule 9994
circumstances under which the residency requirement may be 9995
waived. 9996

(2) The person has attained the age of eighteen years. 9997

(3) The person meets the following requirements of 9998
education and experience: 9999

(a) Graduation with a baccalaureate or higher degree that 10000
includes successful completion of one hundred fifty semester 10001

hours of undergraduate or graduate education. The board by rule 10002
shall specify graduate degrees that satisfy this requirement and 10003
also by rule shall require any subjects that it considers 10004
appropriate. The total educational program shall include an 10005
accounting concentration with related courses in other areas of 10006
business administration, as defined by board rule. 10007

(b) Acquisition of one year of experience satisfactory to 10008
the board in any of the following: 10009

(i) A public accounting firm; 10010

(ii) Government; 10011

(iii) Business; 10012

(iv) Academia. 10013

(4) The person has passed an examination that is 10014
administered in the manner and that covers the subjects that the 10015
board prescribes by rule. In adopting the relevant rules, the 10016
board shall ensure to the extent possible that the examination, 10017
the examination process, and the examination's passing standard 10018
are uniform with the examinations, examination processes, and 10019
examination passing standards of all other states and may 10020
provide for the use of all or parts of the uniform certified 10021
public accountant examination and advisory grading service of 10022
the American institute of certified public accountants. The 10023
board may contract with third parties to perform administrative 10024
services that relate to the examination and that the board 10025
determines are appropriate in order to assist the board in 10026
performing its duties in relation to the examination. 10027

(B) (1) The experience requirement for a candidate who does 10028
not meet the educational requirements under division (A) (3) (a) 10029
of this section because the board has waived them under division 10030

(B) (2) of this section is four years of the experience described 10031
in division (A) (3) (b) of this section. 10032

(2) The board shall waive the educational requirement set 10033
forth in division (A) (3) (a) of this section for any candidate if 10034
the board finds that the candidate has obtained from an 10035
accredited college or university approved by the board, either 10036
an associate degree or a baccalaureate degree, other than a 10037
baccalaureate degree described in division (A) (3) (a) of this 10038
section, with a concentration in accounting that includes 10039
related courses in other areas of business administration, and 10040
if the board is satisfied from the results of special 10041
examinations that the board gives the candidate to test the 10042
candidate's educational qualification that the candidate is as 10043
well equipped, educationally, as if the candidate met the 10044
applicable educational requirement specified in division (A) (3) 10045
(a) of this section. 10046

The board shall provide by rule for the general scope of 10047
any special examinations for a waiver of the educational 10048
requirements under division (A) (3) (a) of this section and may 10049
obtain any advice and assistance that it considers appropriate 10050
to assist it in preparing and grading those special 10051
examinations. The board may use any existing examinations or may 10052
prepare any number of new examinations to assist in determining 10053
the equivalent training of a candidate. The board by rule shall 10054
prescribe any special examinations for a waiver of the 10055
educational requirements under division (A) (3) (a) of this 10056
section and the passing score required for each examination. 10057

(C) A candidate who has graduated with a baccalaureate 10058
degree or its equivalent or a higher degree that includes 10059
successful completion of at least one hundred twenty semester 10060

hours of undergraduate or graduate education is eligible to take 10061
the examination referred to in division (A) (4) of this section 10062
without waiting until the candidate meets the education or 10063
experience requirements, provided the candidate also meets the 10064
requirement of division (A) (1) of this section. The board by 10065
rule shall specify degrees that make a candidate eligible under 10066
this division and by rule shall require any subjects that it 10067
considers appropriate. 10068

(D) A candidate for the certificate of certified public 10069
accountant who has successfully completed the examination under 10070
division (A) (4) of this section has no status as a certified 10071
public accountant, unless and until the candidate has the 10072
requisite education and experience and has received a 10073
certificate as a certified public accountant. The board shall 10074
determine and charge a fee for issuing the certificate that is 10075
adequate to cover the expense. 10076

(E) The board by rule may prescribe the terms and 10077
conditions under which a candidate who passes part but not all 10078
of the examination may retake the examination. It also may 10079
provide by rule for a reasonable waiting period for a 10080
candidate's reexamination. 10081

The applicable educational and experience requirements 10082
under divisions (A) (3), (B), and (C) of this section shall be 10083
those in effect on the date on which the candidate first sits 10084
for the examination. 10085

(F) The board shall charge a candidate a reasonable fee, 10086
to be determined by the board, that is adequate to cover all 10087
rentals, compensation for proctors, and other administrative 10088
expenses of the board related to examination or reexamination, 10089
including the expenses of procuring and grading the examination 10090

provided for in division (A) (4) of this section and for any 10091
special examinations for a waiver of the educational 10092
requirements under division (A) (3) (a) of this section. Fees for 10093
reexamination under division (E) of this section shall be 10094
charged by the board in amounts determined by it. The applicable 10095
fees shall be paid by the candidate at the time the candidate 10096
applies for examination or reexamination. 10097

(G) Any person who has received from the board a 10098
certificate as a certified public accountant and who holds an 10099
Ohio permit shall be styled and known as a "certified public 10100
accountant" and also may use the abbreviation "CPA." The board 10101
shall maintain a list of certified public accountants. Any 10102
certified public accountant also may be known as a "public 10103
accountant." 10104

(H) Persons who, on the effective date of an amendment of 10105
this section, held certified public accountant certificates 10106
previously issued under the laws of this state shall not be 10107
required to obtain additional certificates under this section 10108
but shall otherwise be subject to all provisions of this 10109
section, and those previously issued certificates, for all 10110
purposes, shall be considered certificates issued under this 10111
section and subject to its provisions. 10112

(I) The board may waive the examination under division (A) 10113
(4) of this section and, upon payment of a fee determined by it, 10114
may issue a certificate as a "certified public accountant" to 10115
any person who possesses the qualifications specified in 10116
divisions (A) (1) and (2) of this section and what the board 10117
determines to be substantially the equivalent of the applicable 10118
qualifications under division (A) (3) of this section and who ~~is~~ 10119
~~the holder of a certificate as a certified public accountant,~~ 10120

~~then in full force and effect, issued under the laws of any~~ 10121
~~state, or is the holder of a certificate, license, or degree in~~ 10122
a foreign country that constitutes a recognized qualification 10123
for the practice of public accounting in that country, that is 10124
comparable to that of a certified public accountant of this 10125
state, and that is then in full force and effect. 10126

(J) The board shall issue a certificate as a "certified 10127
public accountant" in accordance with Chapter 4796. of the 10128
Revised Code to a person if either of the following applies: 10129

(1) The person holds a certificate as a certified public 10130
accountant in another state. 10131

(2) The person has satisfactory work experience, a 10132
government certification, or a private certification as 10133
described in that chapter as a certified public accountant in a 10134
state that does not issue that certificate. 10135

Sec. 4701.07. The accountancy board shall register as a 10136
public accountant any person who meets all the following 10137
requirements: 10138

(A) The person is a resident of this state or has a place 10139
of business in this state. 10140

(B) The person has attained the age of eighteen years. 10141

(C) The person holds a baccalaureate or higher degree 10142
conferred by a college or university recognized by the board, 10143
with a concentration in accounting, or with what the board 10144
determines to be substantially the equivalent of the foregoing; 10145
or with a nonaccounting concentration supplemented by what the 10146
board determines to be substantially the equivalent of an 10147
accounting concentration, including related courses in other 10148
areas of business administration. 10149

The board may waive the educational requirement for any candidate if it finds that the candidate has attained the equivalent education by attendance at a business school or two-year college, by self-study, or otherwise, and if it is satisfied from the result of a special written examination that the board gives the candidate to test the candidate's educational qualifications that the candidate is as well equipped, educationally, as if the candidate met the applicable educational requirement specified in this division. The board may provide by rule for the general scope of these examinations and may obtain any advice and assistance that it considers appropriate to assist it in preparing and grading the special examinations. The board may use any existing examinations or may prepare any number of new examinations to assist it in determining the equivalent training of a candidate. The board by rule may prescribe the special examinations and the passing score required for each examination.

(D) The person has completed two years of public accounting experience, satisfactory to the board, in any state in practice as a public accountant or in any state in employment as a staff accountant by anyone practicing public accounting, or other experience in private or governmental accounting that, in the opinion of the board, will be the equivalent of that public accounting practice, or any combination of those types of experience, except that the experience requirement is only one year of the experience described in this division for any candidate holding a master's degree in accounting or business administration from a college or university recognized by the board, if the candidate has satisfactorily completed the number of credit hours in accounting, business administration, economics, and any related subjects that the board determines to

be appropriate and if either of the following applies: 10181

(1) The person has passed the uniform national society of 10182
public accountants examination or a comparable examination 10183
approved by the public accountant members of the accountancy 10184
board. 10185

(2) The person has passed the accounting practice and 10186
auditing sections of the uniform CPA examination. 10187

The examination described in division (D)(1) of this 10188
section shall be held by the board and shall take place as often 10189
as the board determines but shall not be held less frequently 10190
than once each year. The board shall charge a candidate an 10191
application fee, to be determined by the board, that is adequate 10192
to cover all rentals, compensation for proctors, and other 10193
expenses of the board related to examination or reexamination 10194
except the expenses of procuring and grading the examination. In 10195
addition, the board shall charge the candidate an examination 10196
fee to be determined by the board, that is adequate to cover the 10197
expense of procuring and grading the examination. Fees for 10198
reexamination under division (D) of this section also shall be 10199
charged by the board in amounts determined by it to be adequate 10200
to cover the expenses of procuring and grading the examinations. 10201
The applicable fees shall be paid by the candidate at the time 10202
the candidate applies for examination or reexamination. 10203

(E) The person applied, on or before April 16, 1993, for 10204
registration as a public accountant. 10205

The board shall determine and charge a fee for 10206
registration under this section that is adequate to cover the 10207
expense. 10208

The board in each case shall determine whether the 10209

applicant is eligible for registration. Any individual who is so 10210
registered and who holds an Ohio permit shall be styled and 10211
known as a "public accountant" and may use the abbreviation 10212
"PA." 10213

A person who, on the effective date of an amendment of 10214
this section, holds a valid registration as a public accountant 10215
issued under the laws of this state shall not be required to 10216
obtain additional registration under this section but shall 10217
otherwise be subject to all provisions of this section. That 10218
registration, for all purposes, shall be considered a 10219
registration issued under this section and subject to its 10220
provisions. 10221

Chapter 4796. of the Revised Code does not apply to public 10222
accountant registrations issued under this section. 10223

Sec. 4701.10. (A) The accountancy board, upon application, 10224
shall issue Ohio permits to practice public accounting to 10225
holders of the CPA certificate or the PA registration. Subject 10226
to division (H)(1) of this section, there shall be a triennial 10227
Ohio permit fee in an amount to be determined by the board not 10228
to exceed one hundred fifty dollars. All Ohio permits shall 10229
expire on the last day of December of the year assigned by the 10230
board and, subject to division (H)(1) of this section, shall be 10231
renewed triennially for a period of three years by certificate 10232
holders and registrants in good standing upon payment of a 10233
triennial renewal fee not to exceed one hundred fifty dollars. 10234

(B) The accountancy board may issue Ohio registrations to 10235
holders of the CPA certificate and the PA registration who are 10236
not engaged in the practice of public accounting. Such persons 10237
shall not convey to the general public that they are actively 10238
engaged in the practice of public accounting in this state. 10239

Subject to division (H) (1) of this section, there shall be a 10240
triennial Ohio registration fee in an amount to be determined by 10241
the board but not exceeding fifty-five dollars. All Ohio 10242
registrations shall expire on the last day of December of the 10243
year assigned by the board and, subject to division (H) (1) of 10244
this section, shall be renewed triennially for a period of three 10245
years upon payment by certificate holders and registrants in 10246
good standing of a renewal fee not to exceed fifty-five dollars. 10247

(C) Any person who receives a CPA certificate and who 10248
applies for an initial Ohio permit or Ohio registration more 10249
than sixty days after issuance of the CPA certificate may, at 10250
the board's discretion, be subject to a late filing fee not 10251
exceeding one hundred dollars. 10252

(D) Any person to whom the board has issued an Ohio permit 10253
who is engaged in the practice of public accounting and who 10254
fails to renew the permit by the expiration date shall be 10255
subject to a late filing fee not exceeding one hundred dollars 10256
for each full month or part of a month after the expiration date 10257
in which such person did not possess a permit, up to a maximum 10258
of one thousand two hundred dollars. The board may waive or 10259
reduce the late filing fee for just cause upon receipt of a 10260
written request from such person. 10261

(E) Any person to whom the board has issued an Ohio permit 10262
or Ohio registration who is not engaged in the practice of 10263
public accounting and who fails to renew the permit or 10264
registration by the expiration date shall be subject to a late 10265
filing fee not exceeding fifty dollars for each full month or 10266
part of a month after the expiration date in which such person 10267
did not possess a permit or registration, up to a maximum of 10268
three hundred dollars. The board may waive or reduce the late 10269

filing fee for just cause upon receipt of a written request from 10270
such person. 10271

(F) Failure of a CPA certificate holder or PA registration 10272
holder to apply for either an Ohio permit or an Ohio 10273
registration within one year from the expiration date of the 10274
Ohio permit or Ohio registration last obtained or renewed, or 10275
one year from the date upon which the CPA certificate holder was 10276
granted a CPA certificate, shall result in suspension of the CPA 10277
certificate or PA registration until all fees required under 10278
divisions (D) and (E) of this section have been paid, unless the 10279
board determines the failure to have been due to excusable 10280
neglect. In that case, the fee for the issuance or renewal of 10281
the Ohio permit or Ohio registration, as the case may be, shall 10282
be the amount that the board shall determine, but not in excess 10283
of fifty dollars plus the fee for each triennial period or part 10284
of a period the certificate holder or registrant did not have 10285
either an Ohio permit or an Ohio registration. 10286

(G) The board by rule may exempt persons from the 10287
requirement of holding an Ohio permit or Ohio registration for 10288
specified reasons, including, but not limited to, retirement, 10289
health reasons, military service, foreign residency, or other 10290
just cause. 10291

(H) (1) The board by rule: 10292

(a) May provide for the issuance of Ohio permits and Ohio 10293
registrations for less than three years' duration at prorated 10294
fees; 10295

(b) Shall add a surcharge to the Ohio permit and Ohio 10296
registration fee imposed pursuant to this section of at least 10297
fifteen dollars but no more than thirty dollars for a three-year 10298

Ohio permit or Ohio registration, at least ten dollars but no 10299
more than twenty dollars for a two-year Ohio permit or Ohio 10300
registration, and at least five dollars but no more than ten 10301
dollars for a one-year Ohio permit or Ohio registration. 10302

(2) Each quarter, the board, for the purpose provided in 10303
section 4743.05 of the Revised Code, shall certify to the 10304
director of budget and management the number of Ohio permits and 10305
Ohio registrations issued or renewed under this chapter during 10306
the preceding quarter and the amount equal to that number times 10307
the amount of the surcharge added to each Ohio permit and Ohio 10308
registration fee by the board under division (H)(1) of this 10309
section. 10310

(I) Chapter 4796. of the Revised Code does not apply to 10311
Ohio permits or Ohio registrations issued under this section. 10312

Sec. 4703.08. The architects board shall adopt rules to 10313
certify and register an applicant for a certificate of 10314
qualification to practice architecture who is licensed or 10315
registered as an architect in another ~~state or jurisdiction~~ 10316
country, holds a current certificate in good standing issued by 10317
the national council of architectural registration boards, and 10318
wishes to be registered in this state. 10319

Sec. 4703.10. If the applicant passes the examination 10320
under section 4703.09 of the Revised Code or in lieu of the 10321
examination is, in the opinion of the architects board, eligible 10322
to register as an architect pursuant to rules adopted under 10323
section 4703.08 of the Revised Code, the applicant is eligible 10324
to receive from the board a certificate of qualification to 10325
practice architecture. The certificate shall be signed by the 10326
president and secretary of the board and shall bear the name of 10327
the successful applicant, the serial number of the certificate, 10328

the seal of the board, and the words, "admitted to practice
architecture in the state of Ohio, the ____ day of _____,
____"

If the applicant fails the examination under section
4703.09 of the Revised Code, the board may refuse to issue a
certificate of qualification to practice architecture.

The board shall certify and register an applicant in
accordance with Chapter 4796. of the Revised Code for a
certificate of qualification to practice architecture if either
of the following applies:

(A) The applicant holds a certification, registration, or
license to practice architecture in another state.

(B) The applicant has satisfactory work experience, a
government certification, or a private certification as
described in that chapter as an architect in a state that does
not issue that certificate, registration, or license.

Sec. 4703.33. (A) The Ohio landscape architects board, in
accordance with Chapter 119. of the Revised Code, may adopt,
amend, and enforce rules governing the standards for education,
experience, services, conduct, and practice to be followed in
the practice of the profession of landscape architecture and
rules pertaining to the satisfactory completion of continuing
education requirements. If the board adopts rules pertaining to
continuing education requirements, the board shall, in general,
follow model continuing education recommendations established by
the council of landscape architectural registration boards or a
similar successor organization.

(B) The board, or the board's designee, shall hold
examinations not less than once annually and shall register as a

landscape architect each applicant who demonstrates to the 10358
satisfaction of the board that the applicant has met all the 10359
requirements of section 4703.34 of the Revised Code. 10360

(C) The board shall issue to each individual registered 10361
pursuant to this section a certificate of qualification. 10362

Chapter 4796. of the Revised Code does not apply to a 10363
certificate of qualification issued under this division. 10364

(D) The board shall appoint at least one of its members as 10365
a delegate to each regional and annual meeting of the council of 10366
landscape architectural registration boards. 10367

Sec. 4703.35. (A) The Ohio landscape architects board 10368
shall register as a landscape architect any individual who is at 10369
least eighteen years of age and who provides evidence 10370
satisfactory to the board that the individual is a registered or 10371
licensed landscape architect in another ~~state or~~ country in 10372
which the qualifications, at the time of licensure, were 10373
substantially equal, in the opinion of the board, to the 10374
requirements for registration as a landscape architect in this 10375
state. The board may require that an applicant for registration 10376
under this ~~section~~ division hold a current council record or 10377
certificate in good standing issued by the council of landscape 10378
architectural registration boards. 10379

(B) The board shall register as a landscape architect in 10380
accordance with Chapter 4796. of the Revised Code an individual 10381
if either of the following applies: 10382

(1) The individual holds a registration or license as a 10383
landscape architect in another state. 10384

(2) The individual has satisfactory work experience, a 10385
government certification, or a private certification as 10386

described in that chapter as a landscape architect in a state 10387
that does not issue that registration or license. 10388

Sec. 4703.37. (A) The Ohio landscape architects board 10389
shall establish an application fee for obtaining registration 10390
under section 4703.34 of the Revised Code and a fee for 10391
obtaining registration under division (A) of section 4703.35 of 10392
the Revised Code. 10393

(B) The fee to restore an expired certificate of 10394
qualification is the renewal fee for the current certification 10395
period, plus the renewal fee for each previous renewal period in 10396
which the certificate was not renewed, plus a penalty of twenty- 10397
five per cent of the total renewal fees for each renewal period 10398
or part thereof in which the certificate was not renewed, on the 10399
condition that the maximum fee shall not exceed an amount 10400
established by the board. 10401

(C) The board also shall establish the following fees: 10402

(1) The fee for a certificate of qualification or 10403
duplicate thereof, as issued to a landscape architect registered 10404
under sections 4703.33 to 4703.38 of the Revised Code. 10405

(2) The fee for the biennial renewal of the certificate of 10406
qualification and the fee for a duplicate renewal card. 10407

(3) The fee to be charged an examinee for administering an 10408
examination to the examinee on behalf of another jurisdiction. 10409

(4) The fee for a certificate of authorization issued 10410
under division (F) of section 4703.331 of the Revised Code, the 10411
fee for annual renewal of a certificate of authorization, and 10412
the fee for a duplicate certificate of authorization. 10413

(5) The fee to cover costs for checks or other instruments 10414

returned to the board by financial institutions due to 10415
insufficient funds. 10416

Sec. 4707.07. (A) The department of agriculture may grant 10417
an auctioneer's license to an individual who is determined to be 10418
qualified by the department. Each individual who applies for an 10419
auctioneer's license shall furnish to the department, on forms 10420
provided by the department, satisfactory proof that the 10421
applicant: 10422

(1) Has attained the age of at least eighteen years; 10423

(2) Has successfully completed a course of study in 10424
auctioneering at an institution that is approved by the state 10425
auctioneers commission. 10426

(3) Has a general knowledge of the following: 10427

(a) The requirements of the Revised Code relative to 10428
auctioneers; 10429

(b) The auction profession; 10430

(c) The principles involved in conducting an auction; 10431

(d) Any local and federal laws regarding the profession of 10432
auctioneering. 10433

(4) Has satisfied the financial responsibility 10434
requirements established under section 4707.11 of the Revised 10435
Code if applicable. 10436

(B) If the department determines that an application is 10437
incomplete, the department shall notify the applicant that the 10438
application is incomplete and inform the applicant of the 10439
information that is missing from the application. An applicant 10440
shall submit the additional information within ninety days after 10441

being notified by the department that the application is 10442
incomplete. If an applicant fails to submit the required 10443
information within that ninety-day period, the department shall 10444
deny the application and the applicant shall forfeit the 10445
application fee to the department. 10446

(C) A licensee may do business under more than one 10447
registered name, but not to exceed three registered names, 10448
provided that the names have been approved by the department. 10449
The department may reject the application of any person seeking 10450
licensure under this chapter if the name or names to be used by 10451
the applicant are likely to mislead the public, or if the name 10452
or names do not distinguish the applicant from the name or names 10453
of any existing person licensed under this chapter. If an 10454
applicant applies to the department to do business under three 10455
names, the department may charge a fee of ten dollars for the 10456
third name. 10457

(D) The department shall issue an auctioneer's license in 10458
accordance with Chapter 4796. of the Revised Code to an 10459
applicant if either of the following applies: 10460

(1) The applicant holds an auctioneer's license in another 10461
state. 10462

(2) The applicant has satisfactory work experience, a 10463
government certification, or a private certification as 10464
described in that chapter as an auctioneer in a state that does 10465
not issue that license. 10466

Sec. 4707.072. The department of agriculture may grant 10467
one-auction licenses to any nonresident individual who is 10468
determined to be qualified by the department. ~~Any Chapter 4796.~~ 10469
of the Revised Code does not apply to one-auction licenses 10470

<u>issued under this section.</u>	10471
<u>Any</u> individual who applies for a one-auction license shall	10472
attest, on forms provided by the department, and furnish to the	10473
department, satisfactory proof that the license applicant meets	10474
the following requirements:	10475
(A) Has a good reputation;	10476
(B) Is of trustworthy character;	10477
(C) Has attained the age of at least eighteen years;	10478
(D) Has a general knowledge of the requirements of the	10479
Revised Code relative to auctioneers, the auction profession,	10480
and the principles involved in conducting an auction;	10481
(E) Has two years of professional auctioneering experience	10482
immediately preceding the date of application that includes the	10483
personal conduct by the applicant of at least twelve auction	10484
sales in any state, or has met the requirements of section	10485
4707.12 of the Revised Code;	10486
(F) Has paid a fee of five hundred dollars;	10487
(G) Has not applied for or previously obtained a license	10488
under this section;	10489
(H) Has provided proof of financial responsibility in the	10490
form of either an irrevocable letter of credit or a cash bond or	10491
a surety bond in the amount of fifty thousand dollars. If the	10492
applicant gives a surety bond, the bond shall be executed by a	10493
surety company authorized to do business in this state. A bond	10494
shall be made to the department and shall be conditioned that	10495
the applicant shall comply with this chapter and rules adopted	10496
under it, including refraining from conduct described in section	10497
4707.15 of the Revised Code. All bonds shall be on a form	10498

approved by the director of agriculture. 10499

Sec. 4707.101. (A) A licensed auctioneer shall complete 10500
eight hours of continuing education in accordance with this 10501
section prior to renewal of the license under section 4707.10 of 10502
the Revised Code. The auction firm manager of a licensed auction 10503
firm shall complete eight hours of continuing education in 10504
accordance with this section prior to the renewal of the auction 10505
firm license under section 4707.10 of the Revised Code. 10506

(B) (1) Except as provided in division (B) (2) of this 10507
section, a licensed auctioneer and an auction firm manager shall 10508
complete the eight hours of continuing education as follows: 10509

(a) Three of the hours shall include areas of instruction 10510
in any of the following areas: an overview of this chapter and 10511
rules adopted under it, including any recent amendments to that 10512
chapter or rules; contract law; the uniform commercial code; 10513
auction ethics; or trust or escrow accounts. 10514

(b) Five of the hours shall include areas of instruction 10515
in any of the following areas: advertising and marketing; 10516
business math and accounting; insurance and liability; federal 10517
firearms law; business management; motor vehicle auctions; real 10518
estate auctions; or personal property auctions. 10519

(2) If a licensed auctioneer has been issued a license 10520
with a period of validity of twelve months or less, the 10521
auctioneer shall complete four hours of continuing education as 10522
follows: 10523

(a) One hour in the areas of instruction described in 10524
division (B) (1) (a) of this section; 10525

(b) Three hours in the areas of instruction described in 10526
division (B) (1) (b) of this section. 10527

(C) A licensed auctioneer or an auction firm manager of a licensed auction firm may complete an area of instruction for continuing education hours in another state if both of the following apply:

(1) The area of instruction has been approved by the appropriate state governing body in the other state.

(2) The Ohio auctioneers commission approves the completion of the area of instruction by the auctioneer or an auction firm manager in the other state.

(D) The continuing education requirements established under this section do not apply to a licensed auctioneer to which both of the following apply:

(1) The licensed auctioneer was licensed as an apprentice auctioneer under section 4707.09 of the Revised Code, as it existed prior to its repeal by H.B. 321 of the 134th general assembly on September 13, 2022.

(2) The licensed auctioneer completed that apprenticeship prior to that date.

Sec. 4709.07. (A) Each person who desires to obtain an initial license to practice barbering shall apply to the state cosmetology and barber board, on forms provided by the board. The application form shall include the name of the person applying for the license and evidence that the applicant meets all of the requirements of division (B) of this section. The application shall be accompanied by two signed current photographs of the applicant, in the size determined by the board, that show only the head and shoulders of the applicant, and the examination application fee.

(B) In order to take the required barber examination and

to qualify for licensure as a barber, an applicant must 10557
demonstrate that the applicant meets all of the following: 10558

(1) Is at least eighteen years of age; 10559

(2) Has an eighth grade education or an equivalent 10560
education as determined by the state board of education in the 10561
state where the applicant resides; 10562

(3) Has graduated with at least one thousand eight hundred 10563
hours of training from a board-approved barber school or has 10564
graduated with at least one thousand hours of training from a 10565
board-approved barber school in this state and has a current 10566
cosmetology or hair designer license issued pursuant to Chapter 10567
4713. of the Revised Code. No hours of instruction earned by an 10568
applicant five or more years prior to the examination apply to 10569
the hours of study required by this division. 10570

(C) Any applicant who meets all of the requirements of 10571
divisions (A) and (B) of this section may take the barber 10572
examination at the time and place specified by the board. If the 10573
applicant fails to attain at least a seventy-five per cent pass 10574
rate on each part of the examination, the applicant is 10575
ineligible for licensure; however, the applicant may reapply for 10576
examination within ninety days after the date of the release of 10577
the examination scores by paying the required reexamination fee. 10578
An applicant is only required to take that part or parts of the 10579
examination on which the applicant did not receive a score of 10580
seventy-five per cent or higher. If the applicant fails to 10581
reapply for examination within ninety days or fails the second 10582
examination, in order to reapply for examination for licensure 10583
the applicant shall complete an additional course of study of 10584
not less than two hundred hours, in a board-approved barber 10585
school. The board shall provide to an applicant, upon request, a 10586

report which explains the reasons for the applicant's failure to 10587
pass the examination. 10588

(D) The board shall issue a license to practice barbering 10589
to any applicant who, to the satisfaction of the board, meets 10590
the requirements of divisions (A) and (B) of this section, who 10591
passes the required examination, and pays the initial licensure 10592
fee. Every licensed barber shall display the certificate of 10593
licensure in a conspicuous place adjacent to or near the 10594
licensed barber's work chair, along with a signed current 10595
photograph, in the size determined by the board, showing head 10596
and shoulders only. 10597

(E) The board shall issue a license to practice barbering 10598
in accordance with Chapter 4796. of the Revised Code to an 10599
applicant if either of the following applies: 10600

(1) The applicant holds a license to practice barbering in 10601
another state. 10602

(2) The applicant has satisfactory work experience, a 10603
government certification, or a private certification as 10604
described in that chapter as a barber in a state that does not 10605
issue that license. 10606

Sec. 4709.08. Any person who holds a current license or 10607
registration to practice as a barber in any other ~~state or~~ 10608
~~district of the United States or~~ country whose requirements for 10609
licensure or registration of barbers are substantially 10610
equivalent to the requirements of this chapter and rules adopted 10611
under it and that extends similar reciprocity to persons 10612
licensed as barbers in this state may apply to the state 10613
cosmetology and barber board for a barber license. The board 10614
shall, without examination, unless the board determines to 10615

require an examination, issue a license to practice as a 10616
licensed barber in this state if the person meets the 10617
requirements of this section, is at least eighteen years of age, 10618
and pays the required fees. The board may waive any of the 10619
requirements of this section. 10620

Sec. 4709.10. (A) Each person who desires to obtain a 10621
license to operate a barber school shall apply to the state 10622
cosmetology and barber board, on forms provided by the board. 10623
The board shall issue a barber school license to a person if the 10624
board determines that the person meets and will comply with all 10625
of the requirements of division (B) of this section and pays the 10626
required licensure and inspection fees. 10627

(B) In order for a person to qualify for a license to 10628
operate a barber school, the barber school to be operated by the 10629
person must meet all of the following requirements: 10630

(1) Have a training facility sufficient to meet the 10631
required educational curriculum established by the board, 10632
including enough space to accommodate all the facilities and 10633
equipment required by rule by the board; 10634

(2) Provide sufficient licensed teaching personnel to meet 10635
the minimum pupil-teacher ratio established by rule of the 10636
board; 10637

(3) Have established and provide to the board proof that 10638
it has met all of the board requirements to operate a barber 10639
school, as adopted by rule of the board; 10640

(4) File with the board a program of its curriculum, 10641
accounting for not less than one thousand eight hundred hours of 10642
instruction in the courses of theory and practical demonstration 10643
required by rule of the board; 10644

(5) File with the board a surety bond in the amount of ten thousand dollars issued by a bonding company licensed to do business in this state. The bond shall be in the form prescribed by the board and conditioned upon the barber school's continued instruction in the theory and practice of barbering. The bond shall continue in effect until notice of its termination is provided to the board. In no event, however, shall the bond be terminated while the barber school is in operation. Any student who is injured or damaged by reason of a barber school's failure to continue instruction in the theory and practice of barbering may maintain an action on the bond against the barber school or the surety, or both, for the recovery of any money or tuition paid in advance for instruction in the theory and practice of barbering which was not received. The aggregate liability of the surety to all students shall not exceed the sum of the bond.

(6) Maintain adequate record keeping to ensure that it has met the requirements for records of student progress as required by board rule;

(7) Establish minimum standards for acceptance of student applicants for admission to the barber school. The barber school may establish entrance requirements which are more stringent than those prescribed by the board, but the requirements must at a minimum require the applicant to meet all of the following:

(a) Be at least seventeen years of age;

(b) Have an eighth grade education, or an equivalent education as determined by the state board of education;

(c) Submit two signed current photographs of the applicant, in the size determined by the board.

(8) Have a procedure to submit every student applicant's

admission application to the board for the board's review and 10674
approval prior to the applicant's admission to the barber 10675
school; 10676

(9) Operate in a manner which reflects credit upon the 10677
barbering profession; 10678

(10) Offer a curriculum of study which covers all aspects 10679
of the scientific fundamentals of barbering as specified by rule 10680
of the board; 10681

(11) Employ no more than two licensed assistant barber 10682
teachers for each licensed barber teacher employed or fewer than 10683
two licensed teachers or one licensed teacher and one licensed 10684
assistant teacher at each facility. 10685

(C) Each person who desires to obtain a barber teacher or 10686
assistant barber teacher license shall apply to the board, on 10687
forms provided by the board. ~~The Except as provided in division~~ 10688
~~(D) of this section, the~~ board shall only issue a barber teacher 10689
license to a person who meets all of the following requirements: 10690

(1) Holds a current barber license issued pursuant to this 10691
chapter and has at least eighteen months of work experience in a 10692
licensed barber shop or has been employed as an assistant barber 10693
teacher under the supervision of a licensed barber teacher for 10694
at least one year, unless, for good cause, the board waives this 10695
requirement; 10696

(2) Meets such other requirements as adopted by rule by 10697
the board; 10698

(3) Passes the required examination; and 10699

(4) Pays the required fees. 10700

~~The Except as provided in division (D) of this section,~~ 10701

the board shall only issue an assistant barber teacher license 10702
to a person who holds a current barber license issued pursuant 10703
to this chapter and pays the required fees. 10704

(D) The board shall issue a barber teacher or assistant 10705
barber teacher license in accordance with Chapter 4796. of the 10706
Revised Code to an applicant if either of the following applies: 10707

(1) The applicant holds a barber teacher or assistant 10708
barber teacher license, as applicable, in another state. 10709

(2) The applicant has satisfactory work experience, a 10710
government certification, or a private certification as 10711
described in that chapter as a barber teacher or assistant 10712
barber teacher, as applicable, in a state that does not issue 10713
the applicable license. 10714

(E) Any person who meets the qualifications of an 10715
assistant teacher pursuant to division (C) or (D) of this 10716
section, may be employed as an assistant teacher, provided that 10717
within five days after the commencement of the employment the 10718
barber school submits to the board, on forms provided by the 10719
board, the applicant's qualifications. 10720

Sec. 4712.02. (A) A credit services organization shall 10721
file a registration application with, and receive a certificate 10722
of registration from, the division of financial institutions 10723
before conducting business in this state. The registration 10724
application shall be accompanied by a one-hundred-dollar fee and 10725
shall contain all of the following information: 10726

(1) The name and address of the credit services 10727
organization; 10728

(2) The name and address of any person that directly or 10729
indirectly owns or controls ten per cent or more of the 10730

outstanding shares of stock in the organization; 10731

(3) Either of the following: 10732

(a) A full and complete disclosure of any litigation 10733
commenced against the organization or unresolved complaint that 10734
relates to the operation of the organization and that is filed 10735
with the attorney general, the secretary of state, or any other 10736
governmental authority of the United States, this state, or any 10737
other state of the United States; 10738

(b) A notarized statement stating that no litigation has 10739
been commenced and no unresolved complaint relating to the 10740
operation of the organization has been filed with the attorney 10741
general, the secretary of state, or any other governmental 10742
authority of the United States, this state, or any other state 10743
of the United States. 10744

(4) Any other information required at any time by the 10745
division. 10746

(B) (1) Except as ~~otherwise~~ provided in division (B) (2) of 10747
this section, each credit services organization shall notify the 10748
division in writing within thirty days after the date of a 10749
change in the information required by division (A) of this 10750
section. 10751

(2) Each organization shall notify the division in writing 10752
no later than thirty days prior to any change in the information 10753
required by division (A) (1) or (2) of this section and shall 10754
receive approval from the division before making any such 10755
change. 10756

(C) (1) A credit services organization shall attach both of 10757
the following to the registration application submitted pursuant 10758
to division (A) of this section: 10759

(a) A copy of the contract that the organization intends to execute with its customers; 10760
10761

(b) Evidence of the bond required under section 4712.06 of the Revised Code. 10762
10763

(2) Any modification made to the contract described in division (C) (1) (a) of this section shall be filed with the division prior to its use by the organization. 10764
10765
10766

(D) Each credit services organization registering under this section shall maintain a copy of the registration application in its files. The organization shall allow a buyer to inspect the registration application upon request. 10767
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(E) Each nonresident credit services organization registering under this section shall designate and maintain a resident of this state as the organization's statutory agent for purposes of receipt of service of process. 10771
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(F) If, in order to issue a certificate of registration to a credit services organization, investigation by the division outside this state is necessary, the division may require the organization to advance sufficient funds to pay the actual expenses of the investigation. 10775
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(G) Each credit services organization registering under this section shall use no more than one fictitious or trade name. 10780
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10782

(H) (1) A certificate of registration issued by the division pursuant to this section shall expire annually on the thirtieth day of April, or annually on a different date established by the superintendent pursuant to section 1181.23 of the Revised Code. 10783
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(2) A credit services organization may renew its certificate of registration by filing with the division a renewal application accompanied by a one-hundred-dollar renewal fee.

(I) All money collected by the division pursuant to this section shall be deposited by it in the state treasury to the credit of the consumer finance fund.

(J) (1) No credit services organization shall fail to comply with division (A) of this section.

(2) No credit services organization shall fail to comply with division (B), (D), (E), (F), or (G) of this section.

(K) A person shall not apply for a certificate of registration under this chapter in the person's individual capacity. The division shall not grant a certificate to a person in the person's individual capacity.

Sec. 4713.10. (A) The state cosmetology and barber board shall charge and collect the following fees:

(1) For a temporary pre-examination work permit under section 4713.22 of the Revised Code, not more than fifteen dollars;

(2) For initial application to take an examination under section 4713.24 of the Revised Code, not more than forty dollars;

(3) For application to take an examination under section 4713.24 of the Revised Code by an applicant who has previously applied to take, but failed to appear for, the examination, not more than fifty-five dollars;

(4) For application to re-take an examination under

section 4713.24 of the Revised Code by an applicant who has 10816
previously appeared for, but failed to pass, the examination, 10817
not more than forty dollars; 10818

(5) For the issuance of a license by examination under 10819
section 4713.28, 4713.30, or 4713.31 of the Revised Code, not 10820
more than seventy-five dollars; 10821

(6) For the issuance of a license under section 4713.34 of 10822
the Revised Code, not more than seventy dollars; 10823

(7) For renewal of a license issued under section 4713.28, 10824
4713.30, 4713.31, or 4713.34 of the Revised Code, not more than 10825
seventy dollars; 10826

(8) For the issuance or renewal of a cosmetology school 10827
license, not more than two hundred fifty dollars; 10828

(9) For the issuance of a new salon license or the change 10829
of name or ownership of a salon license under section 4713.41 of 10830
the Revised Code, not more than one hundred dollars; 10831

(10) For the renewal of a salon license under section 10832
4713.41 of the Revised Code, not more than ninety dollars; 10833

(11) For the restoration of an expired license that may be 10834
restored pursuant to section 4713.63 of the Revised Code, an 10835
amount equal to the sum of the current license renewal fee and a 10836
lapsed renewal fee of not more than forty-five dollars per 10837
license renewal period that has elapsed since the license was 10838
last issued or renewed; 10839

(12) For the issuance of a duplicate of any license, not 10840
more than thirty dollars; 10841

(13) For the preparation and mailing of a licensee's 10842
records to another state for a reciprocity license, not more 10843

than fifty dollars; 10844

(14) For the processing of any fees related to a check 10845
from a licensee returned to the board for insufficient funds, an 10846
additional thirty dollars. 10847

(B) The board shall adjust the fees biennially, by rule, 10848
within the limits established by division (A) of this section, 10849
to provide sufficient revenues to meet its expenses. 10850

(C) The board may establish an installment plan for the 10851
payment of fines and fees and may reduce fees as considered 10852
appropriate by the board. 10853

(D) At the request of a person who is temporarily unable 10854
to pay a fee imposed under division (A) of this section, or on 10855
its own motion, the board may extend the date payment is due by 10856
up to ninety days. If the fee remains unpaid after the date 10857
payment is due, the amount of the fee shall be certified to the 10858
attorney general for collection in the form and manner 10859
prescribed by the attorney general. The attorney general may 10860
assess the collection cost to the amount certified in such a 10861
manner and amount as prescribed by the attorney general. 10862

Sec. 4713.28. (A) The state cosmetology and barber board 10863
shall issue a practicing license to an applicant who satisfies 10864
all of the following applicable conditions: 10865

(1) Is at least sixteen years of age; 10866

(2) Has the equivalent of an Ohio public school tenth 10867
grade education; 10868

(3) Has submitted a written application on a form 10869
furnished by the board that contains all of the following: 10870

(a) The name of the individual and any other identifying 10871

information required by the board; 10872

(b) A recent photograph of the individual that meets the 10873
specifications established by the board; 10874

(c) A photocopy of the individual's current driver's 10875
license or other proof of legal residence; 10876

(d) Proof that the individual is qualified to take the 10877
applicable examination as required by section 4713.20 of the 10878
Revised Code; 10879

(e) An oath verifying that the information in the 10880
application is true; 10881

(f) The applicable application fee. 10882

(4) Passes an examination conducted under division (A) of 10883
section 4713.24 of the Revised Code for the branch of 10884
cosmetology the applicant seeks to practice; 10885

(5) Pays to the board the applicable license fee; 10886

(6) In the case of an applicant for an initial 10887
cosmetologist license, has successfully completed at least one 10888
thousand five hundred hours of board-approved cosmetology 10889
training in a school of cosmetology licensed in this state, 10890
except that only one thousand hours of board-approved 10891
cosmetology training in a school of cosmetology licensed in this 10892
state is required of an individual licensed as a barber under 10893
Chapter 4709. of the Revised Code; 10894

(7) In the case of an applicant for an initial esthetician 10895
license, has successfully completed at least six hundred hours 10896
of board-approved esthetics training in a school of cosmetology 10897
licensed in this state; 10898

(8) In the case of an applicant for an initial hair designer license, has successfully completed at least one thousand two hundred hours of board-approved hair designer training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved hair designer training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;

(9) In the case of an applicant for an initial manicurist license, has successfully completed at least two hundred hours of board-approved manicurist training in a school of cosmetology licensed in this state;

(10) In the case of an applicant for an initial natural hair stylist license, has successfully completed at least four hundred fifty hours of instruction in subjects relating to sanitation, scalp care, anatomy, hair styling, communication skills, and laws and rules governing the practice of cosmetology.

(B) The board shall not deny a license to any applicant based on prior incarceration or conviction for any crime. If the board denies an individual a license or license renewal, the reasons for such denial shall be put in writing.

(C) The board shall issue a practicing license in a branch of cosmetology in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in that branch of cosmetology in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as

described in that chapter in that branch of cosmetology in a 10928
state that does not issue that license. 10929

Sec. 4713.30. ~~The~~ (A) Except as provided in division (B) 10930
of this section, the state cosmetology and barber board shall 10931
issue an advanced license to an applicant who satisfies all of 10932
the following applicable conditions: 10933

~~(A)~~ (1) Is at least sixteen years of age; 10934

~~(B)~~ (2) Has the equivalent of an Ohio public school tenth 10935
grade education; 10936

~~(C)~~ (3) Pays to the board the applicable fee; 10937

~~(D)~~ (4) Passes the appropriate advanced license 10938
examination; 10939

~~(E)~~ (5) In the case of an applicant for an initial 10940
advanced cosmetologist license, does either of the following: 10941

~~(1)~~ (a) Has a licensed advanced cosmetologist or owner of 10942
a licensed beauty salon located in this or another state certify 10943
to the board that the applicant has practiced as a cosmetologist 10944
for at least one thousand eight hundred hours in a licensed 10945
beauty salon; 10946

~~(2)~~ (b) Has a school of cosmetology licensed in this state 10947
certify to the board that the applicant has successfully 10948
completed, in addition to the hours required for licensure as a 10949
cosmetologist, at least three hundred hours of board-approved 10950
advanced cosmetologist training. 10951

~~(F)~~ (6) In the case of an applicant for an initial 10952
advanced esthetician license, does either of the following: 10953

~~(1)~~ (a) Has the licensed advanced esthetician, licensed 10954

advanced cosmetologist, or owner of a licensed esthetics salon 10955
or licensed beauty salon located in this or another state 10956
certify to the board that the applicant has practiced esthetics 10957
for at least one thousand eight hundred hours as an esthetician 10958
in a licensed esthetics salon or as a cosmetologist in a 10959
licensed beauty salon; 10960

~~(2)~~ (b) Has a school of cosmetology licensed in this state 10961
certify to the board that the applicant has successfully 10962
completed, in addition to the hours required for licensure as an 10963
esthetician or cosmetologist, at least one hundred fifty hours 10964
of board-approved advanced esthetician training. 10965

~~(G)~~ (7) In the case of an applicant for an initial 10966
advanced hair designer license, does either of the following: 10967

~~(1)~~ (a) Has the licensed advanced hair designer, licensed 10968
advanced cosmetologist, or owner of a licensed hair design salon 10969
or licensed beauty salon located in this or another state 10970
certify to the board that the applicant has practiced hair 10971
design for at least one thousand eight hundred hours as a hair 10972
designer in a licensed hair design salon or as a cosmetologist 10973
in a licensed beauty salon; 10974

~~(2)~~ (b) Has a school of cosmetology licensed in this state 10975
certify to the board that the applicant has successfully 10976
completed, in addition to the hours required for licensure as a 10977
hair designer or cosmetologist, at least two hundred forty hours 10978
of board-approved advanced hair designer training. 10979

~~(H)~~ (8) In the case of an applicant for an initial 10980
advanced manicurist license, does either of the following: 10981

~~(1)~~ (a) Has the licensed advanced manicurist, licensed 10982
advanced cosmetologist, or owner of a licensed nail salon, 10983

licensed beauty salon, or licensed barber shop located in this 10984
or another state certify to the board that the applicant has 10985
practiced manicuring for at least one thousand eight hundred 10986
hours as a manicurist in a licensed nail salon or licensed 10987
barber shop or as a cosmetologist in a licensed beauty salon or 10988
licensed barber shop; 10989

~~(2)~~ (b) Has a school of cosmetology licensed in this state 10990
certify to the board that the applicant has successfully 10991
completed, in addition to the hours required for licensure as a 10992
manicurist or cosmetologist, at least one hundred hours of 10993
board-approved advanced manicurist training. 10994

~~(1)~~ (9) In the case of an applicant for an initial 10995
advanced natural hair stylist license, does either of the 10996
following: 10997

~~(1)~~ (a) Has the licensed advanced natural hair stylist, 10998
licensed advanced cosmetologist, or owner of a licensed natural 10999
hair style salon or licensed beauty salon located in this or 11000
another state certify to the board that the applicant has 11001
practiced natural hair styling for at least one thousand eight 11002
hundred hours as a natural hair stylist in a licensed natural 11003
hair style salon or as a cosmetologist in a licensed beauty 11004
salon; 11005

~~(2)~~ (b) Has a school of cosmetology licensed in this state 11006
certify to the board that the applicant has successfully 11007
completed, in addition to the hours required for licensure as 11008
natural hair stylist or cosmetologist, at least one hundred 11009
fifty hours of board-approved advanced natural hair stylist 11010
training. 11011

(B) The board shall issue an advanced license in a branch 11012

of cosmetology in accordance with Chapter 4796. of the Revised 11013
Code to an applicant if either of the following applies: 11014

(1) The applicant holds an advanced license in that branch 11015
of cosmetology in another state. 11016

(2) The applicant has satisfactory work experience, a 11017
government certification, or a private certification as 11018
described in that chapter in that branch of cosmetology in a 11019
state that does not issue that license. 11020

Sec. 4713.31. (A) The state cosmetology and barber board 11021
shall issue an instructor license to an applicant who satisfies 11022
all of the following applicable conditions: 11023

~~(A)~~ (1) Is at least eighteen years of age; 11024

~~(B)~~ (2) Has the equivalent of an Ohio public school 11025
twelfth grade education; 11026

~~(C)~~ (3) Pays to the board the applicable fee; 11027

~~(D)~~ (4) In the case of an applicant for an initial 11028
cosmetology instructor license, holds a current, valid advanced 11029
cosmetologist license issued in this state and does either of 11030
the following: 11031

~~(1)~~ (a) Has the licensed advanced cosmetologist or owner 11032
of the licensed beauty salon in which the applicant has been 11033
employed certify to the board that the applicant has engaged in 11034
the practice of cosmetology in a licensed beauty salon for at 11035
least one thousand eight hundred hours; 11036

~~(2)~~ (b) Has a school of cosmetology licensed in this state 11037
certify to the board that the applicant has successfully 11038
completed one thousand hours of board-approved cosmetology 11039
instructor training as an apprentice instructor. 11040

~~(E)~~ (5) In the case of an applicant for an initial 11041
esthetics instructor license, holds a current, valid advanced 11042
esthetician or advanced cosmetologist license issued in this 11043
state and does either of the following: 11044

~~(1)~~ (a) Has the licensed advanced esthetician, licensed 11045
advanced cosmetologist, or owner of the licensed esthetics salon 11046
or licensed beauty salon in which the applicant has been 11047
employed certify to the board that the applicant has engaged in 11048
the practice of esthetics in a licensed esthetics salon or 11049
practice of cosmetology in a licensed beauty salon for at least 11050
one thousand eight hundred hours; 11051

~~(2)~~ (b) Has a school of cosmetology licensed in this state 11052
certify to the board that the applicant has successfully 11053
completed at least five hundred hours of board-approved 11054
esthetics instructor training as an apprentice instructor. 11055

~~(F)~~ (6) In the case of an applicant for an initial hair 11056
design instructor license, holds a current, valid advanced hair 11057
designer or advanced cosmetologist license and does either of 11058
the following: 11059

~~(1)~~ (a) Has the licensed advanced hair designer, licensed 11060
advanced cosmetologist, or owner of the licensed hair design 11061
salon or licensed beauty salon in which the applicant has been 11062
employed certify to the board that the applicant has engaged in 11063
the practice of hair design in a licensed hair design salon or 11064
practice of cosmetology in a licensed beauty salon for at least 11065
one thousand eight hundred hours; 11066

~~(2)~~ (b) Has a school of cosmetology licensed in this state 11067
certify to the board that the applicant has successfully 11068
completed at least eight hundred hours of board-approved hair 11069

design instructor's training as an apprentice instructor. 11070

~~(G)~~ (7) In the case of an applicant for an initial 11071
manicurist instructor license, holds a current, valid advanced 11072
manicurist or advanced cosmetologist license and does either of 11073
the following: 11074

~~(1)~~ (a) Has the licensed advanced manicurist, licensed 11075
advanced cosmetologist, or owner of the licensed nail salon or 11076
licensed beauty salon in which the applicant has been employed 11077
certify to the board that the applicant has engaged in the 11078
practice of manicuring in a licensed nail salon or practice of 11079
cosmetology in a licensed beauty salon for at least one thousand 11080
eight hundred hours; 11081

~~(2)~~ (b) Has a school of cosmetology licensed in this state 11082
certify to the board that the applicant has successfully 11083
completed at least three hundred hours of board-approved 11084
manicurist instructor training as an apprentice instructor. 11085

~~(H)~~ (8) In the case of an applicant for an initial natural 11086
hair style instructor license, holds a current, valid advanced 11087
natural hair stylist or advanced cosmetologist license and does 11088
either of the following: 11089

~~(1)~~ (a) Has the licensed advanced natural hair stylist, 11090
licensed advanced cosmetologist, or owner of the licensed 11091
natural hair style salon or licensed beauty salon in which the 11092
applicant has been employed certify to the board that the 11093
applicant has engaged in the practice of natural hair styling in 11094
a licensed natural hair style salon or practice of cosmetology 11095
in a licensed beauty salon for at least one thousand eight 11096
hundred hours; 11097

~~(2)~~ (b) Has a school of cosmetology licensed in this state 11098

certify to the board that the applicant has successfully 11099
completed at least four hundred hours of board-approved natural 11100
hair style instructor training as an apprentice instructor. 11101

~~(I)~~ (9) In the case of all applicants, passes an 11102
examination conducted under division (B) of section 4713.24 of 11103
the Revised Code for the branch of cosmetology the applicant 11104
seeks to instruct. 11105

(B) The board shall issue an instructor license for a 11106
branch of cosmetology in accordance with Chapter 4796. of the 11107
Revised Code to an applicant if either of the following applies: 11108

(1) The applicant holds an instructor license in that 11109
branch of cosmetology in another state. 11110

(2) The applicant has satisfactory work experience, a 11111
government certification, or a private certification as 11112
described in that chapter as an instructor in that branch of 11113
cosmetology in a state that does not issue that license. 11114

Sec. 4713.34. The state cosmetology and barber board shall 11115
issue a license to practice a branch of cosmetology or 11116
instructor license to an applicant who is licensed or registered 11117
in another ~~state or~~ country to practice that branch of 11118
cosmetology or teach the theory and practice of that branch of 11119
cosmetology, as appropriate, if all of the following conditions 11120
are satisfied: 11121

(A) The applicant satisfies all of the following 11122
conditions: 11123

(1) Is not less than eighteen years of age; 11124

(2) In the case of an applicant for a practicing license, 11125
passes an examination conducted under section 4713.24 of the 11126

Revised Code for the license the applicant seeks, unless the 11127
applicant satisfies conditions specified in rules adopted under 11128
section 4713.08 of the Revised Code for the board to issue the 11129
applicant a license without taking the examination; 11130

(3) Pays the applicable fee. 11131

(B) At the time the applicant obtained the license or 11132
registration in the other ~~state or~~ country, the requirements in 11133
this state for obtaining the license the applicant seeks were 11134
substantially equal to the other ~~state or~~ country's 11135
requirements. 11136

(C) The jurisdiction that issued the applicant's license 11137
or registration extends similar reciprocity to individuals 11138
holding a license issued by the board. 11139

Sec. 4713.37. (A) The state cosmetology and barber board 11140
may issue a temporary special occasion work permit to ~~an a~~ 11141
nonresident individual who satisfies all of the following 11142
conditions: 11143

(1) Has been licensed or registered in another state or 11144
country to practice a branch of cosmetology or teach the theory 11145
and practice of a branch of cosmetology for at least five years; 11146

(2) Is a recognized expert in the practice or teaching of 11147
the branch of cosmetology the individual practices or teaches; 11148

(3) Is to practice that branch of cosmetology or teach the 11149
theory and practice of that branch of cosmetology in this state 11150
as part of a promotional or instructional program for not more 11151
than the amount of time a temporary special occasion work permit 11152
is effective; 11153

(4) Satisfies all other conditions for a temporary special 11154

occasion work permit established by rules adopted under section	11155
4713.08 of the Revised Code;	11156
(5) Pays the fee established by rules adopted under	11157
section 4713.08 of the Revised Code.	11158
(B) An individual issued a temporary special occasion work	11159
permit may practice the branch of cosmetology the individual	11160
practices in another state or country, or teach the theory and	11161
practice of the branch of cosmetology the individual teaches in	11162
another state or country, until the expiration date of the	11163
permit. A temporary special occasion work permit is valid for	11164
the period of time specified in rules adopted under section	11165
4713.08 of the Revised Code.	11166
<u>(C) Chapter 4796. of the Revised Code does not apply to a</u>	11167
<u>temporary special occasion work permit issued under this</u>	11168
<u>section.</u>	11169
Sec. 4713.69. (A) <u>The-Except as provided in division (D)</u>	11170
<u>of this section, the state</u> cosmetology and barber board shall	11171
issue a boutique services registration to an applicant who	11172
satisfies all of the following applicable conditions:	11173
(1) Is at least sixteen years of age;	11174
(2) Has the equivalent of an Ohio public school tenth	11175
grade education;	11176
(3) Has submitted a written application on a form	11177
prescribed by the board containing all of the following:	11178
(a) The applicant's name and home address;	11179
(b) The applicant's home telephone number and cellular	11180
telephone number, if any;	11181

(c) The applicant's electronic mail address, if any;	11182
(d) The applicant's date of birth;	11183
(e) The address and telephone number where boutique services will be performed. The address shall not contain a post office box number.	11184 11185 11186
(f) Whether the applicant has an occupational license, certification, or registration to provide beauty services in another state, and if so, what type of license and in what state;	11187 11188 11189 11190
(g) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state;	11191 11192 11193
(h) An affidavit or certificate providing proof of formal training or apprenticeship under an individual providing such services.	11194 11195 11196
(B) The place of business where boutique services are performed must comply with the safety and sanitation requirements for licensed salon facilities as described in section 4713.41 of the Revised Code.	11197 11198 11199 11200
(C) The board shall specify the manner by which boutique services registrants shall fulfill the continuing education requirements set forth in section 4713.09 of the Revised Code.	11201 11202 11203
<u>(D) The board shall issue a boutique services registration in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:</u>	11204 11205 11206
<u>(1) The applicant holds a license or registration in providing boutique services in another state.</u>	11207 11208

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in providing boutique services in a state that does not issue that license or registration.

Sec. 4715.03. (A) The state dental board shall organize by electing from its members a president, secretary, and vice-secretary. The secretary and vice-secretary shall be elected from the members of the board who are dentists. It shall hold meetings monthly at least eight months a year at such times and places as the board designates. A majority of the members of the board shall constitute a quorum. The board shall make such reasonable rules as it determines necessary pursuant to Chapter 119. of the Revised Code.

(B) A concurrence of a majority of the members of the board shall be required to do any of the following:

(1) Grant, refuse, suspend, place on probationary status, revoke, refuse to renew, or refuse to reinstate a license or censure a license holder or take any other action authorized under section 4715.30 of the Revised Code;

(2) Seek an injunction under section 4715.05 of the Revised Code;

(3) Enter into a consent agreement with a license holder;

(4) If the board develops and implements the quality intervention program under section 4715.031 of the Revised Code, refer a license holder to the program;

(5) Terminate an investigation conducted under division (D) of this section;

(6) Dismiss any complaint filed with the board.

(C) (1) The board shall adopt rules in accordance with 11237
Chapter 119. of the Revised Code to do both of the following: 11238

(a) Establish standards for the safe practice of dentistry 11239
and dental hygiene by qualified practitioners and shall, through 11240
its policies and activities, promote such practice; 11241

(b) Establish universal blood and body fluid precautions 11242
that shall be used by each person licensed under this chapter 11243
who performs exposure prone invasive procedures. 11244

(2) The rules adopted under division (C) (1) (b) of this 11245
section shall define and establish requirements for universal 11246
blood and body fluid precautions that include the following: 11247

(a) Appropriate use of hand washing; 11248

(b) Disinfection and sterilization of equipment; 11249

(c) Handling and disposal of needles and other sharp 11250
instruments; 11251

(d) Wearing and disposal of gloves and other protective 11252
garments and devices. 11253

(D) The board shall administer and enforce the provisions 11254
of this chapter. The board shall, in accordance with sections 11255
4715.032 to 4715.035 of the Revised Code, investigate evidence 11256
which appears to show that any person has violated any provision 11257
of this chapter. Any person may report to the board under oath 11258
any information such person may have appearing to show a 11259
violation of any provision of this chapter. In the absence of 11260
bad faith, any person who reports such information or who 11261
testifies before the board in any disciplinary proceeding 11262
conducted pursuant to Chapter 119. of the Revised Code is not 11263
liable for civil damages as a result of making the report or 11264

providing testimony. If after investigation and reviewing the 11265
recommendation of the supervisory investigative panel issued 11266
pursuant to section 4715.034 of the Revised Code the board 11267
determines that there are reasonable grounds to believe that a 11268
violation of this chapter has occurred, the board shall, except 11269
as provided in this chapter, conduct disciplinary proceedings 11270
pursuant to Chapter 119. of the Revised Code, seek an injunction 11271
under section 4715.05 of the Revised Code, enter into a consent 11272
agreement with a license holder, or provide for a license holder 11273
to participate in the quality intervention program established 11274
under section 4715.031 of the Revised Code if the board develops 11275
and implements that program. 11276

For the purpose of any disciplinary proceeding or any 11277
investigation conducted under this division, the board may 11278
administer oaths, order the taking of depositions, issue 11279
subpoenas in accordance with section 4715.033 of the Revised 11280
Code, compel the attendance and testimony of persons at 11281
depositions, and compel the production of books, accounts, 11282
papers, documents, or other tangible things. The hearings and 11283
investigations of the board shall be considered civil actions 11284
for the purposes of section 2305.252 of the Revised Code. 11285
Notwithstanding section 121.22 of the Revised Code and except as 11286
provided in section 4715.036 of the Revised Code, proceedings of 11287
the board relative to the investigation of a complaint or the 11288
determination whether there are reasonable grounds to believe 11289
that a violation of this chapter has occurred are confidential 11290
and are not subject to discovery in any civil action. 11291

(E) (1) The board shall examine or cause to be examined 11292
eligible applicants to practice dental hygiene. The board may 11293
distinguish by rule different classes of qualified personnel 11294
according to skill levels and require all or only certain of 11295

these classes of qualified personnel to be examined and 11296
certified by the board. 11297

(2) The board shall administer a written jurisprudence 11298
examination to each applicant for a license to practice 11299
dentistry. The examination shall cover only the statutes and 11300
administrative rules governing the practice of dentistry in this 11301
state. 11302

(F) (1) In accordance with Chapter 119. of the Revised 11303
Code, subject to division (F) (2) of this section the board shall 11304
adopt, and may amend or rescind, rules establishing the 11305
eligibility criteria, the application and permit renewal 11306
procedures, and safety standards applicable to a dentist 11307
licensed under this chapter who applies for a permit to employ 11308
or use conscious sedation. These rules shall include all of the 11309
following: 11310

~~(1)~~ (a) The eligibility requirements and application 11311
procedures for an eligible dentist to obtain a conscious 11312
sedation permit; 11313

~~(2)~~ (b) The minimum educational and clinical training 11314
standards required of applicants, which shall include 11315
satisfactory completion of an advanced cardiac life support 11316
course; 11317

~~(3)~~ (c) The facility equipment and inspection 11318
requirements; 11319

~~(4)~~ (d) Safety standards; 11320

~~(5)~~ (e) Requirements for reporting adverse occurrences. 11321

(2) The board shall issue a permit to employ or use 11322
conscious sedation in accordance with Chapter 4796. of the 11323

Revised Code to a dentist licensed under this chapter if either 11324
of the following applies: 11325

(a) The dentist holds a license or permit to employ or use 11326
conscious sedation in another state. 11327

(b) The dentist has satisfactory work experience, a 11328
government certification, or a private certification as 11329
described in Chapter 4796. of the Revised Code in employing or 11330
using conscious sedation in a state that does not issue that 11331
license. 11332

(G)(1) In accordance with Chapter 119. of the Revised 11333
Code, subject to division (G)(2) of this section the board shall 11334
adopt rules establishing eligibility criteria, application and 11335
permit renewal procedures, and safety standards applicable to a 11336
dentist licensed under this chapter who applies for a general 11337
anesthesia permit. 11338

(2) The board shall issue a general anesthesia permit in 11339
accordance with Chapter 4796. of the Revised Code to a dentist 11340
licensed under this chapter if either of the following applies: 11341

(a) The dentist holds a general anesthesia license or 11342
permit in another state. 11343

(b) The dentist has satisfactory work experience, a 11344
government certification, or a private certification as 11345
described in Chapter 4796. of the Revised Code utilizing general 11346
anesthesia in a state that does not issue that license or 11347
permit. 11348

Sec. 4715.09. (A) No person shall practice dentistry 11349
without a current license from the state dental board. No person 11350
shall practice dentistry while the person's license is under 11351
suspension by the state dental board. 11352

(B) No dentist shall use the services of any person not licensed to practice dentistry in this state, or the services of any partnership, corporation, or association, to construct, alter, repair, or duplicate any denture, plate, bridge, splint, or orthodontic or prosthetic appliance, without first furnishing the unlicensed person, partnership, corporation, or association with a written work authorization on forms prescribed by the state dental board.

The unlicensed person, partnership, corporation, or association shall retain the original work authorization, and the dentist shall retain a duplicate copy of the work authorization, for two years from its date. Work authorizations required by this section shall be open for inspection during the two-year period by the state dental board, its authorized agent, or the prosecuting attorney of a county or the director of law of a municipal corporation wherein the work authorizations are located.

(C) If the person, partnership, association, or corporation receiving a written authorization from a licensed dentist engages another person, firm, or corporation, referred to in this division as "subcontractor," to perform some of the services relative to the work authorization, the person shall furnish a written sub-work authorization with respect thereto on forms prescribed by the state dental board.

The subcontractor shall retain the sub-work authorization and the issuer thereof shall retain a duplicate copy, attached to the work authorization received from the licensed dentist, for inspection by the state dental board or its duly authorized agents, for a period of two years in both cases.

(D) No unlicensed person, partnership, association, or

corporation shall perform any service described in division (B) 11383
of this section without a written work authorization from a 11384
licensed dentist. Provided, that if a written work authorization 11385
is demanded from a licensed dentist who fails or refuses to 11386
furnish it for any reason, the unlicensed person, partnership, 11387
association, or corporation shall not, in such event, be subject 11388
to the enforcement provisions of section 4715.05 or the penal 11389
provisions of section 4715.99 of the Revised Code. 11390

(E) No dentist shall employ or use conscious sedation 11391
unless the dentist possesses a valid permit issued by the state 11392
dental board authorizing the dentist to do so. 11393

(F) No dentist shall employ or use general anesthesia 11394
unless the dentist possesses a valid permit issued by the state 11395
dental board authorizing the dentist to do so. 11396

(G) Division (A) of this section does not apply to a 11397
nonresident person who meets both of the following conditions: 11398

(1) The person holds a license in good standing to 11399
practice dentistry issued by another state. 11400

(2) The person is practicing as a volunteer without 11401
remuneration during a charitable event that lasts not more than 11402
seven days. 11403

When a nonresident person meets the conditions of this 11404
division, the person shall be deemed to hold, for the course of 11405
the charitable event, a license to practice dentistry from the 11406
state dental board and shall be subject to the provisions of 11407
this chapter authorizing the board to take disciplinary action 11408
against a license holder. Not less than seven calendar days 11409
before the first day of the charitable event, the person or the 11410
event's organizer shall notify the board of the person's intent 11411

to engage in the practice of dentistry at the event. During the 11412
course of the charitable event, the person's scope of practice 11413
is limited to the procedures that a dentist licensed under this 11414
chapter is authorized to perform unless the person's scope of 11415
practice in the other state is more restrictive than in this 11416
state. If the latter is the case, the person's scope of practice 11417
is limited to the procedures that a dentist in the other state 11418
may perform. Chapter 4796. of the Revised Code does not apply to 11419
this division. 11420

Sec. 4715.10. (A) As used in this section, "accredited 11421
dental college" means a dental college accredited by the 11422
commission on dental accreditation or a dental college that has 11423
educational standards recognized by the commission on dental 11424
accreditation and is approved by the state dental board. 11425

(B) Each person who desires to practice dentistry in this 11426
state shall file a written application for a license with the 11427
secretary of the state dental board. The Except as provided in 11428
division (F) of this section, each application shall be on a 11429
form prescribed by the board and verified by oath. Each 11430
applicant shall furnish satisfactory proof to the board that the 11431
applicant has met the requirements of divisions (C) and (D) of 11432
this section, and if the applicant is a graduate of an 11433
unaccredited dental college located outside the United States, 11434
division (E) of this section. 11435

(C) To be granted a license to practice dentistry, an 11436
applicant must meet all of the following requirements: 11437

(1) Be at least eighteen years of age; 11438

(2) Be a graduate of an accredited dental college or of a 11439
dental college located outside the United States who meets the 11440

standards adopted under section 4715.11 of the Revised Code;	11441
(3) Have passed parts I and II of the examination given by	11442
the national board of dental examiners;	11443
(4) Have passed a written jurisprudence examination	11444
administered by the state dental board under division (E) (2) of	11445
section 4715.03 of the Revised Code;	11446
(5) Pay the fee required by division (A) (1) of section	11447
4715.13 of the Revised Code.	11448
(D) To be granted a license to practice dentistry, an	11449
applicant must meet any one of the following requirements:	11450
(1) Have taken an examination administered by any of the	11451
following regional testing agencies and received a passing score	11452
on the examination as determined by the administering agency:	11453
the central regional dental testing service, inc., northeast	11454
regional board of dental examiners, inc., the commission on	11455
dental competency assessments, the southern regional dental	11456
testing agency, inc., the council of interstate testing	11457
agencies, inc., or the western regional examining board;	11458
(2) Have taken an examination administered by the state	11459
dental board and received a passing score as established by the	11460
board;	11461
(3) Possess a license in good standing from another state	11462
and have actively engaged in the legal and reputable practice of	11463
dentistry in another state or in the armed forces of the United	11464
States, the United States public health service, or the United	11465
States department of veterans' affairs for five years	11466
immediately preceding application;	11467
(4) Have completed a dental residency program accredited	11468

or approved by the commission on dental accreditation and 11469
administered by an accredited dental college or hospital. 11470

(E) To be granted a license to practice dentistry, a 11471
graduate of an unaccredited dental college located outside the 11472
United States must meet both of the following requirements: 11473

(1) Have taken a basic science and laboratory examination 11474
consistent with rules adopted under section 4715.11 of the 11475
Revised Code and received a passing score as established by the 11476
board; 11477

(2) Have had sufficient clinical training in an accredited 11478
institution to reasonably assure a level of competency equal to 11479
that of graduates of accredited dental colleges, as determined 11480
by the board. 11481

(F) The board shall grant a license to practice dentistry 11482
in accordance with Chapter 4796. of the Revised Code to an 11483
applicant if either of the following applies: 11484

(1) The applicant holds a license to practice dentistry in 11485
another state. 11486

(2) The applicant has satisfactory work experience, a 11487
government certification, or a private certification as 11488
described in that chapter in the practice of dentistry in a 11489
state that does not issue that license. 11490

Sec. 4715.16. (A) Upon payment of a fee of thirteen 11491
dollars, the state dental board may without examination issue a 11492
limited resident's license to any person who is a graduate of a 11493
dental college, is authorized to practice in another ~~state or~~ 11494
country or qualified to take the regular licensing examination 11495
in this state, and furnishes the board satisfactory proof of 11496
having been appointed a dental resident at an accredited dental 11497

college in this state or at an accredited program of a hospital 11498
in this state, but has not yet been licensed as a dentist by the 11499
board. Any person receiving a limited resident's license may 11500
practice dentistry only in connection with programs operated by 11501
the dental college or hospital at which the person is appointed 11502
as a resident as designated on the person's limited resident's 11503
license, and only under the direction of a licensed dentist who 11504
is a member of the dental staff of the college or hospital or a 11505
dentist holding a current limited teaching license issued under 11506
division (B) of this section, and only on bona fide patients of 11507
such programs. The holder of a limited resident's license may be 11508
disciplined by the board pursuant to section 4715.30 of the 11509
Revised Code. The board shall issue a limited resident's license 11510
in accordance with Chapter 4796. of the Revised Code to an 11511
applicant if either of the following applies: 11512

(1) The applicant holds a license to practice dentistry in 11513
another state. 11514

(2) The applicant has satisfactory work experience, a 11515
government certification, or a private certification as 11516
described in that chapter in the practice of dentistry in a 11517
state that does not issue that license. 11518

(B) Upon payment of one hundred twenty-seven dollars and 11519
upon application endorsed by an accredited dental college in 11520
this state, the board may without examination issue a limited 11521
teaching license to a dentist who is a resident of a state other 11522
than Ohio and who is a graduate of a dental college, is 11523
authorized to practice dentistry in another state or country, 11524
and has full-time appointment to the faculty of the endorsing 11525
dental college. A limited teaching license is subject to annual 11526
renewal in accordance with the standard renewal procedure of 11527

Chapter 4745. of the Revised Code, and automatically expires 11528
upon termination of the full-time faculty appointment. A person 11529
holding a limited teaching license may practice dentistry only 11530
in connection with programs operated by the endorsing dental 11531
college. The board may discipline the holder of a limited 11532
teaching license pursuant to section 4715.30 of the Revised 11533
Code. 11534

Chapter 4796. of the Revised Code does not apply to a 11535
limited teaching license issued under this division. 11536

(C) (1) As used in this division: 11537

(a) "Continuing dental education practicum" or "practicum" 11538
means a course of instruction, approved by the American dental 11539
association, Ohio dental association, or academy of general 11540
dentistry, that is designed to improve the clinical skills of a 11541
dentist by requiring the dentist to participate in clinical 11542
exercises on patients. 11543

(b) "Director" means the person responsible for the 11544
operation of a practicum. 11545

(2) Upon payment of one hundred twenty-seven dollars and 11546
application endorsed by the director of a continuing dental 11547
education practicum, the board shall, without examination, issue 11548
a temporary limited continuing education license to a resident 11549
of a state other than Ohio who is licensed to practice dentistry 11550
in such state and is in good standing, is a graduate of an 11551
accredited dental college, and is registered to participate in 11552
the endorsing practicum. The determination of whether a dentist 11553
is in good standing shall be made by the board. 11554

A dentist holding a temporary limited continuing education 11555
license may practice dentistry only on residents of the state in 11556

which the dentist is permanently licensed or on patients 11557
referred by a dentist licensed pursuant to section 4715.12 of 11558
the Revised Code to an instructing dentist licensed pursuant to 11559
that section, and only while participating in a required 11560
clinical exercise of the endorsing practicum on the premises of 11561
the facility where the practicum is being conducted. 11562

Practice under a temporary limited continuing education 11563
license shall be under the direct supervision and full 11564
professional responsibility of an instructing dentist licensed 11565
pursuant to section 4715.12 of the Revised Code, shall be 11566
limited to the performance of those procedures necessary to 11567
complete the endorsing practicum, and shall not exceed thirty 11568
days of actual patient treatment in any year. 11569

(3) A director of a continuing dental education practicum 11570
who endorses an application for a temporary limited continuing 11571
education license shall, prior to making the endorsement, notify 11572
the state dental board in writing of the identity of the 11573
sponsors and the faculty of the practicum and the dates and 11574
locations at which it will be offered. The notice shall also 11575
include a brief description of the course of instruction. The 11576
board may prohibit a continuing dental education practicum from 11577
endorsing applications for temporary limited continuing 11578
education licenses if the board determines that the practicum is 11579
engaged in activities that constitute a threat to public health 11580
and safety or do not constitute bona fide continuing dental 11581
education, or that the practicum permits activities which 11582
otherwise violate this chapter. Any continuing dental education 11583
practicum prohibited from endorsing applications may request an 11584
adjudication pursuant to Chapter 119. of the Revised Code. 11585

A temporary limited continuing education license shall be 11586

valid only when the dentist is participating in the endorsing 11587
continuing dental education practicum and shall expire at the 11588
end of one year. If the dentist fails to complete the endorsing 11589
practicum in one year, the board may, upon the dentist's 11590
application and payment of a fee of ninety-four dollars, renew 11591
the temporary limited continuing education license for a 11592
consecutive one-year period. Only two renewals may be granted. 11593
The holder of a temporary limited continuing education license 11594
may be disciplined by the board pursuant to section 4715.30 of 11595
the Revised Code. 11596

Chapter 4796. of the Revised Code does not apply to a 11597
temporary limited continuing education license issued under this 11598
division. 11599

(D) The board shall act either to approve or to deny any 11600
application for a limited license pursuant to division (A), (B), 11601
or (C) of this section not later than sixty days of the date the 11602
board receives the application. 11603

Sec. 4715.27. The (A) (1) Except as provided in division 11604
(A) (2) of this section, the state dental board may issue a 11605
license to an applicant who furnishes satisfactory proof of 11606
being at least eighteen years of age and who demonstrates, to 11607
the satisfaction of the board, knowledge of the laws, 11608
regulations, and rules governing the practice of a dental 11609
hygienist; who proves, to the satisfaction of the board, intent 11610
to practice as a dental hygienist in this state; who is a 11611
graduate from an accredited school of dental hygiene and who 11612
holds a license by examination from a similar dental board, and 11613
who passes an examination as prescribed by the board relating to 11614
dental hygiene. 11615

(2) The board shall issue a license to practice as a 11616

dental hygienist in accordance with Chapter 4796. of the Revised 11617
Code to an applicant if either of the following applies: 11618

(a) The applicant holds a license to practice as a dental 11619
hygienist in another state. 11620

(b) The applicant has satisfactory work experience, a 11621
government certification, or a private certification as 11622
described in that chapter in the practice of a dental hygienist 11623
in a state that does not issue that license. 11624

(B) Upon payment of seventy-three dollars and upon 11625
application endorsed by an accredited dental hygiene school in 11626
this state, the state dental board may without examination issue 11627
a teacher's certificate to a dental hygienist, authorized to 11628
practice in another state or country. A teacher's certificate 11629
shall be subject to annual renewal in accordance with the 11630
standard renewal procedure of sections 4745.01 to 4745.03 of the 11631
Revised Code, and shall not be construed as authorizing anything 11632
other than teaching or demonstrating the skills of a dental 11633
hygienist in the educational programs of the accredited dental 11634
hygiene school which endorsed the application. 11635

Chapter 4796. of the Revised Code does not apply to a 11636
teacher's certificate issued under this division. 11637

Sec. 4715.362. A dentist who desires to participate in the 11638
oral health access supervision program shall apply to the state 11639
dental board for an oral health access supervision permit. The 11640
application shall be under oath, on a form prescribed by the 11641
board in rules adopted under section 4715.372 of the Revised 11642
Code, and accompanied by an application fee of twenty-five 11643
dollars. To be eligible to receive the permit, an applicant 11644
shall meet the requirements established by the board in rules 11645

adopted under section 4715.372 of the Revised Code. 11646

The state dental board shall issue an oral health access 11647
supervision permit to a dentist who is in good standing with the 11648
board and satisfies all of the requirements of this section. 11649

Chapter 4796. of the Revised Code does not apply to a 11650
permit issued under this section. 11651

Sec. 4715.363. (A) A dental hygienist who desires to 11652
participate in the oral health access supervision program shall 11653
apply to the state dental board for a permit to practice under 11654
the oral health access supervision of a dentist. The application 11655
shall be under oath, on a form prescribed by the board in rules 11656
adopted under section 4715.372 of the Revised Code, and 11657
accompanied by an application fee of twenty-five dollars, which 11658
may be paid by credit card. 11659

(B) The applicant shall provide evidence satisfactory to 11660
the board that the applicant has done all of the following: 11661

(1) Completed at least one year and attained a minimum of 11662
one thousand five hundred hours of experience in the practice of 11663
dental hygiene; 11664

(2) Completed at least twenty-four hours of continuing 11665
dental hygiene education during the two years prior to 11666
submission of the application; 11667

(3) Completed a course pertaining to the practice of 11668
dental hygiene under the oral health access supervision of a 11669
dentist that meets standards established in rules adopted under 11670
section 4715.372 of the Revised Code; 11671

(4) Completed, during the two years prior to submission of 11672
the application, a course pertaining to the identification and 11673

prevention of potential medical emergencies that is the same as 11674
the course described in division (C) (2) of section 4715.22 of 11675
the Revised Code. 11676

(C) The state dental board shall issue a permit to 11677
practice under the oral health access supervision of a dentist 11678
to a dental hygienist who is in good standing with the board and 11679
meets all of the requirements of divisions (A) and (B) of this 11680
section. 11681

(D) Chapter 4796. of the Revised Code does not apply to a 11682
permit issued under this section. 11683

Sec. 4715.39. (A) The state dental board may define the 11684
duties that may be performed by dental assistants and other 11685
individuals designated by the board as qualified personnel. If 11686
defined, the duties shall be defined in rules adopted in 11687
accordance with Chapter 119. of the Revised Code. The rules may 11688
include training and practice standards for dental assistants 11689
and other qualified personnel. The standards may include 11690
examination and issuance of a certificate. If the board issues a 11691
certificate, the recipient shall display the certificate in a 11692
conspicuous location in any office in which the recipient is 11693
employed to perform the duties authorized by the certificate. 11694

(B) A dental assistant may polish the clinical crowns of 11695
teeth if all of the following requirements are met: 11696

(1) The dental assistant's polishing activities are 11697
limited to the use of a rubber cup attached to a slow-speed 11698
rotary dental hand piece to remove soft deposits that build up 11699
over time on the crowns of teeth. 11700

(2) The polishing is performed only after a dentist has 11701
evaluated the patient and any calculus detected on the teeth to 11702

be polished has been removed by a dentist or dental hygienist. 11703

(3) The dentist supervising the assistant supervises not 11704
more than two dental assistants engaging in polishing activities 11705
at any given time. 11706

(4) The dental assistant is certified by the dental 11707
assisting national board, the Ohio commission on dental 11708
assistant certification, or the American medical technologists. 11709

(5) The dental assistant receives a certificate from the 11710
board authorizing the assistant to engage in the polishing 11711
activities. The board shall issue the certificate if the 11712
individual has successfully completed training in the polishing 11713
of clinical crowns through a program accredited by the American 11714
dental association commission on dental accreditation or 11715
equivalent training approved by the board. The training shall 11716
include courses in basic dental anatomy and infection control, 11717
followed by a course in coronal polishing that includes 11718
didactic, preclinical, and clinical training; any other training 11719
required by the board; and a skills assessment that includes 11720
successful completion of standardized testing. The board shall 11721
adopt rules pursuant to division (A) of this section 11722
establishing standards for approval of this training. 11723

The board shall issue a certificate to engage in polishing 11724
activities in accordance with Chapter 4796. of the Revised Code 11725
to a dental assistant if either of the following applies: 11726

(a) The applicant holds a license or certificate to engage 11727
in polishing activities in another state. 11728

(b) The applicant has satisfactory work experience, a 11729
government certification, or a private certification as 11730
described in that chapter in polishing activities in a state 11731

that does not issue that license or certificate. 11732

(C) A dental assistant may apply pit and fissure sealants 11733
if all of the following requirements are met: 11734

(1) A dentist evaluates the patient and designates the 11735
teeth and surfaces that will benefit from the application of 11736
sealant on the day the application is to be performed. 11737

(2) The dental assistant is certified by the dental 11738
assisting national board, the Ohio commission on dental 11739
assistant certification, or the American medical technologists. 11740

(3) The dental assistant has successfully completed a 11741
course in the application of sealants consisting of at least two 11742
hours of didactic instruction and six hours of clinical 11743
instruction through a program provided by an institution 11744
accredited by the American dental association commission on 11745
dental accreditation or a program provided by a sponsor of 11746
continuing education approved by the board. 11747

(4) The dentist supervising the assistant has observed the 11748
assistant successfully apply at least six sealants. 11749

(5) Except as provided in division (D) or (E) of this 11750
section, the dentist supervising the assistant checks and 11751
approves the application of all sealants placed by the assistant 11752
before the patient leaves the location where the sealant 11753
application procedure is performed. 11754

(D) (1) A dental assistant who is certified by the dental 11755
assisting national board, the Ohio commission on dental 11756
assistant certification, or the American medical technologists 11757
may provide, for not more than fifteen consecutive business 11758
days, all of the following services to a patient when the 11759
supervising dentist is not physically present at the location 11760

where the services are provided if the conditions specified in	11761
division (D) (2) of this section have been satisfied:	11762
(a) Recementation of temporary crowns or recementation of	11763
crowns with temporary cement;	11764
(b) Application of fluoride varnish;	11765
(c) Application of disclosing solutions;	11766
(d) Application of desensitizing agents, excluding silver	11767
diamine fluoride;	11768
(e) Caries susceptibility testing;	11769
(f) Instruction on oral hygiene home care, including the	11770
use of toothbrushes and dental floss.	11771
(2) The conditions that must be satisfied before a dental	11772
assistant may provide the services specified in division (D) (1)	11773
of this section are all of the following:	11774
(a) The dental assistant has at least one year and a	11775
minimum of one thousand five hundred hours of experience	11776
practicing as a dental assistant.	11777
(b) The dental assistant has successfully completed a	11778
course approved by the state dental board in the identification	11779
and prevention of potential medical emergencies.	11780
(c) The supervising dentist has evaluated the dental	11781
assistant's skills.	11782
(d) The supervising dentist has established written	11783
protocols or written standing orders for the dental assistant to	11784
follow during and in the absence of an emergency.	11785
(e) The supervising dentist completed and evaluated a	11786
medical and dental history of the patient not more than one year	11787

prior to the date that the dental assistant provides services to 11788
the patient, and the supervising dentist determines that the 11789
patient is in a medically stable condition. 11790

(f) The patient is notified, in advance of the appointment 11791
for services, that the supervising dentist will be absent from 11792
the location and that the dental assistant cannot diagnose the 11793
patient's dental health care status. 11794

(g) The dental assistant is employed by, or under contract 11795
with, the supervising dentist, a dentist licensed under this 11796
chapter who meets one of the criteria specified in division (C) 11797
(10)(b) of section 4715.22 of the Revised Code, or a government 11798
entity that employs the dental assistant to provide services in 11799
a public school or in connection with other programs the 11800
government entity administers. 11801

(3) A dental assistant who is certified by the dental 11802
assisting national board, the Ohio commission on dental 11803
assistant certification, or the American medical technologists 11804
may apply, for not more than fifteen business days, pit and 11805
fissure sealants when the supervising dentist is not physically 11806
present at the location where the sealants are to be applied if 11807
the dental assistant meets the requirements in divisions (C)(3) 11808
and (4) of this section and all of the conditions specified in 11809
division (D)(2) of this section have been satisfied. 11810

(E) A dental assistant who is certified by the dental 11811
assisting national board, the Ohio commission on dental 11812
assistant certification, or the American medical technologists 11813
may apply pit and fissure sealants prior to a dentist examining 11814
the patient and rendering a diagnosis, and when a dentist is not 11815
physically present at the location where the service is 11816
provided, if all of the following are the case: 11817

- (1) The dental assistant meets the requirements in 11818
divisions (C) (3) and (4) of this section. 11819
- (2) The conditions specified in divisions (D) (2) (a), (b), 11820
(c), (d), (f), and (g) of this section have been satisfied. 11821
- (3) The dental assistant is providing the service as part 11822
of a program operated through any of the following: a school 11823
district board of education or the governing board of an 11824
educational service center; the board of health of a city or 11825
general health district or the authority having the duties of a 11826
board of health under section 3709.05 of the Revised Code; a 11827
national, state, district, or local dental association; or any 11828
other public or private entity recognized by the state dental 11829
board. 11830
- (4) A supervising dentist for the program described in 11831
division (E) (3) of this section meets both of the following 11832
conditions: 11833
- (a) Is employed by or a volunteer for, and the patients 11834
are referred by, the entity through which the program is 11835
operated; 11836
- (b) Is available for consultation by telephone, 11837
videoconferencing, or other means of electronic communication. 11838
- (5) The application of pit and fissure sealants is limited 11839
to erupted permanent posterior teeth without suspicion of 11840
dentinal cavitation. 11841
- (6) If the patient is a minor, a parent, guardian, or 11842
other person responsible for the patient has been notified that 11843
a dentist will not be present at the location and that the 11844
dental assistant is not trained to diagnose or treat other 11845
serious dental concerns that could exist. 11846

(F) Subject to this section and the applicable rules of the board, licensed dentists may assign to dental assistants and other qualified personnel dental procedures that do not require the professional competence or skill of the licensed dentist, a dental hygienist, or an expanded function dental auxiliary as this section or the board by rule authorizes dental assistants and other qualified personnel to perform. Except as provided in division (D) or (E) of this section, the performance of dental procedures by dental assistants and other qualified personnel shall be under direct supervision and full responsibility of the licensed dentist.

(G) Nothing in this section shall be construed by rule of the state dental board or otherwise to do the following:

(1) Authorize dental assistants or other qualified personnel to engage in the practice of dental hygiene as defined by sections 4715.22 and 4715.23 of the Revised Code or to perform the duties of a dental hygienist, including the removal of calcarious deposits, dental cement, or accretions on the crowns and roots of teeth other than as authorized pursuant to this section;

(2) Authorize dental assistants or other qualified personnel to engage in the practice of an expanded function dental auxiliary as specified in section 4715.64 of the Revised Code or to perform the duties of an expanded function dental auxiliary other than as authorized pursuant to this section.

(3) Authorize the assignment of any of the following:

(a) Diagnosis;

(b) Treatment planning and prescription, including prescription for drugs and medicaments or authorization for

restorative, prosthodontic, or orthodontic appliances;	11876
(c) Surgical procedures on hard or soft tissue of the oral cavity, or any other intraoral procedure that contributes to or results in an irremediable alteration of the oral anatomy;	11877 11878 11879
(d) The making of final impressions from which casts are made to construct any dental restoration.	11880 11881
(H) No dentist shall assign any dental assistant or other individual acting in the capacity of qualified personnel to perform any dental procedure that the assistant or other individual is not authorized by this section or by board rule to perform. No dental assistant or other individual acting in the capacity of qualified personnel shall perform any dental procedure other than in accordance with this section and any applicable board rule or any dental procedure that the assistant or other individual is not authorized by this section or by board rule to perform.	11882 11883 11884 11885 11886 11887 11888 11889 11890 11891
Sec. 4715.42. (A) (1) As used in this section:	11892
(a) "Free clinic" has the same meaning as in section 3701.071 of the Revised Code.	11893 11894
(b) "Indigent and uninsured person" and "operation" have the same meanings as in section 2305.234 of the Revised Code.	11895 11896
(2) For the purposes of this section, a person shall be considered retired from practice if the person's license has been surrendered or allowed to expire with the intention of ceasing to practice as a dentist or dental hygienist for remuneration.	11897 11898 11899 11900 11901
(B) Within thirty days after receiving an application for a volunteer's certificate that includes all of the items listed	11902 11903

in divisions (C) (1), (2), and (3) of this section, the state 11904
dental board shall issue, without examination, a volunteer's 11905
certificate to a person who is retired from practice so that the 11906
person may provide dental services to indigent and uninsured 11907
persons at any location, including a free clinic. 11908

(C) An application for a volunteer's certificate shall 11909
include all of the following: 11910

(1) A copy of the applicant's degree from dental college 11911
or dental hygiene school. 11912

(2) One of the following, as applicable: 11913

(a) A copy of the applicant's most recent license to 11914
practice dentistry or dental hygiene issued by a jurisdiction in 11915
the United States that licenses persons to practice dentistry or 11916
dental hygiene. 11917

(b) A copy of the applicant's most recent license 11918
equivalent to a license to practice dentistry or dental hygiene 11919
in one or more branches of the United States armed services that 11920
the United States government issued. 11921

(3) Evidence of one of the following, as applicable: 11922

(a) The applicant has maintained for at least ten years 11923
prior to retirement full licensure in good standing in any 11924
jurisdiction in the United States that licenses persons to 11925
practice dentistry or dental hygiene. 11926

(b) The applicant has practiced as a dentist or dental 11927
hygienist in good standing for at least ten years prior to 11928
retirement in one or more branches of the United States armed 11929
services. 11930

(D) The holder of a volunteer's certificate may provide 11931

dental services only to indigent and uninsured persons, but may 11932
do so at any location, including a free clinic. The holder shall 11933
not accept any form of remuneration for providing dental 11934
services while in possession of the certificate. Except in a 11935
dental emergency, the holder shall not perform any operation. 11936
The board may revoke a volunteer's certificate on receiving 11937
proof satisfactory to the board that the holder has engaged in 11938
practice in this state outside the scope of the holder's 11939
certificate or that there are grounds for action against the 11940
person under section 4715.30 of the Revised Code. 11941

(E) (1) A volunteer's certificate shall be valid for a 11942
period of three years, and may be renewed upon the application 11943
of the holder, unless the certificate was previously revoked 11944
under division (D) of this section. The board shall maintain a 11945
register of all persons who hold volunteer's certificates. The 11946
board shall not charge a fee for issuing or renewing a 11947
certificate pursuant to this section. 11948

(2) To be eligible for renewal of a volunteer's 11949
certificate, the holder of the certificate shall certify to the 11950
board completion of sixty hours of continuing dental education 11951
that meets the requirements of section 4715.141 of the Revised 11952
Code and the rules adopted under that section, or completion of 11953
eighteen hours of continuing dental hygiene education that meets 11954
the requirements of section 4715.25 of the Revised Code and the 11955
rules adopted under that section, as the case may be. The board 11956
may not renew a certificate if the holder has not complied with 11957
the appropriate continuing education requirements. Any entity 11958
for which the holder provides dental services may pay for or 11959
reimburse the holder for any costs incurred in obtaining the 11960
required continuing education credits. 11961

(3) The board shall issue to each person who qualifies 11962
under this section for a volunteer's certificate a wallet 11963
certificate and a wall certificate that state that the 11964
certificate holder is authorized to provide dental services 11965
pursuant to the laws of this state. The holder shall keep the 11966
wallet certificate on the holder's person while providing dental 11967
services and shall display the wall certificate prominently at 11968
the location where the holder primarily practices. 11969

(4) The holder of a volunteer's certificate issued 11970
pursuant to this section is subject to the immunity provisions 11971
regarding the provision of services to indigent and uninsured 11972
persons in section 2305.234 of the Revised Code. 11973

(F) The board shall adopt rules in accordance with Chapter 11974
119. of the Revised Code to administer and enforce this section. 11975

(G) The state dental board shall make available through 11976
the board's web site the application form for a volunteer's 11977
certificate under this section, a description of the application 11978
process, and a list of all items that are required by division 11979
(C) of this section to be submitted with the application. 11980

(H) Chapter 4796. of the Revised Code does not apply to a 11981
license issued under this section. 11982

Sec. 4715.421. (A) As used in this section: 11983

(1) "Accredited dental college" has the same meaning as in 11984
section 4715.10 of the Revised Code. 11985

(2) "Accredited dental hygiene school" has the same 11986
meaning as in section 4715.36 of the Revised Code. 11987

(3) "Operation" has the same meaning as in section 11988
2305.234 of the Revised Code. 11989

(B) Within thirty days after receiving an application for a temporary volunteer's certificate that includes all of the items listed in divisions (C) (1) and (2) of this section, the state dental board shall issue, without examination, a temporary volunteer's certificate to a person not licensed under this chapter so that the person may provide dental services in this state as a volunteer.

(C) An application for a temporary volunteer's certificate shall include both of the following:

(1) A copy of the applicant's degree from an accredited dental college or accredited dental hygiene school;

(2) One of the following, as applicable:

(a) Evidence satisfactory to the board that the applicant holds a valid, unrestricted license to practice dentistry or dental hygiene issued by a jurisdiction in the United States that licenses persons to practice dentistry or dental hygiene;

(b) Evidence satisfactory to the board that the applicant is practicing dentistry or dental hygiene in one or more branches of the United States armed services.

(D) The holder of a temporary volunteer's certificate shall not accept any form of remuneration for providing dental services pursuant to the certificate. Except in a dental emergency, the holder shall not perform any operation. The board may revoke a temporary volunteer's certificate on receiving proof satisfactory to the board that the holder has engaged in practice in this state outside the scope of the holder's certificate or that there are grounds for action against the person under section 4715.30 of the Revised Code.

(E) (1) A temporary volunteer's certificate shall be valid

for a period of seven days, and may be renewed upon the 12019
application of the holder, unless the certificate was previously 12020
revoked under division (D) of this section. The board shall 12021
maintain a register of all persons who hold a temporary 12022
volunteer's certificate. The board may charge a fee not to 12023
exceed twenty-five dollars for issuing or renewing a certificate 12024
pursuant to this section. 12025

(2) The board shall issue to each person who qualifies 12026
under this section for a temporary volunteer's certificate a 12027
wallet certificate that states that the certificate holder is 12028
authorized to provide dental services pursuant to the laws of 12029
this state. The holder shall keep the wallet certificate on the 12030
holder's person while providing dental services. 12031

(3) The holder of a temporary volunteer's certificate 12032
issued pursuant to this section is subject to the immunity 12033
provisions in section 2305.234 of the Revised Code. 12034

(F) The board shall adopt rules in accordance with Chapter 12035
119. of the Revised Code to administer and enforce this section. 12036

(G) Not later than ninety days after ~~the effective date of~~ 12037
~~this section~~ March 23, 2015, the state dental board shall make 12038
available through the board's internet web site the application 12039
form for a temporary volunteer's certificate under this section, 12040
a description of the application process, and a list of all 12041
items that are required by division (C) of this section to be 12042
submitted with the application. 12043

(H) Chapter 4796. of the Revised Code does not apply to a 12044
temporary volunteer's certificate issued under this section. 12045

Sec. 4715.53. (A) Each individual seeking a certificate to 12046
practice as a dental x-ray machine operator shall apply to the 12047

state dental board on a form the board shall prescribe and 12048
provide. ~~The Except as provided in division (C) of this section,~~ 12049
~~the~~ application shall be accompanied by an application fee of 12050
thirty-two dollars. 12051

(B) The board shall review all applications received and, 12052
~~except as provided in division (C) of this section,~~ issue a 12053
dental x-ray machine operator certificate to each applicant who 12054
submits evidence satisfactory to the board of one of the 12055
following: 12056

(1) The applicant holds certification from the dental 12057
assisting national board, the Ohio commission on dental 12058
assistant certification, or the American medical technologists. 12059

~~(2) The applicant holds a license, certificate, permit,~~ 12060
~~registration, or other credential issued by another state that~~ 12061
~~the board determines uses standards for dental x-ray machine~~ 12062
~~operators that are at least equal to those established under~~ 12063
~~this chapter.~~ 12064

~~(3)~~The applicant has successfully completed an 12065
educational program consisting of at least seven hours of 12066
instruction in dental x-ray machine operation that meets either 12067
of the following requirements: 12068

(a) Has been approved by the board in accordance with 12069
section 4715.57 of the Revised Code; 12070

(b) Is conducted by an institution accredited by the 12071
American dental association commission on dental accreditation. 12072

(C) The board shall issue a certificate in accordance with 12073
Chapter 4796. of the Revised Code to an applicant if either of 12074
the following applies: 12075

<u>(1) The applicant holds a license or certificate in</u>	12076
<u>another state.</u>	12077
<u>(2) The applicant has satisfactory work experience, a</u>	12078
<u>government certification, or a private certification as</u>	12079
<u>described in that chapter as a dental x-ray machine operator in</u>	12080
<u>a state that does not issue that license or certificate.</u>	12081
<u>(D) A certificate issued under this section expires two</u>	12082
years after it is issued and may be renewed if the certificate	12083
holder does both of the following:	12084
(1) Certifies to the board that the certificate holder has	12085
completed at least two hours of instruction in dental x-ray	12086
machine operation approved by the board in accordance with	12087
section 4715.57 of the Revised Code during the two-year period	12088
preceding the date the renewal application is received by the	12089
board.	12090
(2) Submits a renewal fee of thirty-two dollars to the	12091
board.	12092
Renewals shall be made in accordance with the standard	12093
renewal procedure established under Chapter 4745. of the Revised	12094
Code.	12095
Sec. 4715.62. (A) Each individual seeking to register with	12096
the state dental board as an expanded function dental auxiliary	12097
shall file with the secretary of the board a written application	12098
for registration, under oath, on a form the board shall	12099
prescribe and provide. An <u>Except as provided in division (C) of</u>	12100
<u>this section, an applicant shall include with the completed</u>	12101
application all of the following:	12102
(1) An application fee of twenty-five dollars;	12103

(2) Proof satisfactory to the board that the applicant has 12104
successfully completed, at an educational institution accredited 12105
by the commission on dental accreditation of the American dental 12106
association or the higher learning commission of the north 12107
central association of colleges and schools, the education or 12108
training specified by the board in rules adopted under section 12109
4715.66 of the Revised Code as the education or training that is 12110
necessary to obtain registration under this chapter to practice 12111
as an expanded function dental auxiliary, as evidenced by a 12112
diploma or other certificate of graduation or completion that 12113
has been signed by an appropriate official of the accredited 12114
institution that provided education or training; 12115

(3) Proof satisfactory to the board that the applicant has 12116
passed an examination that meets the standards established by 12117
the board in rules adopted under section 4715.66 of the Revised 12118
Code to be accepted by the board as an examination of competency 12119
to practice as an expanded function dental auxiliary; 12120

(4) Proof that the applicant holds current certification 12121
to perform basic life-support procedures, evidenced by 12122
documentation showing the successful completion of a basic life- 12123
support training course certified by the American red cross, the 12124
American heart association, or the American safety and health 12125
institute. 12126

(B) If an applicant complies with division (A) of this 12127
section, the board shall register the applicant as an expanded 12128
function dental auxiliary. 12129

(C) The board shall register an applicant in accordance 12130
with Chapter 4796. of the Revised Code if either of the 12131
following applies: 12132

(1) The applicant is licensed or registered as an expanded function dental auxiliary in another state. 12133
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(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an expanded function dental auxiliary in a state that does not issue that license or registration. 12135
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Sec. 4717.05. (A) Any person who desires to be licensed as an embalmer shall apply to the board of embalmers and funeral directors on a form provided by the board. The applicant shall include with the application an initial license fee as set forth in section 4717.07 of the Revised Code and evidence, verified by oath and satisfactory to the board, that the applicant meets all of the following requirements: 12140
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(1) The applicant is at least eighteen years of age. 12147

(2) The applicant holds at least a bachelor's degree from a college or university authorized to confer degrees by the department of higher education or the comparable legal agency of another state in which the college or university is located and submits an official transcript from that college or university with the application. 12148
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(3) The applicant has satisfactorily completed at least twelve months of instruction in a prescribed course in mortuary science as approved by the board and has presented to the board a certificate showing successful completion of the course. The course of mortuary science college training may be completed either before or after the completion of the educational standard set forth in division (A) (2) of this section. 12154
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(4) The applicant has been certified by the board prior to 12161

beginning an embalmer apprenticeship. 12162

(5) The applicant has satisfactorily completed at least 12163
one year of apprenticeship under an embalmer licensed in this 12164
state and has participated in embalming at least twenty-five 12165
dead human bodies. 12166

(6) The applicant, upon meeting the educational standards 12167
provided for in divisions (A)(2) and (3) of this section and 12168
completing the apprenticeship required in division (A)(5) of 12169
this section, has completed the examination for an embalmer's 12170
license required by the board. 12171

(B) Upon receiving satisfactory evidence verified by oath 12172
that the applicant meets all the requirements of division (A) of 12173
this section, the board shall issue the applicant an embalmer's 12174
license. 12175

(C) Any person who desires to be licensed as a funeral 12176
director shall apply to the board on a form prescribed by the 12177
board. The application shall include an initial license fee as 12178
set forth in section 4717.07 of the Revised Code and evidence, 12179
verified by oath and satisfactory to the board, that the 12180
applicant meets all of the following requirements: 12181

(1) Except as otherwise provided in division (D) of this 12182
section, the applicant has satisfactorily met all the 12183
requirements for an embalmer's license as described in divisions 12184
(A)(1) to (3) of this section. 12185

(2) The applicant has been certified by the board prior to 12186
beginning a funeral director apprenticeship. 12187

(3) The applicant, following mortuary science college 12188
training described in division (A)(3) of this section, has 12189
satisfactorily completed a one-year apprenticeship under a 12190

licensed funeral director in this state and has participated in directing at least twenty-five funerals.

(4) The applicant has satisfactorily completed the examination for a funeral director's license as required by the board.

(D) In lieu of mortuary science college training required for a funeral director's license under division (C) (1) of this section, the applicant may substitute a satisfactorily completed two-year apprenticeship under a licensed funeral director in this state assisting that person in directing at least fifty funerals.

(E) Upon receiving satisfactory evidence that the applicant meets all the requirements of division (C) of this section, the board shall issue to the applicant a funeral director's license.

(F) The board shall issue an embalmer or funeral director apprentice card in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license or card in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an embalmer or funeral director apprentice in a state that does not issue that license or card.

(G) A funeral director or embalmer may request the funeral director's or embalmer's license be placed on inactive status by submitting to the board a form prescribed by the board and such other information as the board may request. A funeral director or embalmer may not place the funeral director's or embalmer's

license on inactive status unless the funeral director or 12220
embalmer is in good standing with the board and is in compliance 12221
with applicable continuing education requirements. A funeral 12222
director or embalmer who is granted inactive status is 12223
prohibited from participating in any activity for which a 12224
funeral director's or embalmer's license is required in this 12225
state. A funeral director or embalmer who has been granted 12226
inactive status is exempt from the continuing education 12227
requirements under section 4717.09 of the Revised Code during 12228
the period of the inactive status. 12229

~~(G)~~ (H) A funeral director or embalmer who has been 12230
granted inactive status may not return to active status for at 12231
least two years following the date that the inactive status was 12232
granted. Following a period of at least two years of inactive 12233
status, the funeral director or embalmer may apply to return to 12234
active status upon completion of all of the following 12235
conditions: 12236

(1) The funeral director or embalmer files with the board 12237
a form prescribed by the board seeking active status and 12238
provides any other information as the board may request; 12239

(2) The funeral director or embalmer takes and passes the 12240
Ohio laws examination for each license being activated; 12241

(3) The funeral director or embalmer pays to the board the 12242
reactivation fee described in division (A) (1) of section 4717.07 12243
of the Revised Code. 12244

Sec. 4717.051. (A) ~~Any~~ Except as provided in division (D) 12245
of this section, any person who desires to obtain a permit as a 12246
crematory operator shall apply to the board of embalmers and 12247
funeral directors on a form prescribed by the board. The 12248

applicant shall include with the application the initial permit 12249
fee set forth in section 4717.07 of the Revised Code and 12250
evidence, verified under oath and satisfactory to the board, 12251
that the applicant satisfies both of the following requirements: 12252

(1) The applicant is at least eighteen years of age. 12253

(2) The applicant has satisfactorily completed a crematory 12254
operation certification program approved by the board and has 12255
presented to the board a certificate showing completion of the 12256
program. 12257

(B) If the board of embalmers and funeral directors, upon 12258
receiving satisfactory evidence, determines that the applicant 12259
satisfies all of the requirements of division (A) of this 12260
section, the board shall issue to the applicant a permit as a 12261
crematory operator. 12262

(C) The board of embalmers and funeral directors may 12263
revoke or suspend a crematory operator permit or subject a 12264
crematory operator permit holder to discipline in accordance 12265
with the laws, rules, and procedures applicable to licensees 12266
under this chapter. 12267

(D) The board shall issue a crematory operator permit in 12268
accordance with Chapter 4796. of the Revised Code to an 12269
applicant if either of the following applies: 12270

(1) The applicant holds a license or permit in another 12271
state. 12272

(2) The applicant has satisfactory work experience, a 12273
government certification, or a private certification as 12274
described in that chapter as a crematory operator in a state 12275
that does not issue that license or permit. 12276

Sec. 4717.07. (A) The board of embalmers and funeral directors shall charge and collect the following fees:	12277 12278
(1) For applying for an initial or biennial renewal of an embalmer's or funeral director's license, or a reactivation of a license as described in division (G) <u>(H)</u> of section 4717.05 of the Revised Code, two hundred dollars;	12279 12280 12281 12282
(2) For applying for an embalmer or funeral director certificate of apprenticeship, thirty-five dollars;	12283 12284
(3) For the application to take the examination for a license to practice as an embalmer or funeral director, or to retake a section of the examination, thirty-five dollars;	12285 12286 12287
(4) For applying for an initial license to operate a funeral home, four hundred dollars and biennial renewal of a license to operate a funeral home, four hundred dollars;	12288 12289 12290
(5) For the reinstatement of a lapsed embalmer's or funeral director's license, the renewal fee prescribed in division (A)(1) of this section plus fifty dollars for each month or portion of a month the license is lapsed, but not more than one thousand dollars;	12291 12292 12293 12294 12295
(6) For the reinstatement of a lapsed license to operate a funeral home, the renewal fee prescribed in division (A)(4) of this section plus fifty dollars for each month or portion of a month the license is lapsed until reinstatement, but not more than one thousand dollars;	12296 12297 12298 12299 12300
(7) For applying for a license to operate an embalming facility, four hundred dollars and biennial renewal of a license to operate an embalming facility, four hundred dollars;	12301 12302 12303
(8) For the reinstatement of a lapsed license to operate	12304

an embalming facility, the renewal fee prescribed in division 12305
(A) (7) of this section plus fifty dollars for each month or 12306
portion of a month the license is lapsed until reinstatement, 12307
but not more than one thousand dollars; 12308

(9) For applying for a license to operate a crematory 12309
facility, four hundred dollars and biennial renewal of a license 12310
to operate a crematory facility, four hundred dollars; 12311

(10) For the reinstatement of a lapsed license to operate 12312
a crematory facility, the renewal fee prescribed in division (A) 12313
(9) of this section plus fifty dollars for each month or portion 12314
of a month the license is lapsed until reinstatement, but not 12315
more than five hundred dollars; 12316

(11) For applying for the initial or biennial renewal of a 12317
crematory operator permit, one hundred fifty dollars; 12318

(12) For the reinstatement of a lapsed crematory operator 12319
permit, the renewal fee prescribed in division (A) (11) of this 12320
section plus fifty dollars for each month or portion of a month 12321
the permit is lapsed, but not more than five hundred dollars; 12322

(13) For the issuance of a duplicate of a license issued 12323
under this chapter, ten dollars; 12324

(14) For each preneed funeral contract sold in the state 12325
other than those funded by the assignment of an existing 12326
insurance policy, ten dollars. 12327

(B) In addition to the fees set forth in division (A) of 12328
this section, an applicant shall pay the examination fee 12329
assessed by any examining agency the board uses for any section 12330
of an examination required under this chapter. 12331

(C) Subject to the approval of the controlling board, the 12332

board of embalmers and funeral directors may establish fees in 12333
excess of the amounts set forth in this section, provided that 12334
these fees do not exceed the amounts set forth in this section 12335
by more than fifty per cent. 12336

Sec. 4717.10. (A) The board of embalmers and funeral 12337
directors ~~may recognize a license issued to an embalmer or a~~ 12338
~~funeral director by another state. Upon presentation of such~~ 12339
~~license and evidence satisfactory to the board showing such~~ 12340
~~embalmer or funeral director meets all requirements of this~~ 12341
~~division and is in good standing in that other state, the board~~ 12342
shall issue ~~to the holder~~ an embalmer's or funeral director's 12343
license under this chapter. The board shall charge the same fee 12344
as prescribed in section 4717.07 of the Revised Code to issue or 12345
renew such an embalmer's or funeral director's license in 12346
accordance with Chapter 4796. of the Revised Code to an 12347
applicant who holds a license in another state or who has 12348
satisfactory work experience, a government certification, or a 12349
private certification as described in that chapter as an 12350
embalmer or funeral director in a state that does not issue that 12351
license. Such licenses shall be renewed biennially as provided 12352
in section 4717.08 of the Revised Code. ~~The board shall not~~ 12353
~~issue a license to any person under this division unless the~~ 12354
~~applicant proves that the applicant, in the state in which the~~ 12355
~~applicant is licensed, has complied with requirements~~ 12356
~~substantially equal to those established in section 4717.05 of~~ 12357
~~the Revised Code.~~ 12358

~~(B)~~ (B) (1) The board of embalmers and funeral directors may 12359
issue courtesy card permits to nonresident funeral directors 12360
licensed in a state that borders this state. A courtesy card 12361
permit holder shall be authorized to undertake both the 12362
following acts in this state: 12363

~~(1)~~ (a) Prepare and complete those sections of a death certificate and other permits needed for disposition of deceased human remains in this state and sign and file such death certificates and permits;

~~(2)~~ (b) Supervise and conduct funeral ceremonies, interments, and entombments in this state.

(2) Chapter 4796. of the Revised Code does not apply to a courtesy card permit issued under this division.

(C) The board of embalmers and funeral directors shall determine under what conditions a courtesy card permit shall be issued to funeral directors in bordering states after taking into account whether and under what conditions and fees such border states issue similar courtesy card permits to funeral directors licensed in this state. A courtesy card permit holder shall comply with all applicable laws and rules of this state while engaged in any acts of funeral directing in this state. The board may revoke or suspend a courtesy card permit or subject a courtesy card permit holder to discipline in accordance with the laws, rules, and procedures applicable to funeral directors under this chapter. Applicants for courtesy card permits shall apply on forms prescribed by the board, pay a biennial fee set by the board for initial applications and renewals, and adhere to such other requirements imposed by the board on courtesy card permit holders.

(D) No courtesy card permit holder shall be authorized to undertake any of the following activities in this state:

(1) Arranging funerals or disposition services with members of the public in this state;

(2) Be employed by or under contract to a funeral home

licensed in this state to perform funeral services in this state;	12393 12394
(3) Advertise funeral or disposition services in this state;	12395 12396
(4) Enter into or execute funeral or disposition contracts in this state;	12397 12398
(5) Prepare or embalm deceased human remains in this state;	12399 12400
(6) Arrange for or carry out the disinterment of human remains in this state.	12401 12402
(E) As used in this section, "courtesy card permit" means a special permit that may be issued to a <u>nonresident</u> funeral director licensed in a state that borders this state and who does not hold a funeral director's license under this chapter.	12403 12404 12405 12406
Sec. 4723.08. (A) The board of nursing may impose fees not to exceed the following limits:	12407 12408
(1) For application for licensure by examination or endorsement to practice nursing as a registered nurse or as a licensed practical nurse <u>submitted under division (A) or (B) of section 4723.09 of the Revised Code</u> , seventy-five dollars;	12409 12410 12411 12412
(2) For application for licensure to practice nursing as an advanced practice registered nurse <u>submitted under division (A) or (B) (2) of section 4723.41 of the Revised Code</u> , one hundred fifty dollars;	12413 12414 12415 12416
(3) For application for a dialysis technician intern certificate, the amount specified in rules adopted under section 4723.79 of the Revised Code;	12417 12418 12419

(4) For application for a dialysis technician certificate,	12420
the amount specified in rules adopted under section 4723.79 of	12421
the Revised Code;	12422
(5) For providing, pursuant to division (B) of section	12423
4723.271 of the Revised Code, written verification of a nursing	12424
license, dialysis technician certificate, medication aide	12425
certificate, or community health worker certificate to another	12426
jurisdiction, fifteen dollars;	12427
(6) For providing, pursuant to division (A) of section	12428
4723.271 of the Revised Code, a replacement copy of a wall	12429
certificate suitable for framing as described in that division,	12430
twenty-five dollars;	12431
(7) For renewal of a license to practice as a registered	12432
nurse or licensed practical nurse, sixty-five dollars;	12433
(8) For renewal of a license to practice as an advanced	12434
practice registered nurse, one hundred thirty-five dollars;	12435
(9) For renewal of a dialysis technician certificate, the	12436
amount specified in rules adopted under section 4723.79 of the	12437
Revised Code;	12438
(10) For processing a late application for renewal of a	12439
nursing license or dialysis technician certificate, fifty	12440
dollars;	12441
(11) For application for authorization to approve	12442
continuing education programs and courses from an applicant	12443
accredited by a national accreditation system for nursing, five	12444
hundred dollars;	12445
(12) For application for authorization to approve	12446
continuing education programs and courses from an applicant not	12447

accredited by a national accreditation system for nursing, one	12448
thousand dollars;	12449
(13) For each year for which authorization to approve	12450
continuing education programs and courses is renewed, one	12451
hundred fifty dollars;	12452
(14) For application for approval to operate a dialysis	12453
training program, the amount specified in rules adopted under	12454
section 4723.79 of the Revised Code;	12455
(15) For reinstatement of a lapsed license or certificate	12456
issued under this chapter, one hundred dollars except as	12457
provided in section 5903.10 of the Revised Code;	12458
(16) For processing a check returned to the board by a	12459
financial institution, twenty-five dollars;	12460
(17) The amounts specified in rules adopted under section	12461
4723.88 of the Revised Code pertaining to the issuance of	12462
certificates to community health workers, including fees for	12463
application for a certificate, renewal of a certificate,	12464
processing a late application for renewal of a certificate,	12465
reinstatement of a lapsed certificate, application for approval	12466
of a community health worker training program for community	12467
health workers, and renewal of the approval of a training	12468
program for community health workers.	12469
(B) Each quarter, for purposes of transferring funds under	12470
section 4743.05 of the Revised Code to the nurse education	12471
assistance fund created in section 3333.28 of the Revised Code,	12472
the board of nursing shall certify to the director of budget and	12473
management the number of licenses renewed under this chapter	12474
during the preceding quarter and the amount equal to that number	12475
times five dollars.	12476

(C) The board may charge a participant in a board-sponsored continuing education activity an amount not exceeding fifteen dollars for each activity. 12477
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(D) The board may contract for services pertaining to the process of providing written verification of a license or certificate when the verification is performed for purposes other than providing verification to another jurisdiction. The contract may include provisions pertaining to the collection of the fee charged for providing the written verification. As part of these provisions, the board may permit the contractor to retain a portion of the fees as compensation, before any amounts are deposited into the state treasury. 12480
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Sec. 4723.09. (A) (1) An application for licensure by examination to practice as a registered nurse or as a licensed practical nurse shall be submitted to the board of nursing in the form prescribed by rules of the board. The application shall include all of the following: 12489
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(a) Evidence that the applicant has met the educational requirements described in division (C) of this section; 12494
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(b) Any other information required by rules of the board; 12496

(c) The application fee required by section 4723.08 of the Revised Code. 12497
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(2) The board shall grant a license to practice nursing as a registered nurse or as a licensed practical nurse if the following conditions are met: 12499
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(a) The applicant passes the examination accepted by the board under section 4723.10 of the Revised Code. 12502
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(b) In the case of an applicant who entered a prelicensure 12504

nursing education program on or after June 1, 2003, the results 12505
of a criminal records check conducted in accordance with section 12506
4723.091 of the Revised Code demonstrate that the applicant is 12507
not ineligible for licensure in accordance with section 4723.092 12508
of the Revised Code. 12509

(c) The board determines that the applicant has not 12510
committed any act that is grounds for disciplinary action under 12511
section 3123.47 or 4723.28 of the Revised Code or determines 12512
that an applicant who has committed any act that is grounds for 12513
disciplinary action under either section has made restitution or 12514
has been rehabilitated, or both. 12515

(3) The board is not required to afford an adjudication to 12516
an individual to whom it has refused to grant a license because 12517
of that individual's failure to pass the examination. 12518

(B) (1) An application for licensure by endorsement to 12519
practice nursing as a registered nurse or as a licensed 12520
practical nurse shall be submitted to the board in the form 12521
prescribed by rules of the board. The application shall include 12522
all of the following: 12523

(a) Evidence that the applicant holds a current, valid, 12524
and unrestricted license or equivalent authorization from 12525
another jurisdiction other than another state granted after 12526
passing an examination approved by the board of that 12527
jurisdiction that is equivalent to the examination requirements 12528
under this chapter for a license to practice nursing as a 12529
registered nurse or licensed practical nurse; 12530

(b) Any other information required by rules of the board; 12531

(c) The application fee required by section 4723.08 of the 12532
Revised Code. 12533

(2) The board shall grant a license by endorsement to practice nursing as a registered nurse or as a licensed practical nurse to an applicant who applied under division (B) (1) of this section if the following conditions are met:

(a) The applicant provides evidence satisfactory to the board that the applicant has met the educational requirements described in division (C) of this section.

(b) The examination, at the time it is successfully completed, is equivalent to the examination requirements in effect at that time for applicants who were licensed by examination in this state.

(c) The board determines there is sufficient evidence that the applicant completed two contact hours of continuing education directly related to this chapter or the rules adopted under it.

(d) The results of a criminal records check conducted in accordance with section 4723.091 of the Revised Code demonstrate that the applicant is not ineligible for licensure in accordance with section 4723.092 of the Revised Code.

(e) The applicant has not committed any act that is grounds for disciplinary action under section 3123.47 or 4723.28 of the Revised Code, or the board determines that an applicant who has committed any act that is grounds for disciplinary action under either of those sections has made restitution or has been rehabilitated, or both.

(C) (1) To be eligible for licensure by examination or endorsement under division (A) or (B) of this section, an applicant seeking a license to practice nursing as a registered nurse must successfully complete either of the following:

(a) A nursing education program approved by the board	12563
under division (A) of section 4723.06 of the Revised Code;	12564
(b) A nursing education program approved by a board of	12565
another jurisdiction that is a member of the national council of	12566
state boards of nursing.	12567
(2) To be eligible for licensure by examination or	12568
endorsement, an applicant seeking a license to practice nursing	12569
as a licensed practical nurse must successfully complete one of	12570
the following:	12571
(a) A nursing education program approved by the board	12572
under division (A) of section 4723.06 of the Revised Code;	12573
(b) A nursing education program approved by a board of	12574
another jurisdiction that is a member of the national council of	12575
state boards of nursing;	12576
(c) A practical nurse course offered or approved by the	12577
United States army;	12578
(d) A practical nurse education program approved by the	12579
United States air force as either of the following:	12580
(i) The community college of the air force associate	12581
degree in practical nursing technology;	12582
(ii) The allied health program, for students who graduated	12583
that program prior to 2016.	12584
(D) <u>The board shall grant a license to practice nursing as</u>	12585
<u>a registered nurse or as a licensed practical nurse in</u>	12586
<u>accordance with Chapter 4796. of the Revised Code to an</u>	12587
<u>applicant if either of the following applies:</u>	12588
<u>(1) The applicant holds a license in another state.</u>	12589

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a registered nurse or licensed practical nurse in a state that does not issue that license. 12590
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(E) The board may grant a nonrenewable temporary permit to practice nursing as a registered nurse or as a licensed practical nurse to an applicant for a license by endorsement under division (B) or (D) of this section if the board is satisfied by the evidence that the applicant holds a current, valid, and unrestricted license or equivalent authorization from another jurisdiction. Chapter 4796. of the Revised Code does not apply for a temporary permit issued under this division. Subject to earlier automatic termination as described in this paragraph, the temporary permit shall expire at the earlier of one hundred eighty days after issuance or upon the issuance of a license by endorsement under division (B) or (D) of this section. The temporary permit shall terminate automatically if the criminal records check completed by the bureau of criminal identification and investigation as described in section 4723.091 of the Revised Code regarding the applicant indicates that the applicant is ineligible for licensure in accordance with section 4723.092 of the Revised Code. An applicant whose temporary permit is automatically terminated is permanently prohibited from obtaining a license to practice nursing in this state as a registered nurse or as a licensed practical nurse. 12594
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Sec. 4723.26. (A) (1) As used in this section: 12615

(a) "Free clinic" has the same meaning as in section 3701.071 of the Revised Code. 12616
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(b) "Indigent and uninsured person" and "operation" have the same meanings as in section 2305.234 of the Revised Code. 12618
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(2) For the purposes of this section, a person shall be considered retired from practice if the person's license has expired with the intention of ceasing to practice nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse for remuneration.

(B) The board of nursing may issue, without examination, a volunteer's certificate to a qualified person who is retired from practice so that the person may provide nursing services to indigent and uninsured persons at any location, including a free clinic.

(C) Except as provided in division (D) of this section, an application for a volunteer's certificate shall include all of the following:

(1) A copy or other evidence of the applicant's degree from a school of registered nursing, practical nursing, or advanced practice registered nursing;

(2) One of the following, as applicable:

(a) A copy or other evidence of the applicant's most recent license to practice nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse issued by a jurisdiction in the United States that licenses persons to practice nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse;

(b) A copy or other evidence of the applicant's most recent license equivalent to a license to practice nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse in one or more branches of the United States armed services that the United States government issued.

(3) Evidence of one of the following, as applicable:

(a) The applicant has maintained for at least ten years 12649
prior to retirement a valid, unrestricted license in any 12650
jurisdiction in the United States that licenses persons to 12651
practice nursing as a registered nurse, licensed practical 12652
nurse, or advanced practice registered nurse. 12653

(b) The applicant has practiced nursing as a registered 12654
nurse, licensed practical nurse, or advanced practice registered 12655
nurse under a valid, unrestricted license for at least ten years 12656
prior to retirement in one or more branches of the United States 12657
armed services. 12658

(D) For an applicant retired from practice for at least 12659
ten years, the applicant shall do both of the following: 12660

(1) Certify to the board completion of continuing nursing 12661
education that meets the requirements of section 4723.24 of the 12662
Revised Code and the rules adopted under that section; 12663

(2) Submit a request to the bureau of criminal 12664
identification and investigation for a criminal records check 12665
and check of federal bureau of investigation records pursuant to 12666
section 4723.091 of the Revised Code. 12667

(E) Chapter 4796. of the Revised Code does not apply to a 12668
certificate issued under this section. 12669

(F) The holder of a volunteer's certificate may provide 12670
nursing services only to indigent and uninsured persons, but may 12671
do so at any location, including a free clinic. The holder shall 12672
not accept any form of remuneration for providing nursing 12673
services while in possession of the certificate. The board may 12674
suspend or revoke a volunteer's certificate on receiving proof 12675
satisfactory to the board that the holder has engaged in 12676
practice in this state outside the scope of the holder's 12677

certificate or that there are grounds for action against the 12678
person under section 4723.28 of the Revised Code. In revoking a 12679
certificate, the board may specify that the revocation is 12680
permanent. 12681

~~(F)~~(G) (1) A volunteer's certificate shall be valid for a 12682
period of two years, and may be renewed upon the application of 12683
the holder, unless the certificate is suspended or revoked under 12684
division ~~(E)~~(F) of this section. The board shall maintain a 12685
record of all persons who hold volunteer's certificates. The 12686
board shall not charge a fee for issuing or renewing a 12687
certificate pursuant to this section. 12688

(2) To be eligible for renewal of a volunteer's 12689
certificate, the holder of the certificate shall certify to the 12690
board completion of continuing nursing education that meets the 12691
requirements of section 4723.24 of the Revised Code and the 12692
rules adopted under that section. The board may not renew a 12693
certificate if the holder has not complied with the appropriate 12694
continuing education requirements. Any entity for which the 12695
holder provides nursing services may pay for or reimburse the 12696
holder for any costs incurred in obtaining the required 12697
continuing education hours. 12698

(3) The holder of a volunteer's certificate issued 12699
pursuant to this section is subject to the immunity provisions 12700
regarding the provision of services to indigent and uninsured 12701
persons in section 2305.234 of the Revised Code. 12702

~~(G)~~(H) The board shall adopt rules in accordance with 12703
Chapter 119. of the Revised Code to administer and enforce this 12704
section. 12705

Sec. 4723.32. This chapter does not prohibit any of the 12706

following:	12707
(A) The practice of nursing by a student currently	12708
enrolled in and actively pursuing completion of a prelicensure	12709
nursing education program, if all of the following are the case:	12710
(1) The student is participating in a program located in	12711
this state and approved by the board of nursing or participating	12712
in this state in a component of a program located in another	12713
jurisdiction and approved by a board that is a member of the	12714
national council of state boards of nursing;	12715
(2) The student's practice is under the auspices of the	12716
program;	12717
(3) The student acts under the supervision of a registered	12718
nurse serving for the program as a faculty member or teaching	12719
assistant.	12720
(B) The rendering of medical assistance to a licensed	12721
physician, licensed dentist, or licensed podiatrist by a person	12722
under the direction, supervision, and control of such licensed	12723
physician, dentist, or podiatrist;	12724
(C) The activities of persons employed as nursing aides,	12725
attendants, orderlies, or other auxiliary workers in patient	12726
homes, nurseries, nursing homes, hospitals, home health	12727
agencies, or other similar institutions;	12728
(D) The provision of nursing services to family members or	12729
in emergency situations;	12730
(E) The care of the sick when done in connection with the	12731
practice of religious tenets of any church and by or for its	12732
members;	12733
(F) The practice of nursing as an advanced practice	12734

registered nurse by a student currently enrolled in and actively 12735
pursuing completion of a program of study leading to initial 12736
authorization by the board of nursing to practice nursing as an 12737
advanced practice registered nurse in a designated specialty, if 12738
all of the following are the case: 12739

(1) The program qualifies the student to sit for the 12740
examination of a national certifying organization approved by 12741
the board under section 4723.46 of the Revised Code or the 12742
program prepares the student to receive a master's or doctoral 12743
degree in accordance with division (A) (2) of section 4723.41 of 12744
the Revised Code; 12745

(2) The student's practice is under the auspices of the 12746
program; 12747

(3) The student acts under the supervision of an advanced 12748
practice registered nurse serving for the program as a faculty 12749
member, teaching assistant, or preceptor. 12750

(G) The activities of an individual who is a resident of a 12751
state other than this state and who currently holds a license to 12752
practice nursing or equivalent authorization from another 12753
jurisdiction, but only if the individual's activities are 12754
limited to those activities that the same type of nurse may 12755
engage in pursuant to a license issued under this chapter, the 12756
individual's authority to practice has not been revoked, the 12757
individual is not currently under suspension or on probation, 12758
the individual does not represent the individual as being 12759
licensed under this chapter, and one of the following is the 12760
case: 12761

(1) The individual is engaging in the practice of nursing 12762
by discharging official duties while employed by or under 12763

contract with the United States government or any agency	12764
thereof;	12765
(2) The individual is engaging in the practice of nursing	12766
as an employee of an individual, agency, or corporation located	12767
in the other jurisdiction in a position with employment	12768
responsibilities that include transporting patients into, out	12769
of, or through this state, as long as each trip in this state	12770
does not exceed seventy-two hours;	12771
(3) The individual is consulting with an individual	12772
licensed in this state to practice any health-related	12773
profession;	12774
(4) The individual is engaging in activities associated	12775
with teaching in this state as a guest lecturer at or for a	12776
nursing education program, continuing nursing education program,	12777
or in-service presentation;	12778
(5) The individual is conducting evaluations of nursing	12779
care that are undertaken on behalf of an accrediting	12780
organization, including the national league for nursing	12781
accrediting committee, the joint commission (formerly known as	12782
the joint commission on accreditation of healthcare	12783
organizations), or any other nationally recognized accrediting	12784
organization;	12785
(6) The individual is providing nursing care to an	12786
individual who is in this state on a temporary basis, not to	12787
exceed six months in any one calendar year, if the nurse is	12788
directly employed by or under contract with the individual or a	12789
guardian or other person acting on the individual's behalf;	12790
(7) The individual is providing nursing care during any	12791
disaster, natural or otherwise, that has been officially	12792

declared to be a disaster by a public announcement issued by an 12793
appropriate federal, state, county, or municipal official; 12794

(8) The individual is providing nursing care at a free-of- 12795
charge camp accredited by the SeriousFun children's network that 12796
specializes in providing therapeutic recreation, as defined in 12797
section 2305.231 of the Revised Code, for individuals with 12798
chronic diseases, if all of the following are the case: 12799

(a) The individual provides documentation to the medical 12800
director of the camp that the individual holds a current, valid 12801
license to practice nursing or equivalent authorization from 12802
another jurisdiction. 12803

(b) The individual provides nursing care only at the camp 12804
or in connection with camp events or activities that occur off 12805
the grounds of the camp. 12806

(c) The individual is not compensated for the individual's 12807
services. 12808

(d) The individual provides nursing care within this state 12809
for not more than thirty days per calendar year. 12810

(e) The camp has a medical director who holds an 12811
unrestricted license to practice medicine issued in accordance 12812
with Chapter 4731. of the Revised Code. 12813

(9) The individual is providing nursing care as a 12814
volunteer without remuneration during a charitable event that 12815
lasts not more than seven days if both of the following are the 12816
case: 12817

(a) The individual, or the charitable event's organizer, 12818
notifies the board of nursing not less than seven calendar days 12819
before the first day of the charitable event of the individual's 12820

intent to engage in the practice of nursing as a registered 12821
nurse, advanced practice registered nurse, or licensed practical 12822
nurse at the event; 12823

(b) If the individual's scope of practice in the other 12824
jurisdiction is more restrictive than in this state, the 12825
individual is limited to performing only those procedures that a 12826
registered nurse, advanced practice registered nurse, or 12827
licensed practical nurse in the other jurisdiction may perform. 12828

(H) The administration of medication by an individual who 12829
holds a valid medication aide certificate issued under this 12830
chapter, if the medication is administered to a resident of a 12831
nursing home, residential care facility, or ICF/IID authorized 12832
by section 4723.64 of the Revised Code to use a certified 12833
medication aide and the medication is administered in accordance 12834
with section 4723.67 of the Revised Code. 12835

(I) An individual who is a resident of a state other than 12836
this state and who holds a license to practice nursing or 12837
equivalent authorization from another jurisdiction is not 12838
required to obtain a license in accordance with Chapter 4796. of 12839
the Revised Code to perform the activities described under 12840
division (G) of this section. 12841

Sec. 4723.41. (A) Each person who desires to practice 12842
nursing as a certified nurse-midwife and has not been authorized 12843
to practice midwifery prior to December 1, 1967, and each person 12844
who desires to practice nursing as a certified registered nurse 12845
anesthetist, clinical nurse specialist, or certified nurse 12846
practitioner shall file with the board of nursing a written 12847
application for a license to practice nursing as an advanced 12848
practice registered nurse and designation in the desired 12849
specialty. The application must be filed, under oath, on a form 12850

prescribed by the board accompanied by the application fee 12851
required by section 4723.08 of the Revised Code. 12852

Except as provided in division (B), (C), or (D) of this 12853
section, at the time of making application, the applicant shall 12854
meet all of the following requirements: 12855

(1) Be a registered nurse; 12856

(2) Submit documentation satisfactory to the board that 12857
the applicant has earned a master's or doctoral degree with a 12858
major in a nursing specialty or in a related field that 12859
qualifies the applicant to sit for the certification examination 12860
of a national certifying organization approved by the board 12861
under section 4723.46 of the Revised Code; 12862

(3) Submit documentation satisfactory to the board of 12863
having passed the certification examination of a national 12864
certifying organization approved by the board under section 12865
4723.46 of the Revised Code to examine and certify, as 12866
applicable, nurse-midwives, registered nurse anesthetists, 12867
clinical nurse specialists, or nurse practitioners; 12868

(4) Submit an affidavit with the application that states 12869
all of the following: 12870

(a) That the applicant is the person named in the 12871
documents submitted under this section and is the lawful 12872
possessor thereof; 12873

(b) The applicant's age, residence, the school at which 12874
the applicant obtained education in the applicant's nursing 12875
specialty, and any other facts that the board requires; 12876

(c) The specialty in which the applicant seeks 12877
designation. 12878

(B) (1) A certified registered nurse anesthetist, clinical 12879
nurse specialist, certified nurse-midwife, or certified nurse 12880
practitioner who is practicing or has practiced as such in 12881
another jurisdiction other than another state may apply for a 12882
license by endorsement to practice nursing as an advanced 12883
practice registered nurse and designation as a certified 12884
registered nurse anesthetist, clinical nurse specialist, 12885
certified nurse-midwife, or certified nurse practitioner in this 12886
state if the nurse meets the requirements set forth in division 12887
(A) of this section or division (B) (2) of this section. 12888

(2) If an applicant who is practicing or has practiced in 12889
another jurisdiction other than another state applies for 12890
designation under division (B) (2) of this section, the 12891
application shall be submitted to the board in the form 12892
prescribed by rules of the board and be accompanied by the 12893
application fee required by section 4723.08 of the Revised Code. 12894
The application shall include evidence that the applicant meets 12895
the requirements of division (B) (2) of this section, holds 12896
authority to practice nursing and is in good standing in another 12897
jurisdiction other than another state granted after meeting 12898
requirements approved by the entity of that jurisdiction that 12899
regulates nurses, and other information required by rules of the 12900
board of nursing. 12901

With respect to the educational requirements and national 12902
certification requirements that an applicant under division (B) 12903
(2) of this section must meet, both of the following apply: 12904

(a) If the applicant is a certified registered nurse 12905
anesthetist, certified nurse-midwife, or certified nurse 12906
practitioner who, on or before December 31, 2000, obtained 12907
certification in the applicant's nursing specialty with a 12908

national certifying organization listed in division (A) (3) of 12909
section 4723.41 of the Revised Code as that division existed 12910
prior to March 20, 2013, or that was at that time approved by 12911
the board under section 4723.46 of the Revised Code, the 12912
applicant must have maintained the certification. The applicant 12913
is not required to have earned a master's or doctoral degree 12914
with a major in a nursing specialty or in a related field that 12915
qualifies the applicant to sit for the certification 12916
examination. 12917

(b) If the applicant is a clinical nurse specialist, one 12918
of the following must apply to the applicant: 12919

(i) On or before December 31, 2000, the applicant obtained 12920
a master's or doctoral degree with a major in a clinical area of 12921
nursing from an educational institution accredited by a national 12922
or regional accrediting organization. The applicant is not 12923
required to have passed a certification examination. 12924

(ii) On or before December 31, 2000, the applicant 12925
obtained a master's or doctoral degree in nursing or a related 12926
field and was certified as a clinical nurse specialist by the 12927
American nurses credentialing center or another national 12928
certifying organization that was at that time approved by the 12929
board under section 4723.46 of the Revised Code. 12930

(3) The board shall grant a license to practice nursing as 12931
an advanced practice registered nurse in accordance with Chapter 12932
4796. of the Revised Code to an applicant if either of the 12933
following applies: 12934

(a) The applicant holds a license in another state. 12935

(b) The applicant has satisfactory work experience, a 12936
government certification, or a private certification as 12937

described in that chapter as an advanced practice registered 12938
nurse in a state that does not issue that license. 12939

(4) The board may grant a nonrenewable temporary permit to 12940
practice nursing as an advanced practice registered nurse to an 12941
applicant for licensure by endorsement under division (B) (2) or 12942
(3) of this section if the board is satisfied by the evidence 12943
that the applicant holds a valid, unrestricted license in or 12944
equivalent authorization from another jurisdiction. Chapter 12945
4796. of the Revised Code does not apply to a temporary permit 12946
issued under this division. The temporary permit shall expire at 12947
the earlier of one hundred eighty days after issuance or upon 12948
the issuance of a license by endorsement under division (B) (2) 12949
or (3) of this section. 12950

(C) An applicant who desires to practice nursing as a 12951
certified registered nurse anesthetist, certified nurse-midwife, 12952
or certified nurse practitioner is exempt from the educational 12953
requirements in division (A) (2) of this section if all of the 12954
following are the case: 12955

(1) Before January 1, 2001, the board issued to the 12956
applicant a certificate of authority to practice as a certified 12957
registered nurse anesthetist, certified nurse-midwife, or 12958
certified nurse practitioner; 12959

(2) The applicant submits documentation satisfactory to 12960
the board that the applicant obtained certification in the 12961
applicant's nursing specialty with a national certifying 12962
organization listed in division (A) (3) of section 4723.41 of the 12963
Revised Code as that division existed prior to March 20, 2013, 12964
or that was at that time approved by the board under section 12965
4723.46 of the Revised Code; 12966

(3) The applicant submits documentation satisfactory to 12967
the board that the applicant has maintained the certification 12968
described in division (C) (2) of this section. 12969

(D) An applicant who desires to practice as a clinical 12970
nurse specialist is exempt from the examination requirement in 12971
division (A) (3) of this section if both of the following are the 12972
case: 12973

(1) Before January 1, 2001, the board issued to the 12974
applicant a certificate of authority to practice as a clinical 12975
nurse specialist; 12976

(2) The applicant submits documentation satisfactory to 12977
the board that the applicant earned either of the following: 12978

(a) A master's or doctoral degree with a major in a 12979
clinical area of nursing from an educational institution 12980
accredited by a national or regional accrediting organization; 12981

(b) A master's or doctoral degree in nursing or a related 12982
field and was certified as a clinical nurse specialist by the 12983
American nurses credentialing center or another national 12984
certifying organization that was at that time approved by the 12985
board under section 4723.46 of the Revised Code. 12986

Sec. 4723.651. (A) To be eligible to receive a medication 12987
aide certificate, an applicant shall meet all of the following 12988
conditions: 12989

(1) Be at least eighteen years of age; 12990

(2) Have a high school diploma or a certificate of high 12991
school equivalence as defined in section 5107.40 of the Revised 12992
Code; 12993

(3) If the applicant is to practice as a medication aide 12994

in a nursing home, be a nurse aide who satisfies the 12995
requirements of division (A) (1), (2), (3), (4), (5), (6), or (8) 12996
of section 3721.32 of the Revised Code; 12997

(4) If the applicant is to practice as a medication aide 12998
in a residential care facility, be a nurse aide who satisfies 12999
the requirements of division (A) (1), (2), (3), (4), (5), (6), or 13000
(8) of section 3721.32 of the Revised Code or an individual who 13001
has at least one year of direct care experience in a residential 13002
care facility; 13003

(5) If the applicant is to practice as a medication aide 13004
in an ICF/IID, be a nurse aide who satisfies the requirements of 13005
division (A) (1), (2), (3), (4), (5), (6), or (8) of section 13006
3721.32 of the Revised Code or an individual who has at least 13007
one year of direct care experience in an ICF/IID; 13008

(6) Successfully complete the course of instruction 13009
provided by a training program approved under section 4723.66 of 13010
the Revised Code; 13011

(7) Not be ineligible for licensure or certification in 13012
accordance with section 4723.092 of the Revised Code; 13013

(8) Have not committed any act that is grounds for 13014
disciplinary action under section 3123.47 or 4723.28 of the 13015
Revised Code or be determined by the board to have made 13016
restitution, been rehabilitated, or both; 13017

(9) Meet all other requirements for a medication aide 13018
certificate established in rules adopted under section 4723.69 13019
of the Revised Code. 13020

(B) ~~If~~ Except as provided in division (C) of this section, 13021
if an applicant meets the requirements specified in division (A) 13022
of this section, the board of nursing shall issue a medication 13023

aide certificate to the applicant. If a medication aide 13024
certificate is issued to an individual on the basis of having at 13025
least one year of direct care experience working in a 13026
residential care facility, as provided in division (A) (4) of 13027
this section, the certificate is valid for use only in a 13028
residential care facility. If a medication aide certificate is 13029
issued to an individual on the basis of having at least one year 13030
of direct care experience working in an ICF/IID, as provided in 13031
division (A) (5) of this section, the certificate is valid for 13032
use only in an ICF/IID. The board shall state the limitation on 13033
the certificate issued to the individual. 13034

(C) The board shall issue a medication aide certificate in 13035
accordance with Chapter 4796. of the Revised Code to an 13036
applicant if either of the following applies: 13037

(1) The applicant holds a certificate or license in 13038
another state. 13039

(2) The applicant has satisfactory work experience, a 13040
government certification, or a private certification as 13041
described in that chapter as a medication aide in a state that 13042
does not issue that certificate or license. 13043

(D) A medication aide certificate is valid for two years, 13044
unless earlier suspended or revoked. The certificate may be 13045
renewed in accordance with procedures specified by the board in 13046
rules adopted under section 4723.69 of the Revised Code. To be 13047
eligible for renewal, an applicant shall pay the renewal fee 13048
established in the rules and meet all renewal qualifications 13049
specified in the rules. 13050

Sec. 4723.75. (A) The ~~Except as provided in division (D)~~ 13051
of this section, the board of nursing shall issue a certificate 13052

to practice as a dialysis technician to an applicant if the 13053
following conditions are met: 13054

(1) The application is submitted to the board in 13055
accordance with rules adopted under section 4723.79 of the 13056
Revised Code and includes both of the following: 13057

(a) The fee established in rules adopted under section 13058
4723.79 of the Revised Code; 13059

(b) The name and address of each approved dialysis 13060
training program in which the applicant has enrolled and the 13061
dates during which the applicant was enrolled in each program. 13062

(2) The applicant meets the requirements established by 13063
the board's rules. 13064

(3) The applicant demonstrates competency to practice as a 13065
dialysis technician, as specified in division (B) of this 13066
section. 13067

(4) In the case of an applicant who entered a dialysis 13068
training program on or after June 1, 2003, the results of a 13069
criminal records check conducted in accordance with section 13070
4723.091 of the Revised Code demonstrate that the applicant is 13071
not ineligible for certification in accordance with section 13072
4723.092 of the Revised Code. 13073

(B) For an applicant to demonstrate competence to practice 13074
as a dialysis technician, one of the following must apply: 13075

(1) The applicant has successfully completed a dialysis 13076
training program approved by the board under section 4723.74 of 13077
the Revised Code and meets both of the following requirements: 13078

(a) Has performed dialysis care for a dialysis provider 13079
for not less than six months immediately prior to the date of 13080

application;	13081
(b) Has passed a certification examination demonstrating	13082
competence to perform dialysis care not later than eighteen	13083
months after successfully completing a dialysis training program	13084
approved by the board under section 4723.74 of the Revised Code.	13085
(2) The applicant does all of the following:	13086
(a) Has a testing organization approved by the board	13087
submit evidence satisfactory to the board that the applicant	13088
passed an examination, in another jurisdiction, that	13089
demonstrates the applicant's competence to provide dialysis	13090
care;	13091
(b) Submits evidence satisfactory to the board that the	13092
applicant has been employed to perform dialysis care in another	13093
jurisdiction for not less than six months immediately prior to	13094
the date of application for certification under this section;	13095
(c) Submits evidence satisfactory to the board that the	13096
applicant completed at least two hours of education directly	13097
related to this chapter and the rules adopted under it.	13098
(C) An applicant who does not pass the certification	13099
examination described in division (B) (1) (b) of this section	13100
within the time period prescribed in that division may continue	13101
to pursue certification by repeating the entire training and	13102
application process, including doing all of the following:	13103
(1) Enrolling in and successfully completing a dialysis	13104
training program approved by the board;	13105
(2) Submitting a request to the bureau of criminal	13106
identification and investigation for a criminal records check	13107
and check of federal bureau of investigation records pursuant to	13108

section 4723.091 of the Revised Code;	13109
(3) Submitting an application for a dialysis technician intern certificate in accordance with section 4723.76 of the Revised Code;	13110 13111 13112
(4) Demonstrating competence to perform dialysis care in accordance with division (B) of this section.	13113 13114
<u>(D) The board shall issue a certificate to practice as a dialysis technician in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:</u>	13115 13116 13117
<u>(1) The applicant holds a certificate or license in another state.</u>	13118 13119
<u>(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a dialysis technician in a state that does not issue that certificate or license.</u>	13120 13121 13122 13123
Sec. 4723.76. (A) <u>The</u> Except as provided in division (D) of this section, the board of nursing shall issue a certificate to practice as a dialysis technician intern to an applicant who has not passed the dialysis technician certification examination required by section 4723.751 of the Revised Code, but who satisfies all of the following requirements:	13124 13125 13126 13127 13128 13129
(1) Applies to the board in accordance with rules adopted under section 4723.79 of the Revised Code and includes with the application both of the following:	13130 13131 13132
(a) The fee established in rules adopted under section 4723.79 of the Revised Code;	13133 13134
(b) The name and address of all dialysis training programs approved by the board in which the applicant has been enrolled	13135 13136

and the dates of enrollment in each program.	13137
(2) Provides documentation from the applicant's employer attesting that the applicant is competent to perform dialysis care;	13138 13139 13140
(3) Has successfully completed a dialysis training program approved by the board of nursing under section 4723.74 of the Revised Code.	13141 13142 13143
(B) A dialysis technician intern certificate issued to an applicant who meets the requirements in division (A) of this section is valid for a period of time that is eighteen months from the date on which the applicant successfully completed a dialysis training program approved by the board under section 4723.74 of the Revised Code, minus the time the applicant was enrolled in one or more dialysis training programs approved by the board.	13144 13145 13146 13147 13148 13149 13150 13151
(C) A dialysis technician intern certificate issued under this section may not be renewed.	13152 13153
<u>(D) (1) The board shall issue a certificate to practice as a dialysis technician intern in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:</u>	13154 13155 13156 13157
<u>(a) The applicant holds a certificate or license in another state.</u>	13158 13159
<u>(b) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a dialysis technician intern in a state that does not issue that certificate or license.</u>	13160 13161 13162 13163
<u>(2) A certificate issued under Chapter 4796. of the</u>	13164

Revised Code is valid for the same time period as described in 13165
division (B) of this section. 13166

Sec. 4723.85. (A) The board of nursing shall review all 13167
applications received under section 4723.83 of the Revised Code. 13168
If an applicant meets the requirements of section 4723.84 of the 13169
Revised Code, the board shall issue a community health worker 13170
certificate to the applicant. 13171

(B) Notwithstanding the requirements specified in section 13172
4723.84 of the Revised Code, the board shall issue a community 13173
health worker certificate in accordance with Chapter 4796. of 13174
the Revised Code to an applicant if either of the following 13175
applies: 13176

(1) The applicant holds a certificate or license in 13177
another state. 13178

(2) The applicant has satisfactory work experience, a 13179
government certification, or a private certification as 13180
described in that chapter as a community health worker in a 13181
state that does not issue that certificate or license. 13182

(C) A community health worker certificate issued under 13183
division (A) or (B) of this section expires biennially and may 13184
be renewed in accordance with the schedule and procedures 13185
established by the board in rules adopted under section 4723.88 13186
of the Revised Code. To be eligible for renewal, an individual 13187
must complete the continuing education requirements established 13188
by the board in rules adopted under section 4723.88 of the 13189
Revised Code and meet all other requirements for renewal, as 13190
specified in the board's rules adopted under that section. If an 13191
applicant for renewal has successfully completed the continuing 13192
education requirements and meets all other requirements for 13193

renewal, the board shall issue a renewed community health worker certificate to the applicant. 13194
13195

Sec. 4725.13. (A) The state vision professionals board, by 13196
an affirmative vote of a majority of its members, shall issue 13197
certificates under its seal as follows: 13198

(1) Every applicant who, prior to May 19, 1992, passed the 13199
licensing examination then in effect, and who otherwise complies 13200
with sections 4725.01 to 4725.34 of the Revised Code shall 13201
receive from the board a certificate of licensure authorizing 13202
the holder to engage in the practice of optometry as provided in 13203
division (A) (1) of section 4725.01 of the Revised Code. 13204

(2) Every applicant who, prior to May 19, 1992, passed the 13205
general and ocular pharmacology examination then in effect, and 13206
who otherwise complies with sections 4725.01 to 4725.34 of the 13207
Revised Code, shall receive from the board a separate topical 13208
ocular pharmaceutical agents certificate authorizing the holder 13209
to administer topical ocular pharmaceutical agents as provided 13210
in division (A) (2) of section 4725.01 of the Revised Code and in 13211
accordance with sections 4725.01 to 4725.34 of the Revised Code. 13212

(3) Every applicant who holds a valid certificate of 13213
licensure issued prior to May 19, 1992, and meets the 13214
requirements of section 4725.14 of the Revised Code shall 13215
receive from the board a separate therapeutic pharmaceutical 13216
agents certificate authorizing the holder to engage in the 13217
practice of optometry as provided in division (A) (3) of section 13218
4725.01 of the Revised Code. 13219

(4) Every applicant who, on or after May 19, 1992, passes 13220
all parts of the licensing examination accepted by the board 13221
under section 4725.11 of the Revised Code and otherwise complies 13222

with the requirements of sections 4725.01 to 4725.34 of the Revised Code shall receive from the board a certificate of licensure authorizing the holder to engage in the practice of optometry as provided in division (A) (1) of section 4725.01 of the Revised Code and a separate therapeutic pharmaceutical agents certificate authorizing the holder to engage in the practice of optometry as provided in division (A) (3) of that section.

(B) Each person to whom a certificate is issued pursuant to this section by the board shall keep the certificate displayed in a conspicuous place in the location at which that person practices optometry and shall whenever required exhibit the certificate to any member or agent of the board. If an optometrist practices outside of or away from the location at which the optometrist's certificate of licensure is displayed, the optometrist shall deliver to each person examined or fitted with optical accessories by the optometrist, a receipt signed by the optometrist in which the optometrist shall set forth the amounts charged, the optometrist's post-office address, and the number assigned to the optometrist's certificate of licensure. The information may be provided as part of a prescription given to the person.

(C) A person who, on May 19, 1992, holds a valid certificate of licensure or topical ocular pharmaceutical agents certificate issued by the board may continue to engage in the practice of optometry as provided by the certificate of licensure or topical ocular pharmaceutical agents certificate if the person continues to comply with sections 4725.01 to 4725.34 of the Revised Code as required by the certificate of licensure or topical ocular pharmaceutical agents certificate.

(D) Chapter 4796. of the Revised Code does not apply to 13253
certificates issued under division (A) (2) or (3) of this 13254
section. 13255

Sec. 4725.18. (A) The state vision professionals board may 13256
issue a certificate of licensure and therapeutic pharmaceutical 13257
agents certificate by endorsement to an individual licensed as 13258
an optometrist by ~~another state or~~ a Canadian province if the 13259
board determines that the ~~other state or~~ province has standards 13260
for the practice of optometry that are at least as stringent as 13261
the standards established under sections 4725.01 to 4725.34 of 13262
the Revised Code and the individual meets the conditions 13263
specified in division (B) of this section. The certificates may 13264
be issued only by an affirmative vote of a majority of the 13265
board's members. 13266

(B) An individual seeking a certificate of licensure and 13267
therapeutic pharmaceutical agents certificate pursuant to 13268
division (A) of this section shall submit an application to the 13269
board. To receive the certificates, an applicant must meet all 13270
of the following conditions: 13271

(1) Meet the same qualifications that an individual must 13272
meet under divisions (B) (1) to (3) of section 4725.12 of the 13273
Revised Code to receive a certificate of licensure and 13274
therapeutic pharmaceutical agents certificate under that 13275
section; 13276

(2) Be licensed to practice optometry by a ~~state or~~ 13277
Canadian province that requires passage of a written, entry- 13278
level examination at the time of initial licensure; 13279

(3) Be licensed in good standing by the optometry 13280
licensing agency of the ~~other state or~~ province, evidenced by 13281

submission of a letter from the licensing agency of the other-	13282
state or province attesting to the applicant's good standing;	13283
(4) Provide the board with certified reports from the	13284
optometry licensing agencies of all states and provinces in	13285
which the applicant is licensed or has been licensed to practice	13286
optometry describing all past and pending actions taken by those	13287
agencies with respect to the applicant's authority to practice	13288
optometry in those jurisdictions, including such actions as	13289
investigations, entering into consent agreements, suspensions,	13290
revocations, and refusals to issue or renew a license;	13291
(5) Have been actively engaged in the practice of	13292
optometry, including the use of therapeutic pharmaceutical	13293
agents, for at least three years immediately preceding making	13294
application under this section;	13295
(6) Pay the nonrefundable application fees established	13296
under section 4725.34 of the Revised Code for a certificate of	13297
licensure and therapeutic pharmaceutical agents certificate;	13298
(7) Submit all transcripts, reports, or other information	13299
the board requires;	13300
(8) Participate in a two-hour instruction session provided	13301
by the board on the optometry statutes and rules of this state	13302
or pass an Ohio optometry jurisprudence test administered by the	13303
board;	13304
(9) Pass all or part of the licensing examination accepted	13305
by the board under section 4725.11 of the Revised Code, if the	13306
board determines that testing is necessary to determine whether	13307
the applicant's qualifications are sufficient for issuance of a	13308
certificate of licensure and therapeutic pharmaceutical agents	13309
certificate under this section;	13310

(10) Not have been previously denied issuance of a 13311
certificate by the board. 13312

(C) The board shall issue a certificate of licensure and 13313
therapeutic pharmaceutical agents certificate in accordance with 13314
Chapter 4796. of the Revised Code to an applicant if either of 13315
the following applies: 13316

(1) The applicant holds a certificate or license in 13317
another state. 13318

(2) The applicant has satisfactory work experience, a 13319
government certification, or a private certification as 13320
described in that chapter in the practice of optometry using 13321
therapeutic pharmaceutical agents in a state that does not issue 13322
that license or certificate. 13323

Sec. 4725.26. Division (A) of section 4725.02 of the 13324
Revised Code does not apply to the following: 13325

(A) Physicians authorized to practice medicine and surgery 13326
or osteopathic medicine and surgery under Chapter 4731. of the 13327
Revised Code; 13328

(B) Persons who sell optical accessories but do not assume 13329
to adapt them to the eye, and neither practice nor profess to 13330
practice optometry; 13331

(C) ~~An~~A nonresident instructor in a school of optometry 13332
that is located in this state and approved by the state vision 13333
professionals board under section 4725.10 of the Revised Code 13334
who holds a valid current license to practice optometry from a 13335
licensing body in another jurisdiction and limits the practice 13336
of optometry to the instruction of students enrolled in the 13337
school. The state vision professionals board shall not require a 13338
nonresident instructor who holds a license in another state to 13339

obtain a license in accordance with Chapter 4796. of the Revised 13340
Code to practice optometry in the manner described under this 13341
division. 13342

(D) A student enrolled in a school of optometry, located 13343
in this or another state and approved by the board under section 13344
4725.10 of the Revised Code, while the student is participating 13345
in this state in an optometry training program provided or 13346
sponsored by the school, if the student acts under the direct, 13347
personal supervision and control of an optometrist licensed by 13348
the board or authorized to practice pursuant to division (C) of 13349
this section. 13350

(E) An individual who is licensed or otherwise 13351
specifically authorized by the Revised Code to engage in an 13352
activity that is included in the practice of optometry. 13353

(F) An individual who is not licensed or otherwise 13354
specifically authorized by the Revised Code to engage in an 13355
activity that is included in the practice of optometry, but is 13356
acting pursuant to the rules for delegation of optometric tasks 13357
adopted under section 4725.09 of the Revised Code. 13358

(G) ~~An~~ A nonresident individual who holds in good standing 13359
a valid license to practice optometry from a licensing body in 13360
another jurisdiction and is practicing as a volunteer without 13361
remuneration during a charitable event that lasts not more than 13362
seven days. 13363

When an individual meets the conditions of this division, 13364
the individual shall be deemed to hold, during the course of the 13365
charitable event, a license to practice optometry from the state 13366
vision professionals board and shall be subject to the 13367
provisions of this chapter authorizing the board to take 13368

disciplinary action against a license holder. Not less than 13369
seven calendar days before the first day of the charitable 13370
event, the individual or the event's organizer shall notify the 13371
board of the individual's intent to engage in the practice of 13372
optometry at the event. During the course of the charitable 13373
event, the individual's scope of practice is limited to the 13374
procedures that an optometrist licensed under this chapter is 13375
authorized to perform unless the individual's scope of practice 13376
in the other jurisdiction is more restrictive than in this 13377
state. If the latter is the case, the individual's scope of 13378
practice is limited to the procedures that an optometrist in the 13379
other jurisdiction may perform. 13380

The board shall not require a nonresident individual who 13381
holds a license in another state to obtain a license in 13382
accordance with Chapter 4796. of the Revised Code to practice 13383
optometry as a volunteer in the manner described under this 13384
division. 13385

Sec. 4725.48. (A) Any person who desires to engage in 13386
optical dispensing shall file a properly completed application 13387
for an examination with the state vision professionals board or 13388
with the testing service the board has contracted with pursuant 13389
to section 4725.49 of the Revised Code. The application for 13390
examination shall be made using a form provided by the board and 13391
shall be accompanied by an examination fee the board shall 13392
establish by rule. 13393

(B) Any person who desires to engage in optical dispensing 13394
shall file a properly completed application for a license with 13395
the board with a licensure application fee of fifty dollars. 13396

No person shall be eligible to apply for a license under 13397
this division, unless the person is at least eighteen years of 13398

age, is free of contagious or infectious disease, has received a 13399
passing score, as determined by the board, on the examination 13400
administered under division (A) of this section, is a graduate 13401
of an accredited high school of any state, or has received an 13402
equivalent education and has successfully completed either of 13403
the following: 13404

(1) Two years of supervised experience under a licensed 13405
dispensing optician, optometrist, or physician engaged in the 13406
practice of ophthalmology, up to one year of which may be 13407
continuous experience of not less than thirty hours a week in an 13408
optical laboratory; 13409

(2) A two-year college level program in optical dispensing 13410
that has been approved by the board and that includes, but is 13411
not limited to, courses of study in mathematics, science, 13412
English, anatomy and physiology of the eye, applied optics, 13413
ophthalmic optics, measurement and inspection of lenses, lens 13414
grinding and edging, ophthalmic lens design, keratometry, and 13415
the fitting and adjusting of spectacle lenses and frames and 13416
contact lenses, including methods of fitting contact lenses and 13417
post-fitting care. 13418

(C) (1) Any person who desires to obtain a license to 13419
practice as an ocularist shall file a properly completed 13420
application with the board accompanied by the appropriate fee 13421
and proof that the applicant has met the requirements for 13422
licensure. The board shall establish, by rule, the application 13423
fee and the minimum requirements for licensure, including 13424
education, examination, or experience standards recognized by 13425
the board as national standards for ocularists. The board shall 13426
issue a license to practice as an ocularist to an applicant who 13427
satisfies the requirements of this division and rules adopted 13428

pursuant to this division. 13429

(2) The board shall issue a license to practice as an 13430
ocularist in accordance with Chapter 4796. of the Revised Code 13431
to an applicant if either of the following applies: 13432

(a) The applicant holds a license in another state. 13433

(b) The applicant has satisfactory work experience, a 13434
government certification, or a private certification as 13435
described in that chapter as an ocularist in a state that does 13436
not issue that license. 13437

(D) (1) Subject to divisions (D) (3) and (4) of this 13438
section, the board shall not adopt, maintain, renew, or enforce 13439
any rule that precludes an individual from renewing a license as 13440
a dispensing optician issued under sections 4725.40 to 4725.59 13441
of the Revised Code due to any past criminal activity or 13442
interpretation of moral character, unless the individual has 13443
committed a crime of moral turpitude or a disqualifying offense 13444
as those terms are defined in section 4776.10 of the Revised 13445
Code. 13446

If the board denies an individual a license or license 13447
renewal, the reasons for such denial shall be put in writing. 13448

(2) The board may refuse to issue a license to an 13449
applicant because of a conviction of or plea of guilty to an 13450
offense if the refusal is in accordance with section 9.79 of the 13451
Revised Code. 13452

(3) In considering a renewal of an individual's license, 13453
the board shall not consider any conviction or plea of guilty 13454
prior to the initial licensing. However, the board may consider 13455
a conviction or plea of guilty if it occurred after the 13456
individual was initially licensed, or after the most recent 13457

license renewal. 13458

(4) The board may grant an individual a conditional 13459
license that lasts for one year. After the one-year period has 13460
expired, the license is no longer considered conditional, and 13461
the individual shall be considered fully licensed. 13462

(E) The board, subject to the approval of the controlling 13463
board, may establish examination fees in excess of the amount 13464
established by rule pursuant to this section, provided that such 13465
fees do not exceed those amounts established in rule by more 13466
than fifty per cent. 13467

Sec. 4725.52. Any licensed dispensing optician may 13468
supervise a maximum of three apprentices who shall be permitted 13469
to engage in optical dispensing only under the supervision of 13470
the licensed dispensing optician. 13471

To serve as an apprentice, a person shall register with 13472
the state vision professionals board on a form provided by the 13473
board and in the form of a statement giving the name and address 13474
of the supervising licensed dispensing optician, the location at 13475
which the apprentice will be employed, and any other information 13476
required by the board. For the duration of the apprenticeship, 13477
the apprentice shall register annually on the form provided by 13478
the board and in the form of a statement. 13479

Each apprentice shall pay an initial registration fee of 13480
twenty dollars. For each registration renewal thereafter, each 13481
apprentice shall pay a registration renewal fee of twenty 13482
dollars. 13483

The board shall grant registration as an apprentice under 13484
this section in accordance with Chapter 4796. of the Revised 13485
Code to an applicant if the applicant holds a registration or 13486

license in another state or has satisfactory work experience, a 13487
government certification, or a private certification as 13488
described in that chapter as an apprentice permitted to engage 13489
in supervised optical dispensing in a state that does not grant 13490
that registration or license. 13491

The board shall not deny registration as an apprentice 13492
under this section to any individual based on the individual's 13493
past criminal history or an interpretation of moral character 13494
unless the denial is for a disqualifying offense in accordance 13495
with section 9.79 of the Revised Code. In considering a renewal 13496
of an individual's registration, the board shall not consider 13497
any conviction or plea of guilty prior to the initial 13498
registration. However, the board may consider a conviction or 13499
plea of guilty if it occurred after the individual was initially 13500
registered, or after the most recent registration renewal. If 13501
the board denies an individual for a registration or 13502
registration renewal, the reasons for such denial shall be put 13503
in writing. Additionally, the board may grant an individual a 13504
conditional registration that lasts for one year. After the one- 13505
year period has expired, the registration is no longer 13506
considered conditional, and the individual shall be considered 13507
fully registered. 13508

A person who is gaining experience under the supervision 13509
of a licensed optometrist or ophthalmologist that would qualify 13510
the person under division (B)(1) of section 4725.48 of the 13511
Revised Code to take the examination for optical dispensing is 13512
not required to register with the board. 13513

~~Sec. 4725.57. An applicant for licensure as a licensed~~ 13514
~~dispensing optician who is licensed or registered in another~~ 13515
~~state shall be accorded the full privileges of practice within~~ 13516

~~this state, upon the payment of a fifty dollar fee and the~~ 13517
~~submission of a certified copy of the license or certificate~~ 13518
~~issued by such other state, without the necessity of~~ 13519
~~examination, if the~~ The state vision professionals board 13520
~~determines that the~~ shall issue a license to engage in optical 13521
dispensing in accordance with Chapter 4796. of the Revised Code 13522
to an applicant meets the remaining requirements of division (B) 13523
~~of section 4725.48 of the Revised Code. The board may require~~ 13524
~~that the applicant have received a passing score, as determined~~ 13525
~~by the board, on an examination that is substantially the same~~ 13526
~~as the examination described in division (A) of section 4725.48~~ 13527
~~of the Revised Code~~ if either of the following applies: 13528

(A) The applicant holds a license or registration in 13529
another state. 13530

(B) The applicant has satisfactory work experience, a 13531
government certification, or a private certification as 13532
described in that chapter as a dispensing optician in a state 13533
that does not issue that license or registration. 13534

Sec. 4725.591. Section 4725.41 of the Revised Code does 13535
not apply to a nonresident person who holds in good standing a 13536
valid license from another state to engage in optical dispensing 13537
and is engaging in optical dispensing as a volunteer without 13538
remuneration during a charitable event that lasts not more than 13539
seven days. 13540

When a person meets the conditions of this section, the 13541
person shall be deemed to hold, during the course of the 13542
charitable event, a license to engage in optical dispensing from 13543
the state vision professionals board and shall be subject to the 13544
provisions of this chapter authorizing the board to take 13545
disciplinary action against a license holder. Not less than 13546

seven calendar days before the first day of the charitable 13547
event, the person or the event's organizer shall notify the 13548
board of the person's intent to engage in optical dispensing at 13549
the event. During the course of the charitable event, the 13550
person's scope of practice is limited to the procedures that a 13551
dispensing optician licensed under this chapter is authorized to 13552
perform unless the person's scope of practice in the other state 13553
is more restrictive than in this state. If the latter is the 13554
case, the person's scope of practice is limited to the 13555
procedures that a dispensing optician in the other state may 13556
perform. 13557

The state vision professionals board shall not require a 13558
nonresident person who holds a license in another state to 13559
obtain a license in accordance with Chapter 4796. of the Revised 13560
Code to practice optometry as a volunteer in the manner 13561
described under this section. 13562

Sec. 4727.03. (A) As used in this section, "experience in 13563
the capacity involved" means that the applicant for a 13564
pawnbroker's license demonstrates sufficient financial 13565
responsibility and experience in the pawnbroker business, or in 13566
a related business, to act as a pawnbroker in compliance with 13567
this chapter. "Experience in the capacity involved" shall be 13568
determined by: 13569

(1) Prior or current ownership or management of, or 13570
employment in, a pawnshop; 13571

(2) Demonstration to the satisfaction of the 13572
superintendent of financial institutions of a thorough working 13573
knowledge of all pawnbroker laws and rules as they relate to the 13574
actual operation of a pawnshop. 13575

A demonstration shall include a demonstration of an ability to properly complete forms, knowledge of how to properly calculate interest and storage charges, and knowledge of legal notice and forfeiture procedures. The final determination of whether an applicant's demonstration is adequate rests with the superintendent.

(3) A submission by the applicant and any stockholders, owners, managers, directors, or officers of the pawnshop, and employees of the applicant to a police record check; and

(4) Liquid assets in a minimum amount of one hundred twenty-five thousand dollars at the time of applying for initial licensure and demonstration of the ability to maintain the liquid assets at a minimum amount of seventy-five thousand dollars for the duration of holding a valid pawnbroker's license. If an applicant holds a pawnbroker's license at the time of application or is applying for more than one license, this requirement shall be met separately for each license.

~~(B) The (1) Except as provided in division (B) (2) of this section, the superintendent may grant a license to act as a pawnbroker to any person having experience in the capacity involved to engage in the business of pawnbroking upon the payment to the superintendent of a license fee determined by the superintendent pursuant to section 1321.20 of the Revised Code. A license is not transferable or assignable.~~

(2) The superintendent shall grant a license to act as a pawnbroker in accordance with Chapter 4796. of the Revised Code to a person if either of the following applies:

(a) The person holds a license in another state.

(b) The person has satisfactory work experience, a

government certification, or a private certification as 13605
described in that chapter as a pawnbroker in a state that does 13606
not issue that license. 13607

(C) The superintendent may consider an application 13608
withdrawn and may retain the investigation fee required under 13609
division (D) of this section if both of the following are true: 13610

(1) An application for a license does not contain all of 13611
the information required under division (B) of this section. 13612

(2) The information is not submitted to the superintendent 13613
within ninety days after the superintendent requests the 13614
information from the applicant in writing. 13615

(D) The superintendent shall require an applicant for a 13616
pawnbroker's license to pay to the superintendent a 13617
nonrefundable initial investigation fee of two hundred dollars, 13618
which is for the exclusive use of the state. 13619

(E) (1) Except as otherwise provided in division (E) (2) of 13620
this section, a pawnbroker's license issued by the 13621
superintendent expires on the thirtieth day of June next 13622
following the date of its issuance, or on a different date set 13623
by the superintendent pursuant to section 1181.23 of the Revised 13624
Code, and may be renewed annually in accordance with the 13625
standard renewal procedure set forth in Chapter 4745. of the 13626
Revised Code. Fifty per cent of the annual license fee shall be 13627
for the use of the state, and fifty per cent shall be paid by 13628
the state to the municipal corporation, or if outside the limits 13629
of any municipal corporation, to the county, in which the office 13630
of the licensee is located. All such fees payable to municipal 13631
corporations or counties shall be paid annually. 13632

(2) A pawnbroker's license issued or renewed by the 13633

superintendent on or after January 1, 2006, expires on the 13634
thirtieth day of June in the even-numbered year next following 13635
the date of its issuance or renewal, as applicable, and may be 13636
renewed biennially by the thirtieth day of June in accordance 13637
with the standard renewal procedure set forth in Chapter 4745. 13638
of the Revised Code. Fifty per cent of the biennial license fee 13639
shall be for the use of the state, and fifty per cent shall be 13640
paid by the state to the municipal corporation, or if outside 13641
the limits of any municipal corporation, to the county, in which 13642
the office of the licensee is located. All such fees payable to 13643
municipal corporations or counties shall be paid biennially. If 13644
deemed necessary for participation, the superintendent may reset 13645
the renewal date and require annual registration pursuant to 13646
section 1181.23 of the Revised Code. 13647

(F) The fee for renewal of a license shall be equivalent 13648
to the fee for an initial license established by the 13649
superintendent pursuant to section 1321.20 of the Revised Code. 13650
Any licensee who wishes to renew the pawnbroker's license but 13651
who fails to do so on or before the date the license expires 13652
shall reapply for licensure in the same manner and pursuant to 13653
the same requirements as for initial licensure, unless the 13654
licensee pays to the superintendent on or before the thirty- 13655
first day of August of the year the license expires, a late 13656
renewal penalty of one hundred dollars in addition to the 13657
regular renewal fee. Any licensee who fails to renew the license 13658
on or before the date the license expires is prohibited from 13659
acting as a pawnbroker until the license is renewed or a new 13660
license is issued under this section. Any licensee who renews a 13661
license between the first day of July and the thirty-first day 13662
of August of the year the license expires is not relieved from 13663
complying with this division. The superintendent may refuse to 13664

issue to or renew the license of any licensee who violates this 13665
division. 13666

(G) No license shall be granted to any person not a 13667
resident of or the principal office of which is not located in 13668
the municipal corporation or county designated in such license 13669
unless that applicant, in writing and in due form approved by 13670
and filed with the superintendent, first appoints an agent, a 13671
resident of the state, and city or county where the office is to 13672
be located, upon whom all judicial and other process, or legal 13673
notice, directed to the applicant may be served. In case of the 13674
death, removal from the state, or any legal disability or any 13675
disqualification of any such agent, service of such process or 13676
notice may be made upon the superintendent. 13677

The superintendent may, upon notice to the licensee and 13678
reasonable opportunity to be heard, suspend or revoke any 13679
license or assess a penalty against the licensee if the 13680
licensee, or the licensee's officers, agents, or employees, has 13681
violated this chapter. Any penalty shall be appropriate to the 13682
violation but in no case shall the penalty be less than two 13683
hundred nor more than two thousand dollars. Whenever, for any 13684
cause, a license is suspended or revoked, the superintendent 13685
shall not issue another license to the licensee nor to the legal 13686
spouse of the licensee, nor to any business entity of which the 13687
licensee is an officer or member or partner, nor to any person 13688
employed by the licensee, until the expiration of at least two 13689
years from the date of revocation or suspension of the license. 13690
The superintendent shall deposit all penalties allocated 13691
pursuant to this section into the state treasury to the credit 13692
of the consumer finance fund. 13693

Any proceedings for the revocation or suspension of a 13694

license or to assess a penalty against a licensee are subject to 13695
Chapter 119. of the Revised Code. 13696

(H) If a licensee surrenders or chooses not to renew the 13697
pawnbroker's license, the licensee shall notify the 13698
superintendent thirty days prior to the date on which the 13699
licensee intends to close the licensee's business as a 13700
pawnbroker. Prior to the date, the licensee shall do either of 13701
the following with respect to all active loans: 13702

(1) Dispose of an active loan by selling the loan to 13703
another person holding a valid pawnbroker's license issued under 13704
this section; 13705

(2) Reduce the rate of interest on pledged articles held 13706
as security for a loan to eight per cent per annum or less 13707
effective on the date that the pawnbroker's license is no longer 13708
valid. 13709

Sec. 4728.03. (A) As used in this section, "experience in 13710
the capacity involved" means that the applicant for a precious 13711
metals dealer's license has had sufficient financial 13712
responsibility and experience in the business of precious metals 13713
dealer, or a related business, to act as a precious metals 13714
dealer in compliance with this chapter. 13715

(B) (1) The Except as provided in division (B) (3) of this 13716
section, the division of financial institutions in the 13717
department of commerce may grant a precious metals dealer's 13718
license to any person having experience in the capacity 13719
involved, who demonstrates a net worth of at least ten thousand 13720
dollars and the ability to maintain that net worth during the 13721
licensure period. The superintendent of financial institutions 13722
shall compute the applicant's net worth according to generally 13723

accepted accounting principles. 13724

(2) In place of the demonstration of net worth required by 13725
division (B) (1) of this section, an applicant may obtain a 13726
surety bond issued by a surety company authorized to do business 13727
in this state if all of the following conditions are met: 13728

(a) A copy of the surety bond is filed with the division; 13729

(b) The bond is in favor of any person, and of the state 13730
for the benefit of any person, injured by any violation of this 13731
chapter; 13732

(c) The bond is in the amount of not less than ten 13733
thousand dollars. 13734

(3) The division shall grant a precious metals dealer's 13735
license in accordance with Chapter 4796. of the Revised Code to 13736
an applicant if either of the following applies: 13737

(a) The applicant holds a license in another state. 13738

(b) The applicant has satisfactory work experience, a 13739
government certification, or a private certification as 13740
described in that chapter as a precious metals dealer in a state 13741
that does not issue that license. 13742

(4) Before granting a license under this division, the 13743
division shall determine that the applicant meets the 13744
requirements of division (B) (1) ~~or~~, (2), or (3) of this section. 13745

(C) The ~~Except for a license issued under division (B) (3)~~ 13746
of this section, the division shall require an applicant for a 13747
precious metals dealer's license to pay to the division a 13748
nonrefundable, initial investigation fee of two hundred dollars 13749
which shall be for the exclusive use of the state. The license 13750
fee for a precious metals dealer's license and the renewal fee 13751

shall be determined by the superintendent, provided that the fee 13752
may not exceed three hundred dollars. A license issued by the 13753
division shall expire on the last day of June next following the 13754
date of its issuance or annually on a different date set by the 13755
superintendent pursuant to section 1181.23 of the Revised Code. 13756
Fifty per cent of license fees shall be for the use of the 13757
state, and fifty per cent shall be paid to the municipal 13758
corporation, or if outside the limits of any municipal 13759
corporation, to the county in which the office of the licensee 13760
is located. All portions of license fees payable to municipal 13761
corporations or counties shall be paid as they accrue, by the 13762
treasurer of state, on vouchers issued by the director of budget 13763
and management. 13764

(D) Every such license shall be renewed annually by the 13765
last day of June, or annually on a different date set by the 13766
superintendent pursuant to section 1181.23 of the Revised Code, 13767
according to the standard renewal procedure of Chapter 4745. of 13768
the Revised Code. No license shall be granted to any person not 13769
a resident of or the principal office of which is not located in 13770
the municipal corporation or county designated in such license, 13771
unless, and until such applicant shall, in writing and in due 13772
form, to be first approved by and filed with the division, 13773
appoint an agent, a resident of the state, and city or county 13774
where the office is to be located, upon whom all judicial and 13775
other process, or legal notice, directed to the applicant may be 13776
served; and in case of the death, removal from the state, or any 13777
legal disability or any disqualification of any agent, service 13778
of process or notice may be made upon the superintendent. 13779

(E) The division may, pursuant to Chapter 119. of the 13780
Revised Code, upon notice to the licensee and after giving the 13781
licensee reasonable opportunity to be heard, revoke or suspend 13782

any license, if the licensee or the licensee's officers, agents, 13783
or employees violate this chapter. Whenever, for any cause, the 13784
license is revoked or suspended, the division shall not issue 13785
another license to the licensee nor to the husband or wife of 13786
the licensee, nor to any copartnership or corporation of which 13787
the licensee is an officer, nor to any person employed by the 13788
licensee, until the expiration of at least one year from the 13789
date of revocation of the license. 13790

(F) In conducting an investigation to determine whether an 13791
applicant satisfies the requirements for licensure under this 13792
section, the superintendent may request that the superintendent 13793
of the bureau of criminal identification and investigation 13794
investigate and determine whether the bureau has procured any 13795
information pursuant to section 109.57 of the Revised Code 13796
pertaining to the applicant. 13797

If the superintendent of financial institutions determines 13798
that conducting an investigation to determine whether an 13799
applicant satisfies the requirements for licensure under this 13800
section will require procuring information outside the state, 13801
then, in addition to the fee established under division (C) of 13802
this section, the superintendent may require the applicant to 13803
pay any of the actual expenses incurred by the division to 13804
conduct such an investigation, provided that the superintendent 13805
shall assess the applicant a total no greater than one thousand 13806
dollars for such expenses. The superintendent may require the 13807
applicant to pay in advance of the investigation, sufficient 13808
funds to cover the estimated cost of the actual expenses. If the 13809
superintendent requires the applicant to pay investigation 13810
expenses, the superintendent shall provide to the applicant an 13811
itemized statement of the actual expenses incurred by the 13812
division to conduct the investigation. 13813

(G) (1) Except as otherwise provided in division (G) (2) of 13814
this section a precious metals dealer licensed under this 13815
section shall maintain a net worth of at least ten thousand 13816
dollars, computed as required under division (B) (1) of this 13817
section, for as long as the licensee holds a valid precious 13818
metals dealer's license issued pursuant to this section. 13819

(2) A licensee who obtains a surety bond under division 13820
(B) (2) of this section is exempt from the requirement of 13821
division (G) (1) of this section, but shall maintain the bond for 13822
at least two years after the date on which the licensee ceases 13823
to conduct business in this state. 13824

Sec. 4729.09. The state board of pharmacy ~~may shall issue~~ 13825
~~a license an individual as a pharmacist without examination if~~ 13826
~~the individual:~~ 13827

~~(A) Holds a license in good standing to practice pharmacy~~ 13828
~~under the laws of~~ in accordance with Chapter 4796. of the 13829
Revised Code to an applicant if either of the following applies: 13830

(A) The applicant holds a license in another state, ~~has~~ 13831
~~successfully completed an examination for licensure in the other~~ 13832
~~state, and in the opinion of the board, the examination was at~~ 13833
~~least as thorough as that required by the board at the time the~~ 13834
~~individual took the examination;.~~ 13835

~~(B) Has filed with the licensing body of the other state~~ 13836
~~at least the credentials or the equivalent that were required by~~ 13837
~~this state at the time the other state licensed the individual~~ 13838
~~as a pharmacist.~~ 13839

~~The board shall not issue a license to practice pharmacy~~ 13840
~~to an individual licensed in another state if the state in which~~ 13841
~~the individual is licensed does not reciprocate by granting~~ 13842

~~licenses to practice pharmacy to individuals holding valid~~ 13843
~~licenses received through examination by the state board of~~ 13844
~~pharmacy.~~ The applicant has satisfactory work experience, a 13845
government certification, or a private certification as 13846
described in that chapter as a pharmacist in a state that does 13847
not issue that license. 13848

Sec. 4729.11. The state board of pharmacy shall establish 13849
a pharmacy internship program for the purpose of providing the 13850
practical experience necessary to practice as a pharmacist. Any 13851
individual who desires to become a pharmacy intern shall apply 13852
for licensure to the board. An application filed under this 13853
section may not be withdrawn without the approval of the board. 13854

Each applicant shall be issued a license as a pharmacy 13855
intern if the board determines that the applicant is actively 13856
pursuing an educational program in preparation for licensure as 13857
a pharmacist and meets the other requirements as determined by 13858
the board. The board shall issue a pharmacy intern license in 13859
accordance with Chapter 4796. of the Revised Code to an 13860
applicant who holds a license in another state or has 13861
satisfactory work experience, a government certification, or a 13862
private certification as described in that chapter as a pharmacy 13863
intern in a state that does not issue that license. A license 13864
shall be valid until the next renewal date and shall be renewed 13865
only if the intern is meeting the requirements and rules of the 13866
board. 13867

Sec. 4729.15. (A) Except as provided in division (B) of 13868
this section, the state board of pharmacy shall charge the 13869
following fees: 13870

(1) For applying for a license to practice as a 13871
pharmacist, an amount adequate to cover all expenses of the 13872

board related to examination except the expenses of procuring 13873
and grading the examination, which fee shall not be returned if 13874
the applicant fails to pass the examination; 13875

(2) For the examination of an applicant for licensure as a 13876
pharmacist, an amount adequate to cover any expenses to the 13877
board of procuring and grading the examination or any part 13878
thereof, which fee shall not be returned if the applicant fails 13879
to pass the examination; 13880

(3) For issuing a license to an individual who passes the 13881
examination described in section 4729.07 of the Revised Code, an 13882
amount that is adequate to cover the expense; 13883

(4) For a pharmacist applying for renewal of a license 13884
before the expiration date, two hundred fifty dollars, which fee 13885
shall not be returned if the applicant fails to qualify for 13886
renewal; 13887

(5) For a pharmacist applying for renewal of a license 13888
that has been expired for less than three years, the renewal fee 13889
identified in division (A) (4) of this section plus a penalty of 13890
thirty-seven dollars and fifty cents, which fee shall not be 13891
returned if the applicant fails to qualify for renewal; 13892

(6) For a pharmacist applying for renewal of a license 13893
that has been expired for more than three years, three hundred 13894
thirty-seven dollars and fifty cents, which fee shall not be 13895
returned if the applicant fails to qualify for renewal; 13896

(7) For a pharmacist applying for a license on 13897
presentation of a pharmacist license granted by another state, 13898
~~three hundred thirty-seven dollars and fifty cents~~the fee 13899
specified in Chapter 4796. of the Revised Code, which fee shall 13900
not be returned if the applicant fails to qualify for licensure. 13901

- (8) For a license to practice as a pharmacy intern, forty-five dollars, which fee shall not be returned if the applicant fails to qualify for licensure; 13902
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- (9) For the renewal of a pharmacy intern license, forty-five dollars, which fee shall not be returned if the applicant fails to qualify for renewal; 13905
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- (10) For certifying licensure and grades for reciprocal licensure, thirty-five dollars; 13908
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- (11) For making copies of any application, affidavit, or other document filed in the state board of pharmacy office, an amount fixed by the board that is adequate to cover the expense, except that for copies required by federal or state agencies or law enforcement officers for official purposes, no charge need be made; 13910
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- (12) For certifying and affixing the seal of the board, an amount fixed by the board that is adequate to cover the expense, except that for certifying and affixing the seal of the board to a document required by federal or state agencies or law enforcement officers for official purposes, no charge need be made; 13916
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- (13) For each copy of a book or pamphlet that includes laws administered by the state board of pharmacy, rules adopted by the board, and chapters of the Revised Code with which the board is required to comply, an amount fixed by the board that is adequate to cover the expense of publishing and furnishing the book or pamphlet. 13922
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- (B) (1) Subject to division (B) (2) of this section, the fees described in divisions (A) (1) to (10) of this section do not apply to an individual who is on active duty in the armed 13928
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forces of the United States, as defined in section 5903.01 of 13931
the Revised Code, to the spouse of an individual who is on 13932
active duty in the armed forces of the United States, or to an 13933
individual who served in the armed forces of the United States 13934
and presents documentation that the individual has been 13935
discharged under honorable conditions from the armed forces or 13936
has been transferred to the reserve with evidence of 13937
satisfactory service. 13938

(2) The state board of pharmacy may establish limits with 13939
respect to the individuals for whom fees are not applicable 13940
under division (B) (1) of this section. 13941

Sec. 4729.901. (A) An applicant for registration under 13942
section 4729.90 of the Revised Code shall file with the state 13943
board of pharmacy an application in the form and manner 13944
prescribed in rules adopted under section 4729.94 of the Revised 13945
Code. The application shall be accompanied by an application fee 13946
of fifty dollars, which shall not be returned if the applicant 13947
fails to qualify for registration. 13948

(B) If the board is satisfied that the applicant meets the 13949
requirements of section 4729.90 of the Revised Code and any 13950
additional requirements established by the board and determines 13951
that the results of a criminal records check do not make the 13952
applicant ineligible, the board shall register the applicant as 13953
a registered pharmacy technician or certified pharmacy 13954
technician, as applicable. 13955

(C) The board shall register as a registered pharmacy 13956
technician or certified pharmacy technician, as applicable, in 13957
accordance with Chapter 4796. of the Revised Code an applicant 13958
if either of the following applies: 13959

(1) The applicant holds a license or is registered in another state. 13960
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(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a pharmacy technician in a state that does not issue that license or registration. 13962
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(D) Registration under division (B) or (C) of this section is valid for the period specified by the board in rules adopted under section 4729.94 of the Revised Code. The period shall not exceed twenty-four months unless the board extends the period in the rules to adjust license renewal schedules. 13966
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Sec. 4729.921. An applicant for registration as a pharmacy technician trainee shall file with the state board of pharmacy an application in the form and manner prescribed in rules adopted under section 4729.94 of the Revised Code. The application shall be accompanied by an application fee of twenty-five dollars, which shall not be returned if the applicant fails to qualify for registration. 13971
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If the board is satisfied that an applicant meets the requirements of section 4729.92 of the Revised Code and any additional requirements established by the board and determines that the results of a criminal records check do not make the applicant ineligible, the board shall register the applicant as a pharmacy technician trainee. 13978
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The board shall register as a pharmacy technician trainee in accordance with Chapter 4796. of the Revised Code an applicant who either holds a license or is registered in another state or has satisfactory work experience, a government certification, or a private certification as described in that 13984
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chapter as a pharmacy technician trainee in a state that does 13989
not issue that license or registration. 13990

The board may register as a pharmacy technician trainee an 13991
applicant who is seventeen years of age and does not possess a 13992
high school diploma or certificate of high school equivalence if 13993
the applicant is enrolled in a career-technical school program 13994
that is approved by the board and conducted by a city, exempted 13995
village, local, or joint vocational school district. 13996

The board shall not refuse to register an applicant as a 13997
pharmacy technician trainee because of a conviction for an 13998
offense unless the refusal is in accordance with section 9.79 of 13999
the Revised Code ~~an applicant who either holds a license or is~~ 14000
~~registered in another state or has satisfactory work experience,~~ 14001
~~a government certification, or a private certification as~~ 14002
~~described in that section as a pharmacy technician trainee in a~~ 14003
~~state that does not issue that license or registration.~~ 14004

Registration is valid for one year from the date of 14005
registration, except that the board may extend the time period 14006
for which registration is valid. Registration is not renewable, 14007
but an individual may reapply for registration if the 14008
individual's previous registration has lapsed for more than five 14009
years or the board grants its approval. 14010

Sec. 4730.10. (A) ~~An~~ Except as provided in division (C) of 14011
this section, an individual seeking a license to practice as a 14012
physician assistant shall file with the state medical board a 14013
written application on a form prescribed and supplied by the 14014
board. The application shall include all of the following: 14015

(1) The applicant's name, residential address, business 14016
address, if any, and social security number; 14017

(2) Satisfactory proof that the applicant meets the age requirement specified in division (A)(1) of section 4730.11 of the Revised Code; 14018
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(3) Satisfactory proof that the applicant meets either the educational requirements specified in division (B)(1) or (2) of section 4730.11 of the Revised Code or the educational or other applicable requirements specified in division (C)(1), (2), or (3) of that section; 14021
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(4) Any other information the board requires. 14026

(B) At the time of making application for a license to practice, the applicant shall pay the board a fee of four hundred dollars, no part of which shall be returned. The fees shall be deposited in accordance with section 4731.24 of the Revised Code. 14027
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(C) The board shall issue a license to practice as a physician assistant in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 14032
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(1) The applicant holds a license in another state. 14035

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a physician assistant in a state that does not issue that license. 14036
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Sec. 4731.151. (A) Naprapaths who received a certificate to practice from the state medical board prior to March 2, 1992, may continue to practice naprapathy, as defined in rules adopted by the board. Such naprapaths shall practice in accordance with rules adopted by the board. 14040
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(B)(1) As used in this division: 14045

(a) "Mechanotherapy" means all of the following:	14046
(i) Examining patients by verbal inquiry;	14047
(ii) Examination of the musculoskeletal system by hand;	14048
(iii) Visual inspection and observation;	14049
(iv) Diagnosing a patient's condition only as to whether	14050
the patient has a disorder of the musculoskeletal system;	14051
(v) In the treatment of patients, employing the techniques	14052
of advised or supervised exercise; electrical neuromuscular	14053
stimulation; massage or manipulation; or air, water, heat, cold,	14054
sound, or infrared ray therapy only to those disorders of the	14055
musculoskeletal system that are amenable to treatment by such	14056
techniques and that are identifiable by examination performed in	14057
accordance with division (B) (1) (a) (i) of this section and	14058
diagnosable in accordance with division (B) (1) (a) (ii) of this	14059
section.	14060
(b) "Educational requirements" means the completion of a	14061
course of study appropriate for certification to practice	14062
mechanotherapy on or before November 3, 1985, as determined by	14063
rules adopted under this chapter.	14064
(2) Mechanotherapists who received a certificate to	14065
practice from the board prior to March 2, 1992, may continue to	14066
practice mechanotherapy, as defined in rules adopted by the	14067
board. Such mechanotherapists shall practice in accordance with	14068
rules adopted by the board.	14069
A person authorized by this division to practice as a	14070
mechanotherapist may examine, diagnose, and assume	14071
responsibility for the care of patients with due regard for	14072
first aid and the hygienic and nutritional care of the patients.	14073

Roentgen rays shall be used by a mechanotherapist only for 14074
diagnostic purposes. 14075

(3) A person who holds a certificate to practice 14076
mechanotherapy and completed educational requirements in 14077
mechanotherapy on or before November 3, 1985, is entitled to use 14078
the title "doctor of mechanotherapy" and is a "physician" who 14079
performs "medical services" for the purposes of Chapters 4121. 14080
and 4123. of the Revised Code and the medicaid program, and 14081
shall receive payment or reimbursement as provided under those 14082
chapters and that program. 14083

(C) Chapter 4796. of the Revised Code does not apply to a 14084
certificate to practice naprapathy or mechanotherapy issued 14085
under this section. 14086

Sec. 4731.19. (A) A-Except as provided in division (E) of 14087
this section, a person seeking a license to practice a limited 14088
branch of medicine shall file with the state medical board an 14089
application in a manner prescribed by the board. The application 14090
shall include or be accompanied by all of the following: 14091

(1) Evidence that the applicant is at least eighteen years 14092
of age; 14093

(2) Evidence that the applicant has attained high school 14094
graduation or its equivalent; 14095

(3) Evidence that the applicant holds one of the 14096
following: 14097

(a) A diploma or certificate from a school, college, or 14098
institution in good standing as determined by the board, showing 14099
the completion of the following required courses of instruction: 14100

(i) Two hundred seventy-five hours in anatomy and 14101

physiology and pathology;	14102
(ii) Two hundred seventy-five hours in massage theory and practical, including hygiene;	14103 14104
(iii) Twenty-five hours in ethics;	14105
(iv) Twenty-five hours in business and law.	14106
(b) A diploma or certificate from a school, college, or institution in another state or jurisdiction showing completion of a course of instruction that meets the requirements of division (A) (3) (a) of this section and any other course requirements determined by the board through rules adopted under section 4731.05 of the Revised Code;	14107 14108 14109 14110 14111 14112
(c) During the five-year period immediately preceding the date of application, a current license, registration, or certificate in good standing in another state for massage therapy.	14113 14114 14115 14116
(4) Evidence that the applicant has successfully passed an examination, prescribed in rules described in section 4731.16 of the Revised Code, to determine competency to practice the applicable limited branch of medicine;	14117 14118 14119 14120
(5) An attestation that the information submitted under this section is accurate and truthful and that the applicant consents to release of information;	14121 14122 14123
(6) Any other information the board requires.	14124
(B) An applicant for a license to practice a limited branch of medicine shall comply with the requirements of section 4731.171 of the Revised Code.	14125 14126 14127
(C) At the time of making application for a license to	14128

practice a limited branch of medicine, the applicant shall pay 14129
to the board a fee of one hundred fifty dollars, no part of 14130
which shall be returned. No application shall be considered 14131
filed until the board receives the appropriate fee. 14132

(D) The board may investigate the application materials 14133
received under this section and contact any agency or 14134
organization for recommendations or other information about the 14135
applicant. 14136

(E) The board shall issue a certificate to practice a 14137
limited branch of medicine in accordance with Chapter 4796. of 14138
the Revised Code to an applicant if either of the following 14139
applies: 14140

(1) The applicant holds a license or certificate in 14141
another state. 14142

(2) As described in that chapter, the applicant has 14143
satisfactory work experience in practicing, or a government 14144
certification or private certification to practice, a limited 14145
branch of medicine in a state that does not issue that license 14146
or certificate. 14147

Sec. 4731.293. (A) The state medical board shall issue, 14148
without examination, a clinical research faculty certificate to 14149
practice medicine and surgery, osteopathic medicine and surgery, 14150
or podiatric medicine and surgery to any person who applies for 14151
the certificate and provides to the board satisfactory evidence 14152
of both of the following: 14153

(1) That the applicant holds a current, unrestricted 14154
license to practice medicine and surgery, osteopathic medicine 14155
and surgery, or podiatric medicine and surgery issued by another 14156
state or country; 14157

(2) 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, an osteopathic medical school accredited by the American osteopathic association, or a college of podiatric medicine and surgery in good standing with the board.

(B) The holder of a clinical research faculty certificate may do one of the following, as applicable:

(1) Practice medicine and surgery or osteopathic medicine and surgery only as is incidental to the certificate holder's teaching or research duties at the medical school or a teaching hospital affiliated with the school;

(2) Practice podiatric medicine and surgery only as is incidental to the certificate holder's teaching or research duties at the college of podiatric medicine and surgery or a teaching hospital affiliated with the college.

(C) The board may revoke a certificate on receiving proof satisfactory to the board that the certificate holder has engaged in practice in this state outside the scope of the certificate or that there are grounds for action against the certificate holder under section 4731.22 of the Revised Code.

(D) A clinical research faculty certificate is valid for three years, except that the certificate ceases to be valid if the holder's academic staff appointment described in division (A) (2) of this section is no longer valid or the certificate is revoked pursuant to division (C) of this section.

(E) (1) The board shall provide a renewal notice to the certificate holder at least one month before the certificate expires. Failure of a certificate holder to receive a notice of

renewal from the board shall not excuse the certificate holder 14187
from the requirements contained in this section. The notice 14188
shall inform the certificate holder of the renewal procedure. 14189
The notice also shall inform the certificate holder of the 14190
reporting requirement established by division (H) of section 14191
3701.79 of the Revised Code. At the discretion of the board, the 14192
information may be included on the application for renewal or on 14193
an accompanying page. 14194

(2) A clinical research faculty certificate may be renewed 14195
for an additional three-year period. There is no limit on the 14196
number of times a certificate may be renewed. A person seeking 14197
renewal of a certificate shall apply to the board. The board 14198
shall provide the application for renewal in a form determined 14199
by the board. 14200

(3) An applicant is eligible for renewal if the applicant 14201
does all of the following: 14202

(a) Reports any criminal offense to which the applicant 14203
has pleaded guilty, of which the applicant has been found 14204
guilty, or for which the applicant has been found eligible for 14205
intervention in lieu of conviction, since last filing an 14206
application for a clinical research faculty certificate; 14207

(b) Provides evidence satisfactory to the board of both of 14208
the following: 14209

(i) That the applicant continues to maintain a current, 14210
unrestricted license to practice medicine and surgery, 14211
osteopathic medicine and surgery, or podiatric medicine and 14212
surgery issued by another state or country; 14213

(ii) That the applicant's initial appointment to serve in 14214
this state on the academic staff of a school or college is still 14215

valid or has been renewed. 14216

(4) Regardless of whether the certificate has expired, a 14217
person who was granted a visiting medical faculty certificate 14218
under this section as it existed immediately prior to June 6, 14219
2012, may apply for a clinical research faculty certificate as a 14220
renewal. The board may issue the clinical research faculty 14221
certificate if the applicant meets the requirements of division 14222
(E) (3) of this section. The board may not issue a clinical 14223
research faculty certificate if the visiting medical faculty 14224
certificate was revoked. 14225

(F) A person holding a clinical research faculty 14226
certificate issued under this section shall not be required to 14227
obtain a certificate under Chapter 4796. of the Revised Code. 14228

(G) The board may adopt any rules it considers necessary 14229
to implement this section. The rules shall be adopted in 14230
accordance with Chapter 119. of the Revised Code. 14231

Sec. 4731.294. (A) The state medical board may issue, 14232
without examination, a special activity certificate to any 14233
nonresident person seeking to practice medicine and surgery or 14234
osteopathic medicine and surgery in conjunction with a special 14235
activity, program, or event taking place in this state. 14236

(B) An applicant for a special activity certificate shall 14237
submit evidence satisfactory to the board of all of the 14238
following: 14239

(1) The applicant holds a current, unrestricted license to 14240
practice medicine and surgery or osteopathic medicine and 14241
surgery issued by another state or country and that within the 14242
two-year period immediately preceding application, the applicant 14243
has done one of the following: 14244

(a) Actively practiced medicine and surgery or osteopathic medicine and surgery in the United States;	14245 14246
(b) Participated in a graduate medical education program accredited by either the accreditation council for graduate medical education of the American medical association or the American osteopathic association;	14247 14248 14249 14250
(c) Successfully passed the federation licensing examination established by the federation of state medical boards, a special examination established by the federation of state medical boards, or all parts of a standard medical licensing examination established for purposes of determining the competence of individuals to practice medicine and surgery or osteopathic medicine and surgery in the United States.	14251 14252 14253 14254 14255 14256 14257
(2) The applicant meets the same educational requirements that individuals must meet under sections 4731.09 and 4731.14 of the Revised Code.	14258 14259 14260
(3) The applicant's practice in conjunction with the special activity, program, or event will be in the public interest.	14261 14262 14263
(C) The applicant shall pay a fee of one hundred twenty-five dollars.	14264 14265
(D) The holder of a special activity certificate may practice medicine and surgery or osteopathic medicine and surgery only in conjunction with the special activity, event, or program for which the certificate is issued. The board may revoke a certificate on receiving proof satisfactory to the board that the holder of the certificate has engaged in practice in this state outside the scope of the certificate or that there are grounds for action against the certificate holder under	14266 14267 14268 14269 14270 14271 14272 14273

section 4731.22 of the Revised Code. 14274

(E) A special activity certificate is valid for the 14275
shorter of thirty days or the duration of the special activity, 14276
program, or event. The certificate may not be renewed. 14277

(F) The board shall not require a person holding a special 14278
activity certificate issued under this section to obtain a 14279
certificate under Chapter 4796. of the Revised Code. 14280

(G) The state medical board shall adopt rules in 14281
accordance with Chapter 119. of the Revised Code that specify 14282
how often an applicant may be granted a certificate under this 14283
section. 14284

Sec. 4731.295. (A) (1) As used in this section: 14285

(a) "Free clinic" has the same meaning as in section 14286
3701.071 of the Revised Code. 14287

(b) "Indigent and uninsured person" and "operation" have 14288
the same meanings as in section 2305.234 of the Revised Code. 14289

(2) For the purposes of this section, a person shall be 14290
considered retired from practice if the person's license has 14291
expired with the person's intention of ceasing to practice 14292
medicine and surgery or osteopathic medicine and surgery for 14293
remuneration. 14294

(B) The state medical board may issue, without 14295
examination, a volunteer's certificate to a person who is 14296
retired from practice so that the person may provide medical 14297
services to indigent and uninsured persons at any location, 14298
including a free clinic. The board shall deny issuance of a 14299
volunteer's certificate to a person who is not qualified under 14300
this section to hold a volunteer's certificate. 14301

(C) An application for a volunteer's certificate shall	14302
include all of the following:	14303
(1) A copy of the applicant's degree of medicine or	14304
osteopathic medicine.	14305
(2) One of the following, as applicable:	14306
(a) A copy of the applicant's most recent license	14307
authorizing the practice of medicine and surgery or osteopathic	14308
medicine and surgery issued by a jurisdiction in the United	14309
States that licenses persons to practice medicine and surgery or	14310
osteopathic medicine and surgery--.	14311
(b) A copy of the applicant's most recent license	14312
equivalent to a license to practice medicine and surgery or	14313
osteopathic medicine and surgery in one or more branches of the	14314
United States armed services that the United States government	14315
issued.	14316
(3) Evidence of one of the following, as applicable:	14317
(a) That the applicant has maintained for at least ten	14318
years prior to retirement full licensure in good standing in any	14319
jurisdiction in the United States that licenses persons to	14320
practice medicine and surgery or osteopathic medicine and	14321
surgery.	14322
(b) That the applicant has practiced for at least ten	14323
years prior to retirement in good standing as a doctor of	14324
medicine and surgery or osteopathic medicine and surgery in one	14325
or more of the branches of the United States armed services.	14326
(4) An attestation that the applicant will not accept any	14327
form of remuneration for any medical services rendered while in	14328
possession of a volunteer's certificate.	14329

(D) The holder of a volunteer's certificate may provide 14330
medical services only to indigent and uninsured persons, but may 14331
do so at any location, including a free clinic. The holder shall 14332
not accept any form of remuneration for providing medical 14333
services while in possession of the certificate. Except in a 14334
medical emergency, the holder shall not perform any operation or 14335
deliver babies. The board may revoke a volunteer's certificate 14336
on receiving proof satisfactory to the board that the holder has 14337
engaged in practice in this state outside the scope of the 14338
certificate. 14339

(E) (1) A volunteer's certificate shall be valid for a 14340
period of three years, unless earlier revoked under division (D) 14341
of this section or pursuant to section 4731.22 of the Revised 14342
Code. A volunteer's certificate may be renewed upon the 14343
application of the holder. The board shall maintain a register 14344
of all persons who hold volunteer's certificates. The board 14345
shall not charge a fee for issuing or renewing a certificate 14346
pursuant to this section. 14347

(2) To be eligible for renewal of a volunteer's 14348
certificate the holder of the certificate shall certify to the 14349
board completion of one hundred fifty hours of continuing 14350
medical education that meets the requirements of section 14351
4731.282 of the Revised Code regarding certification by private 14352
associations and approval by the board. The board may not renew 14353
a certificate if the holder has not complied with the continuing 14354
medical education requirements. Any entity for which the holder 14355
provides medical services may pay for or reimburse the holder 14356
for any costs incurred in obtaining the required continuing 14357
medical education credits. 14358

(3) The board shall issue a volunteer's certificate to 14359

each person who qualifies under this section for the 14360
certificate. The certificate shall state that the certificate 14361
holder is authorized to provide medical services pursuant to the 14362
laws of this state. The holder shall display the certificate 14363
prominently at the location where the holder primarily 14364
practices. 14365

(4) The holder of a volunteer's certificate issued 14366
pursuant to this section is subject to the immunity provisions 14367
regarding the provision of services to indigent and uninsured 14368
persons in section 2305.234 of the Revised Code. 14369

(F) The holder of a volunteer's certificate issued under 14370
this section is not required to obtain a license under Chapter 14371
4796. of the Revised Code. 14372

(G) The board shall adopt rules in accordance with Chapter 14373
119. of the Revised Code to administer and enforce this section. 14374

Sec. 4731.297. (A) As used in this section: 14375

(1) "Academic medical center" means a medical school and 14376
its affiliated teaching hospitals and clinics partnering to do 14377
all of the following: 14378

(a) Provide the highest quality of patient care from 14379
expert physicians; 14380

(b) Conduct groundbreaking research leading to medical 14381
advancements for current and future patients; 14382

(c) Provide medical education and graduate medical 14383
education to educate and train physicians. 14384

(2) "Affiliated physician group practice" means a medical 14385
practice that consists of one or more physicians authorized 14386
under this chapter to practice medicine and surgery or 14387

osteopathic medicine and surgery and that is affiliated with an 14388
academic medical center to further the objectives described in 14389
divisions (A) (1) (a) to (c) of this section. 14390

(B) The state medical board shall issue, without 14391
examination, to an applicant who meets the requirements of this 14392
section a certificate of conceded eminence authorizing the 14393
practice of medicine and surgery or osteopathic medicine and 14394
surgery as part of the applicant's employment with an academic 14395
medical center in this state or affiliated physician group 14396
practice in this state. 14397

(C) To be eligible for a certificate of conceded eminence, 14398
an applicant shall provide to the board all of the following: 14399

(1) Evidence satisfactory to the board of all of the 14400
following: 14401

(a) That the applicant is an international medical 14402
graduate who holds a medical degree from an educational 14403
institution listed in the international medical education 14404
directory; 14405

(b) That the applicant has been appointed to serve in this 14406
state as a full-time faculty member of a medical school 14407
accredited by the liaison committee on medical education or an 14408
osteopathic medical school accredited by the American 14409
osteopathic association; 14410

(c) That the applicant has accepted an offer of employment 14411
with an academic medical center in this state or affiliated 14412
physician group practice in this state; 14413

(d) That the applicant holds a license in good standing in 14414
another state or country authorizing the practice of medicine 14415
and surgery or osteopathic medicine and surgery; 14416

- (e) That the applicant has unique talents and 14417
extraordinary abilities not generally found within the 14418
applicant's specialty, as demonstrated by satisfying at least 14419
four of the following: 14420
- (i) The applicant has achieved educational qualifications 14421
beyond those that are required for entry into the applicant's 14422
specialty, including advanced degrees, special certifications, 14423
or other academic credentials. 14424
- (ii) The applicant has written multiple articles in 14425
journals listed in the index medicus or an equivalent scholarly 14426
publication acceptable to the board. 14427
- (iii) The applicant has a sustained record of excellence 14428
in original research, at least some of which involves serving as 14429
the principal investigator or co-principal investigator for a 14430
research project. 14431
- (iv) The applicant has received nationally or 14432
internationally recognized prizes or awards for excellence. 14433
- (v) The applicant has participated in peer review in a 14434
field of specialization that is the same as or similar to the 14435
applicant's specialty. 14436
- (vi) The applicant has developed new procedures or 14437
treatments for complex medical problems that are recognized by 14438
peers as a significant advancement in the applicable field of 14439
medicine. 14440
- (vii) The applicant has held previous academic 14441
appointments with or been employed by a health care organization 14442
that has a distinguished national or international reputation. 14443
- (viii) The applicant has been the recipient of a national 14444

institutes of health or other competitive grant award. 14445

(f) That the applicant has received staff membership or 14446
professional privileges from the academic medical center 14447
pursuant to standards adopted under section 3701.351 of the 14448
Revised Code on a basis that requires the applicant's medical 14449
education and graduate medical education to be at least 14450
equivalent to that of a physician educated and trained in the 14451
United States; 14452

(g) That the applicant has sufficient written and oral 14453
English skills to communicate effectively and reliably with 14454
patients, their families, and other medical professionals; 14455

(h) That the applicant will have professional liability 14456
insurance through the applicant's employment with the academic 14457
medical center or affiliated physician group practice. 14458

(2) An attestation that the applicant agrees to practice 14459
only within the clinical setting of the academic medical center 14460
or for the affiliated physician group practice; 14461

(3) Three letters of reference from distinguished experts 14462
in the applicant's specialty attesting to the unique 14463
capabilities of the applicant, at least one of which must be 14464
from outside the academic medical center or affiliated physician 14465
group practice; 14466

(4) An affidavit from the dean of the medical school where 14467
the applicant has been appointed to serve as a faculty member 14468
stating that the applicant meets all of the requirements of 14469
division (C) (1) of this section and that the letters of 14470
reference submitted under division (C) (3) of this section are 14471
from distinguished experts in the applicant's specialty, and 14472
documentation to support the affidavit; 14473

(5) A fee of one thousand dollars for the certificate.	14474
(D) (1) The holder of a certificate of conceded eminence	14475
may practice medicine and surgery or osteopathic medicine and	14476
surgery only within the clinical setting of the academic medical	14477
center with which the certificate holder is employed or for the	14478
affiliated physician group practice with which the certificate	14479
holder is employed.	14480
(2) A certificate holder may supervise medical students,	14481
physicians participating in graduate medical education, advanced	14482
practice nurses, and physician assistants when performing	14483
clinical services in the certificate holder's area of specialty.	14484
(E) The board may revoke a certificate issued under this	14485
section on receiving proof satisfactory to the board that the	14486
certificate holder has engaged in practice in this state outside	14487
the scope of the certificate or that there are grounds for	14488
action against the certificate holder under section 4731.22 of	14489
the Revised Code.	14490
(F) A certificate of conceded eminence is valid for the	14491
shorter of two years or the duration of the certificate holder's	14492
employment with the academic medical center or affiliated	14493
physician group practice. The certificate ceases to be valid if	14494
the holder resigns or is otherwise terminated from the academic	14495
medical center or affiliated physician group practice.	14496
(G) A certificate of conceded eminence may be renewed for	14497
an additional two-year period. There is no limit on the number	14498
of times a certificate may be renewed. A person seeking renewal	14499
of a certificate shall apply to the board and is eligible for	14500
renewal if the applicant does all of the following:	14501
(1) Pays the renewal fee of one thousand dollars;	14502

(2) Provides to the board an affidavit and supporting	14503
documentation from the academic medical center or affiliated	14504
physician group practice of all of the following:	14505
(a) That the applicant's initial appointment to the	14506
medical faculty is still valid or has been renewed;	14507
(b) That the applicant's clinical practice is consistent	14508
with the established standards in the field;	14509
(c) That the applicant has demonstrated continued	14510
scholarly achievement;	14511
(d) That the applicant has demonstrated continued	14512
professional achievement consistent with the academic medical	14513
center's requirements, established pursuant to standards adopted	14514
under section 3701.351 of the Revised Code, for physicians with	14515
staff membership or professional privileges with the academic	14516
medical center.	14517
(3) Satisfies the same continuing medical education	14518
requirements set forth in section 4731.282 of the Revised Code	14519
that apply to a person who holds a certificate to practice	14520
medicine and surgery or osteopathic medicine and surgery issued	14521
under this chapter.	14522
(4) Complies with any other requirements established by	14523
the board.	14524
(H) <u>The board shall not require a person to obtain a</u>	14525
<u>certificate under Chapter 4796. of the Revised Code to practice</u>	14526
<u>medicine and surgery or osteopathic medicine and surgery if the</u>	14527
<u>person holds a certificate of conceded eminence issued under</u>	14528
<u>this section.</u>	14529
(I) <u>The board may adopt any rules it considers necessary</u>	14530

to implement this section. The rules shall be adopted in 14531
accordance with Chapter 119. of the Revised Code. 14532

Sec. 4731.299. (A) ~~The~~ Except as provided in division (I) 14533
of this section, the state medical board may issue, without 14534
examination, to an applicant who meets all of the requirements 14535
of this section an expedited license to practice medicine and 14536
surgery or osteopathic medicine and surgery by endorsement. 14537

(B) An individual who seeks an expedited license by 14538
endorsement shall file with the board a written application on a 14539
form prescribed and supplied by the board. The application shall 14540
include all of the information the board considers necessary to 14541
process it. 14542

(C) ~~To~~ Except as provided in division (I) of this section, 14543
to be eligible to receive an expedited license by endorsement, 14544
an applicant shall do both of the following: 14545

(1) Provide evidence satisfactory to the board that the 14546
applicant meets all of the following requirements: 14547

(a) Has passed one of the following: 14548

(i) Steps one, two, and three of the United States medical 14549
licensing examination; 14550

(ii) Levels one, two, and three of the comprehensive 14551
osteopathic medical licensing examination of the United States; 14552

(iii) Any other medical licensing examination recognized 14553
by the board. 14554

(b) During the five-year period immediately preceding the 14555
date of application, has held a current, unrestricted license to 14556
practice medicine and surgery or osteopathic medicine and 14557
surgery issued by the licensing authority of ~~another state or a~~ 14558

Canadian province; 14559

(c) For at least two years immediately preceding the date 14560
of application, has actively practiced medicine and surgery or 14561
osteopathic medicine and surgery in a clinical setting; 14562

(d) Is in compliance with the medical education and 14563
training requirements in sections 4731.09 and 4731.14 of the 14564
Revised Code. 14565

(2) Certify to the board that all of the following are the 14566
case: 14567

(a) Not more than two malpractice claims, which resulted 14568
in a finding of liability or in payment, have been filed against 14569
the applicant during the ten-year period immediately preceding 14570
the date of application and no malpractice claim against the 14571
applicant during that ten-year period has resulted in total 14572
payment of more than five hundred thousand dollars. 14573

(b) The applicant does not have a medical condition that 14574
could affect the applicant's ability to practice according to 14575
acceptable and prevailing standards of care. 14576

(c) No adverse action has been taken against the applicant 14577
by a health care institution. 14578

(d) To the applicant's knowledge, no federal agency, 14579
medical society, medical association, or branch of the United 14580
States military has investigated or taken action against the 14581
applicant. 14582

(e) No professional licensing or regulatory authority has 14583
filed a complaint against, investigated, or taken action against 14584
the applicant and the applicant has not withdrawn a professional 14585
license application. 14586

(f) The applicant has not been suspended or expelled from 14587
any institution of higher education or school, including a 14588
medical school. 14589

(D) An applicant for an expedited license by endorsement 14590
shall comply with section 4731.08 of the Revised Code. 14591

(E) ~~At~~ Except as provided in division (I) of this section, 14592
at the time of application, the applicant shall pay to the board 14593
a fee of one thousand dollars, no part of which shall be 14594
returned. No application shall be considered filed until the 14595
board receives the fee. 14596

(F) The secretary and supervising member of the board 14597
shall review all applications received under this section. 14598

If the secretary and supervising member determine that an 14599
applicant meets the requirements for an expedited license by 14600
endorsement, the board shall issue the license to the applicant. 14601

If the secretary and supervising member determine that an 14602
applicant does not meet the requirements for an expedited 14603
license by endorsement, the application shall be treated as an 14604
application under section 4731.09 of the Revised Code. 14605

(G) Each license issued by the board under this section 14606
shall be signed by the president and secretary of the board and 14607
attested by the board's seal. 14608

(H) Within sixty days after September 29, 2013, the board 14609
shall approve acceptable means of demonstrating compliance with 14610
sections 4731.09 and 4731.14 of the Revised Code as required by 14611
division (C) (1) (d) of this section. 14612

(I) The board shall issue a license to practice medicine 14613
and surgery or osteopathic medicine and surgery in accordance 14614

with Chapter 4796. of the Revised Code to an applicant if either 14615
of the following applies: 14616

(1) The applicant holds a license in another state. 14617

(2) The applicant has satisfactory work experience, a 14618
government certification, or a private certification as 14619
described in that chapter as a physician in a state that does 14620
not issue that license. 14621

Sec. 4731.52. (A) ~~A~~Except as provided in division (E) of 14622
this section, a person seeking a license to practice podiatric 14623
medicine and surgery shall file with the state medical board an 14624
application in the form and manner prescribed by the board. The 14625
application must include all of the following: 14626

(1) Evidence satisfactory to the board to demonstrate that 14627
the applicant meets all of the following requirements: 14628

(a) Is at least eighteen years of age; 14629

(b) Possesses a high school diploma or a certificate of 14630
high school equivalence or has obtained the equivalent of such 14631
education as determined by the board; 14632

(c) Has completed at least two years of undergraduate work 14633
in a college of arts and sciences or the equivalent of such 14634
education as determined by the board; 14635

(d) Holds a degree from a college of podiatric medicine 14636
and surgery that was in good standing with the board at the time 14637
the degree was granted, as determined by the board; 14638

(e) Has completed one year of postgraduate training in a 14639
podiatric internship, residency, or clinical fellowship program 14640
accredited by the council on podiatric medicine or the American 14641
podiatric medical association or its equivalent as determined by 14642

the board; 14643

(f) Has successfully passed an examination prescribed in 14644
rules adopted by the board to determine competency to practice 14645
podiatric medicine and surgery; 14646

(g) Has complied with section 4731.531 of the Revised 14647
Code. 14648

(2) An attestation that the information submitted under 14649
this section is accurate and truthful; 14650

(3) Consent to the release of the applicant's information; 14651

(4) Any other information the board requires. 14652

(B) ~~An Except as provided in division (E) of this section,~~ 14653
an applicant for a license to practice podiatric medicine and 14654
surgery shall include with the application a fee of three 14655
hundred five dollars, no part of which may be returned. An 14656
application is not considered submitted until the board receives 14657
the fee. 14658

(C) The board may conduct an investigation related to the 14659
application materials received pursuant to this section and may 14660
contact any individual, agency, or organization for 14661
recommendations or other information about the applicant. 14662

(D) The board shall conclude any investigation of an 14663
applicant conducted under section 4731.22 of the Revised Code 14664
not later than ninety days after receipt of a complete 14665
application unless the applicant agrees in writing to an 14666
extension or the board determines that there is a substantial 14667
question of a violation of this chapter or the rules adopted 14668
under it and notifies the applicant in writing of the reasons 14669
for continuation of the investigation. If the board determines 14670

that the applicant is not in violation of this chapter or the 14671
rules adopted under it, the board shall issue a license not 14672
later than forty-five days after making that determination. 14673

(E) The board shall issue a license to practice podiatric 14674
medicine and surgery in accordance with Chapter 4796. of the 14675
Revised Code to an applicant if either of the following applies: 14676

(1) The applicant holds a license in another state. 14677

(2) The applicant has satisfactory work experience, a 14678
government certification, or a private certification as 14679
described in that chapter as a podiatrist in a state that does 14680
not issue that license. 14681

Sec. 4731.572. (A) The state medical board shall issue, 14682
without examination, a visiting podiatric faculty certificate to 14683
any nonresident person who holds a current, unrestricted license 14684
to practice podiatric medicine and surgery issued by another 14685
state or country and has been appointed to serve in this state 14686
on the academic staff of an approved college of podiatric 14687
medicine and surgery in good standing, as determined by the 14688
board. The board shall not require a nonresident person who 14689
holds a license in another state to obtain a license under 14690
Chapter 4796. of the Revised Code. 14691

(B) An applicant for a visiting podiatric faculty 14692
certificate shall submit evidence satisfactory to the board that 14693
the applicant meets the requirements of division (A) of this 14694
section. 14695

(C) The holder of a visiting podiatric faculty certificate 14696
may practice podiatric medicine and surgery only as is 14697
incidental to the certificate holder's teaching duties at the 14698
college or the teaching hospitals affiliated with the college. 14699

The board may revoke a certificate on receiving proof 14700
satisfactory to the board that the holder of the certificate has 14701
engaged in practice in this state outside the scope of the 14702
certificate or that there are grounds for action against the 14703
certificate holder under section 4731.22 of the Revised Code. 14704

(D) A visiting podiatric faculty certificate is valid for 14705
the shorter of one year or the duration of the holder's 14706
appointment to the academic staff of the college. The 14707
certificate may not be renewed. 14708

Sec. 4732.10. (A) The state board of psychology shall 14709
appoint an entrance examiner who shall determine the sufficiency 14710
of an applicant's qualifications for admission to the 14711
appropriate examination. A member of the board or the executive 14712
director may be appointed as the entrance examiner. 14713

(B) Requirements for admission to examination for a 14714
psychologist license shall be that the applicant: 14715

(1) Is at least twenty-one years of age; 14716

(2) Meets one of the following requirements: 14717

(a) Received an earned doctoral degree from an institution 14718
accredited or recognized by a national or regional accrediting 14719
agency and a program accredited by any of the following: 14720

(i) The American psychological association, office of 14721
program consultation and accreditation; 14722

(ii) The accreditation office of the Canadian 14723
psychological association; 14724

(iii) A program listed by the association of state and 14725
provincial psychology boards/national register designation 14726
committee; 14727

(iv) The national association of school psychologists.	14728
(b) Received an earned doctoral degree in psychology or school psychology from an institution accredited or recognized by a national or regional accrediting agency but the program does not meet the program accreditation requirements of division (B) (2) (a) of this section;	14729 14730 14731 14732 14733
(c) Received from an academic institution outside of the United States or Canada a degree determined, under rules adopted by the board under division (E) of this section, to be equivalent to a doctoral degree in psychology from a program described in division (B) (2) (a) of this section;	14734 14735 14736 14737 14738
(d) Held a psychologist license, certificate, or registration required for practice in another United States or a Canadian jurisdiction for a minimum of ten years and meets educational, experience, and professional requirements established under rules adopted by the board.	14739 14740 14741 14742 14743
(3) Has had at least two years of supervised professional experience in psychological work of a type satisfactory to the board, at least one year of which must be a predoctoral internship. The board shall adopt guidelines for the kind of supervised professional experience that fulfill this requirement.	14744 14745 14746 14747 14748 14749
(4) If applying under division (B) (2) (b) or (c) of this section, has had at least two years of supervised professional experience in psychological work of a type satisfactory to the board, at least one year of which must be postdoctoral. The board shall adopt guidelines for the kind of supervised professional experience that fulfill this requirement.	14750 14751 14752 14753 14754 14755
(C) Requirements for admission to examination for a school	14756

psychologist license shall be that the applicant: 14757

(1) Has received from an educational institution 14758
accredited or recognized by national or regional accrediting 14759
agencies as maintaining satisfactory standards, including those 14760
approved by the state board of education for the training of 14761
school psychologists, at least a master's degree in school 14762
psychology, or a degree considered equivalent by the board; 14763

(2) Is at least twenty-one years of age; 14764

(3) Has completed at least sixty quarter hours, or the 14765
semester hours equivalent, at the graduate level, of accredited 14766
study in course work relevant to the study of school psychology; 14767

(4) Has completed an internship in an educational 14768
institution approved by the Ohio department of education for 14769
school psychology supervised experience or one year of other 14770
training experience acceptable to the board, such as supervised 14771
professional experience under the direction of a licensed 14772
psychologist or licensed school psychologist; 14773

(5) Furnishes proof of at least twenty-seven months, 14774
exclusive of internship, of full-time experience as a 14775
certificated school psychologist employed by a board of 14776
education or a private school meeting the standards prescribed 14777
by the state board of education, or of experience that the board 14778
deems equivalent. 14779

(D) If the entrance examiner finds that the applicant 14780
meets the requirements set forth in this section, the applicant 14781
shall be admitted to the appropriate examination. 14782

(E) The board shall adopt under Chapter 119. of the 14783
Revised Code rules for determining for the purposes of division 14784
(B) (2) (b) of this section whether a degree is equivalent to a 14785

degree in psychology from an institution in the United States. 14786

Sec. 4732.12. If an applicant for a license issued by the 14787
state board of psychology to practice as a psychologist or 14788
school psychologist receives a score acceptable to the board on 14789
the appropriate examination required by section 4732.11 of the 14790
Revised Code and has paid the fee required by section 4732.15 of 14791
the Revised Code, the board shall issue the appropriate license. 14792

The board shall issue a license to practice as a 14793
psychologist or school psychologist, as appropriate, in 14794
accordance with Chapter 4796. of the Revised Code to an 14795
applicant who holds a license in another state or has 14796
satisfactory work experience, a government certification, or a 14797
private certification as described in that chapter as a 14798
psychologist or school psychologist in a state that does not 14799
issue that license. 14800

Sec. 4732.22. (A) The following persons are exempted from 14801
the licensing requirements of this chapter: 14802

(1) A person who holds a license or certificate issued by 14803
the state board of education authorizing the practice of school 14804
psychology, while practicing school psychology within the scope 14805
of employment by a board of education or by a private school 14806
meeting the standards prescribed by the state board of education 14807
under division (D) of section 3301.07 of the Revised Code, or 14808
while acting as a school psychologist within the scope of 14809
employment in a program for children with disabilities 14810
established under Chapter 3323. or 5126. of the Revised Code. A 14811
person exempted under this division shall not offer 14812
psychological services to any other individual, organization, or 14813
group for remuneration, monetary or otherwise, unless the person 14814
is licensed by the state board of psychology. 14815

(2) Any nonresident temporarily employed in this state to 14816
render psychological services for not more than thirty days a 14817
year, who, in the opinion of the board, meets the standards for 14818
entrance in division (B) of section 4732.10 of the Revised Code, 14819
who has paid the required fee and submitted an application 14820
prescribed by the board, and who holds whatever license or 14821
certificate, if any, is required for such practice in the 14822
person's home state or home country. The state board of 14823
psychology shall not require a nonresident temporarily employed 14824
in this state who holds a license or certificate in another 14825
state to obtain a license in accordance with Chapter 4796. of 14826
the Revised Code to practice or render psychological services in 14827
the manner described under this division. 14828

(3) Any person working under the supervision of a 14829
psychologist or school psychologist licensed under this chapter, 14830
while carrying out specific tasks, under the license holder's 14831
supervision, as an extension of the license holder's legal and 14832
ethical authority as specified under this chapter if the person 14833
is registered under division (B) of this section. All fees shall 14834
be billed under the name of the license holder. The person 14835
working under the license holder's supervision shall not 14836
represent self to the public as a psychologist or school 14837
psychologist, although supervised persons and persons in 14838
training may be ascribed such titles as "psychology trainee," 14839
"psychology assistant," "psychology intern," or other 14840
appropriate term that clearly implies their supervised or 14841
training status. 14842

(4) Any student in an accredited educational institution, 14843
while carrying out activities that are part of the student's 14844
prescribed course of study, provided such activities are 14845
supervised by a professional person who is qualified to perform 14846

such activities and is licensed under this chapter or is a 14847
qualified supervisor pursuant to rules of the board; 14848

(5) Recognized religious officials, including ministers, 14849
priests, rabbis, imams, Christian science practitioners, and 14850
other persons recognized by the board, conducting counseling 14851
when the counseling activities are within the scope of the 14852
performance of their regular duties and are performed under the 14853
auspices or sponsorship of an established and legally cognizable 14854
religious denomination or sect, as defined in current federal 14855
tax regulations, and when the religious official does not refer 14856
to the official's self as a psychologist and remains accountable 14857
to the established authority of the religious denomination or 14858
sect; 14859

(6) Persons in the employ of the federal government 14860
insofar as their activities are a part of the duties of their 14861
positions; 14862

(7) Persons licensed, certified, or registered under any 14863
other provision of the Revised Code who are practicing those 14864
arts and utilizing psychological procedures that are allowed and 14865
within the standards and ethics of their profession or within 14866
new areas of practice that represent appropriate extensions of 14867
their profession, provided that they do not hold themselves out 14868
to the public by the title of psychologist; 14869

(8) Persons using the term "social psychologist," 14870
"experimental psychologist," "developmental psychologist," 14871
"research psychologist," "cognitive psychologist," and other 14872
terms used by those in academic and research settings who 14873
possess a doctoral degree in psychology from an educational 14874
institution accredited or recognized by national or regional 14875
accrediting agencies as maintaining satisfactory standards and 14876

who do not use such a term in the solicitation or rendering of professional psychological services. 14877
14878

(B) The license holder who is supervising a person 14879
described in division (A) (3) of this section shall register the 14880
person with the board. The board shall adopt rules regarding the 14881
registration process and the supervisory relationship. 14882

Sec. 4733.18. (A) The state board of registration for 14883
professional engineers and surveyors ~~may~~ shall authorize a 14884
temporary registration for an individual who has filed with the 14885
board an application for a temporary registration and has paid 14886
the required fee in accordance with Chapter 4796. of the Revised 14887
Code. The temporary registration continues only for the time the 14888
board requires for consideration of the application for 14889
registration, ~~provided a person is legally qualified to practice~~ 14890
~~that profession in the person's own state in which the~~ 14891
~~requirements and qualifications of registration are not lower~~ 14892
~~than those specified in this chapter.~~ 14893

(B) (1) The following persons are exempt from this chapter: 14894

(a) An employee or a subordinate of a person registered 14895
under this chapter or an employee of a person holding temporary 14896
registration under division (A) of this section, provided the 14897
employee's or subordinate's duties do not include responsible 14898
charge of engineering or surveying work; 14899

(b) Officers and employees of the government of the United 14900
States while engaged within this state in the practice of 14901
engineering or surveying, for that government; 14902

(c) An engineer engaged solely as an officer of a 14903
privately owned public utility. 14904

(2) This chapter does not require registration for the 14905

purpose of practicing professional engineering, or professional 14906
surveying by an individual, firm, or corporation on property 14907
owned or leased by that individual, firm, or corporation unless 14908
the same involves the public welfare or the safeguarding of 14909
life, health, or property, or for the performance of engineering 14910
or surveying which relates solely to the design or fabrication 14911
of manufactured products. 14912

(C) Nothing in this chapter prevents persons other than 14913
engineers from preparing plans, drawings, specifications, or 14914
data, from filing applications for building permits, or from 14915
obtaining those permits for residential buildings, as defined by 14916
section 3781.06 of the Revised Code, or buildings that are 14917
erected as one-, two-, or three-family units or structures 14918
within the meaning of the term "industrialized unit" as provided 14919
in section 3781.06 of the Revised Code. 14920

(D) Nothing in this chapter prevents persons other than 14921
engineers from preparing drawings or data, from filing 14922
applications for building permits, or from obtaining those 14923
permits for the installation of replacement equipment or systems 14924
that are similar in type or capacity to the equipment or systems 14925
being replaced, and for any improvement, alteration, repair, 14926
painting, decorating, or other modification of any buildings or 14927
structures subject to sections 3781.06 to 3781.18 and 3791.04 of 14928
the Revised Code where the building official determines that no 14929
plans or specifications are required for approval. 14930

Sec. 4733.19. ~~A~~ With respect to a person registered or 14931
licensed to engage in the practice of engineering or surveying 14932
by a proper authority of ~~a~~ another state, territory, or 14933
possession of the United States, or the District of Columbia, 14934
~~who, in the opinion of~~ or who has a government certification or 14935

private certification as an engineer or surveyor in another 14936
state, territory, or possession of the United States, or the 14937
District of Columbia that does not issue that registration or 14938
license, the state board of registration for professional 14939
engineers and surveyors, ~~meets the requirements of this chapter,~~ 14940
~~based on verified evidence, may, upon application and payment of~~ 14941
~~the established fee, be registered~~ shall register the person as 14942
a professional engineer or surveyor in accordance with Chapter 14943
4796. of the Revised Code. Notwithstanding section 4796.05 of 14944
the Revised Code, the board shall register a person who has 14945
satisfactory work experience as a professional engineer or 14946
surveyor in accordance with Chapter 4796. of the Revised Code if 14947
the person satisfies a minimum education requirement and passes 14948
an examination. 14949

~~Any person who seeks registration as a professional~~ 14950
~~surveyor under this section must pass a two-hour professional~~ 14951
~~practice examination, devoted to the laws and practices of this~~ 14952
~~state prior to receiving such registration.~~ 14953

Sec. 4734.23. (A) A person licensed by another ~~state or~~ 14954
country in the practice of chiropractic may apply under this 14955
section for a license to practice chiropractic in this state in 14956
lieu of applying under section 4734.20 of the Revised Code. The 14957
fee for applying under this ~~section~~ division shall be five 14958
hundred dollars. 14959

(B) The state chiropractic board may, for good cause, 14960
waive all or part of the educational and testing requirements 14961
specified under section 4734.20 of the Revised Code and issue a 14962
license to an applicant under division (A) of this section, if 14963
the applicant presents satisfactory proof of being licensed to 14964
practice chiropractic in another ~~state or~~ country where the 14965

requirements for receipt of the license, on the date the license was issued, are considered by the board to be substantially equivalent to those of this chapter. The applicant must meet the same age requirement that must be met under section 4734.20 of the Revised Code. If the board does not waive all of the educational and testing requirements, the board may require that the applicant complete and receive a score specified by the board on one or more tests administered by the board or by the national board of chiropractic examiners or another testing entity.

(C) The board shall issue a license to practice chiropractic in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license to practice chiropractic in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a chiropractor in a state that does not issue that license.

Sec. 4734.27. (A) To the extent it is in the public interest, the state chiropractic board may issue, without examination, a special limited license to practice chiropractic as follows:

(1) To a person who is seeking to participate in an internship, residency, preceptorship, or clinical fellowship in this state in preparation for the practice of chiropractic;

(2) To a nonresident person who plans to provide chiropractic services in connection with a special activity, program, or event conducted in this state, if the person holds a

current, valid, and unrestricted license to practice 14995
chiropractic in another state or country; 14996

(3) To a person who previously held an unrestricted 14997
license to practice chiropractic in this state who plans to 14998
offer gratuitous chiropractic services as a voluntary public 14999
service; 15000

(4) To any other person for any other reason specified as 15001
good cause by the board in rules adopted under this section. 15002

(B) An applicant for a special limited license shall 15003
submit to the board a complete application on a form prescribed 15004
by the board, pay an application fee of seventy-five dollars, 15005
and furnish proof satisfactory to the board of being at least 15006
twenty-one years of age and of either holding the degree of 15007
doctor of chiropractic or being enrolled in a program leading to 15008
the degree. The institution from which the applicant received 15009
the degree or in which the applicant is enrolled must be a 15010
school or college that is approved by the board under section 15011
4734.21 of the Revised Code. 15012

(C) The provisions of this chapter that apply to 15013
applicants for and holders of licenses to practice chiropractic 15014
shall apply to applicants for and holders of special limited 15015
licenses to the extent the board considers appropriate, 15016
including the board's authority to conduct any investigation it 15017
considers appropriate to verify an applicant's credentials and 15018
fitness to receive a license and the board's authority to take 15019
actions under section 4734.31 of the Revised Code. 15020

(D) The board shall adopt any rules it considers necessary 15021
to implement this section. All rules adopted under this section 15022
shall be adopted in accordance with Chapter 119. of the Revised 15023

Code.	15024
<u>(E) (1) The board shall issue a special limited license to</u>	15025
<u>practice chiropractic under division (A) (1) of this section in</u>	15026
<u>accordance with Chapter 4796. of the Revised Code to a person if</u>	15027
<u>either of the following applies:</u>	15028
<u>(a) The person holds a limited license to practice</u>	15029
<u>chiropractic in another state.</u>	15030
<u>(b) The person has satisfactory work experience, a</u>	15031
<u>government certification, or a private certification as</u>	15032
<u>described in that chapter as a chiropractor in a state that does</u>	15033
<u>not issue that limited license.</u>	15034
<u>(2) A nonresident person who holds a special limited</u>	15035
<u>license to practice chiropractic under division (A) (2) of this</u>	15036
<u>section is not required to obtain a license under Chapter 4796.</u>	15037
<u>of the Revised Code to practice under the special limited</u>	15038
<u>license.</u>	15039
<u>(3) Chapter 4796. of the Revised Code does not apply to a</u>	15040
<u>special limited license issued under division (A) (3) or (4) of</u>	15041
<u>this section.</u>	15042
Sec. 4734.283. If the state chiropractic board determines	15043
under section 4734.282 of the Revised Code that an applicant	15044
meets the requirements for a certificate to practice	15045
acupuncture, the executive director of the board shall issue to	15046
the applicant a certificate to practice acupuncture.	15047
A certificate to practice acupuncture expires biennially	15048
in accordance with a schedule the board shall establish. The	15049
certificate may be renewed in accordance with section 4734.284	15050
of the Revised Code.	15051

Notwithstanding the requirements for a certificate under 15052
this chapter, the executive director shall issue a certificate 15053
to practice acupuncture in accordance with Chapter 4796. of the 15054
Revised Code to a chiropractor who holds a license or 15055
certificate to practice acupuncture in another state or has 15056
satisfactory work experience, a government certification, or a 15057
private certification as described in that chapter as an 15058
acupuncturist in a state that does not issue that license or 15059
certificate. 15060

Sec. 4735.023. (A) An oil and gas land professional who is 15061
not otherwise permitted to engage in the activities described in 15062
division (A) of section 4735.01 of the Revised Code may perform 15063
such activities, if the oil and gas land professional does all 15064
of the following: 15065

(1) (a) Registers on an annual basis as an oil and gas land 15066
professional with the superintendent of real estate by such date 15067
specified and on a form approved by the superintendent, which 15068
form includes both of the following: 15069

(i) The name and address of the oil and gas land 15070
professional; 15071

(ii) Evidence of the oil and gas land professional's 15072
membership in good standing in a national, state, or local 15073
professional organization that has been in existence for at 15074
least three years and has, as part of its mission, developed a 15075
set of standards of performance and ethics for oil and gas land 15076
professionals. 15077

(b) Pays an annual fee, established by the superintendent 15078
in an amount not to exceed one hundred dollars, which shall 15079
accompany the registration. 15080

(2) At or prior to first contacting any landowner or other person with an interest in real estate for the purpose of engaging in the activities of an oil and gas land professional, and on a form approved by the superintendent, discloses to the landowner or other person all of the following:

(a) The oil and gas land professional's name and address as registered with the superintendent;

(b) That the oil and gas land professional is registered as such with the superintendent and is a member in good standing in a national, state, or local professional organization that has been in existence for at least three years and has, as part of its mission, developed a set of standards of performance and ethics for oil and gas land professionals;

(c) That the oil and gas land professional is not a licensed real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;

(d) That the landowner or other person with an interest in real estate may seek legal counsel in connection with any transaction with the oil and gas land professional;

(e) That the oil and gas land professional is not representing the landowner or other person with an interest in real estate.

(3) At or prior to entering into any agreements for the purpose of exploring for, transporting, producing, or developing oil and gas mineral interests including, but not limited to, oil and gas leases and pipeline easements with any landowner or other person with an interest in real estate, and on a form approved by the superintendent, discloses to the landowner or other person with an interest in real estate all of the

following:	15110
(a) The oil and gas land professional's name and address	15111
as registered with the superintendent;	15112
(b) That the oil and gas land professional is registered	15113
as such with the superintendent and a member in good standing in	15114
a national, state, or local professional organization that has	15115
been in existence for at least three years and has, as part of	15116
its mission, developed a set of standards of performance and	15117
ethics for oil and gas land professionals;	15118
(c) That the oil and gas land professional is not a	15119
licensed real estate broker or real estate salesperson under	15120
Chapter 4735. of the Revised Code;	15121
(d) That the landowner or other person may seek legal	15122
counsel in connection with any transaction with the oil and gas	15123
land professional;	15124
(e) That the oil and gas land professional is not	15125
representing the landowner or other person with an interest in	15126
real estate.	15127
(B) Any oil and gas land professional who must be	15128
registered as such with the superintendent pursuant to this	15129
section who ceases to be a member in good standing of an	15130
organization described in division (A) (1) (a) (ii) of this section	15131
shall report the change in membership status to the	15132
superintendent within thirty days of that change. Failure to	15133
report such change in membership status shall result in the	15134
automatic suspension of registration status and subject the	15135
registrant to the penalties for unlicensed activity as found in	15136
section 4735.052 of the Revised Code.	15137
(C) Any oil and gas land professional who fails to	15138

register with the superintendent pursuant to this section is 15139
subject to the penalties for unlicensed activity as found in 15140
section 4735.052 of the Revised Code. 15141

(D) Notwithstanding any provision of this section to the 15142
contrary, the superintendent shall register in accordance with 15143
Chapter 4796. of the Revised Code as an oil and gas land 15144
professional a person if either of the following applies: 15145

(1) The person is licensed or registered as an oil and gas 15146
land professional in another state. 15147

(2) The person has satisfactory work experience, a 15148
government certification, or a private certification as 15149
described in that chapter as an oil and gas land professional in 15150
a state that does not issue that license or registration. 15151

Sec. 4735.07. (A) The superintendent of real estate, with 15152
the consent of the Ohio real estate commission, may enter into 15153
agreements with recognized national testing services to 15154
administer the real estate broker's examination under the 15155
superintendent's supervision and control, consistent with the 15156
requirements of this chapter as to the contents of such 15157
examination. 15158

(B) No applicant for a real estate broker's license shall 15159
take the broker's examination who has not established to the 15160
satisfaction of the superintendent that the applicant: 15161

(1) Is honest and truthful; 15162

(2) (a) Has not been convicted of a disqualifying offense 15163
as determined in accordance with section 9.79 of the Revised 15164
Code; 15165

(b) Has not been finally adjudged by a court to have 15166

violated any municipal, state, or federal civil rights laws 15167
relevant to the protection of purchasers or sellers of real 15168
estate or, if the applicant has been so adjudged, at least two 15169
years have passed since the court decision and the 15170
superintendent has disregarded the adjudication because the 15171
applicant has proven, by a preponderance of the evidence, that 15172
the applicant's activities and employment record since the 15173
adjudication show that the applicant is honest and truthful, and 15174
there is no basis in fact for believing that the applicant will 15175
again violate the laws involved. 15176

(3) Has not, during any period in which the applicant was 15177
licensed under this chapter, violated any provision of, or any 15178
rule adopted pursuant to, this chapter, or, if the applicant has 15179
violated any such provision or rule, has established to the 15180
satisfaction of the superintendent that the applicant will not 15181
again violate such provision or rule; 15182

(4) Is at least eighteen years of age; 15183

(5) Has been a licensed real estate broker or salesperson 15184
for at least two years; during at least two of the five years 15185
preceding the person's application, has worked as a licensed 15186
real estate broker or salesperson for an average of at least 15187
thirty hours per week; and has completed one of the following: 15188

(a) At least twenty real estate transactions, in which 15189
property was sold for another by the applicant while acting in 15190
the capacity of a real estate broker or salesperson; 15191

(b) Such equivalent experience as is defined by rules 15192
adopted by the commission. 15193

(6) (a) If licensed as a real estate salesperson prior to 15194
August 1, 2001, successfully has completed at an institution of 15195

higher education all of the following credit-eligible courses by	15196
either classroom instruction or distance education:	15197
(i) Thirty hours of instruction in real estate practice;	15198
(ii) Thirty hours of instruction that includes the	15199
subjects of Ohio real estate law, municipal, state, and federal	15200
civil rights law, new case law on housing discrimination,	15201
desegregation issues, and methods of eliminating the effects of	15202
prior discrimination. If feasible, the instruction in Ohio real	15203
estate law shall be taught by a member of the faculty of an	15204
accredited law school. If feasible, the instruction in	15205
municipal, state, and federal civil rights law, new case law on	15206
housing discrimination, desegregation issues, and methods of	15207
eliminating the effects of prior discrimination shall be taught	15208
by a staff member of the Ohio civil rights commission who is	15209
knowledgeable with respect to those subjects. The requirements	15210
of this division do not apply to an applicant who is admitted to	15211
practice before the supreme court.	15212
(iii) Thirty hours of instruction in real estate	15213
appraisal;	15214
(iv) Thirty hours of instruction in real estate finance;	15215
(v) Three quarter hours, or its equivalent in semester	15216
hours, in financial management;	15217
(vi) Three quarter hours, or its equivalent in semester	15218
hours, in human resource or personnel management;	15219
(vii) Three quarter hours, or its equivalent in semester	15220
hours, in applied business economics;	15221
(viii) Three quarter hours, or its equivalent in semester	15222
hours, in business law.	15223

(b) If licensed as a real estate salesperson on or after	15224
August 1, 2001, successfully has completed at an institution of	15225
higher education all of the following credit-eligible courses by	15226
either classroom instruction or distance education:	15227
(i) Forty hours of instruction in real estate practice;	15228
(ii) Forty hours of instruction that includes the subjects	15229
of Ohio real estate law, municipal, state, and federal civil	15230
rights law, new case law on housing discrimination,	15231
desegregation issues, and methods of eliminating the effects of	15232
prior discrimination. If feasible, the instruction in Ohio real	15233
estate law shall be taught by a member of the faculty of an	15234
accredited law school. If feasible, the instruction in	15235
municipal, state, and federal civil rights law, new case law on	15236
housing discrimination, desegregation issues, and methods of	15237
eliminating the effects of prior discrimination shall be taught	15238
by a staff member of the Ohio civil rights commission who is	15239
knowledgeable with respect to those subjects. The requirements	15240
of this division do not apply to an applicant who is admitted to	15241
practice before the supreme court.	15242
(iii) Twenty hours of instruction in real estate	15243
appraisal;	15244
(iv) Twenty hours of instruction in real estate finance;	15245
(v) The training in the amount of hours specified under	15246
divisions (B) (6) (a) (v), (vi), (vii), and (viii) of this section.	15247
(c) Division (B) (6) (a) or (b) of this section does not	15248
apply to any applicant who holds a valid real estate	15249
salesperson's license issued prior to January 2, 1972. Divisions	15250
(B) (6) (a) (v), (vi), (vii), and (viii) or division (B) (6) (b) (v)	15251
of this section do not apply to any applicant who holds a valid	15252

real estate salesperson's license issued prior to January 3, 15253
1984. 15254

(d) Divisions (B) (6) (a) (iii) and (B) (6) (b) (iii) of this 15255
section do not apply to any new applicant who holds a valid Ohio 15256
real estate appraiser license or certificate issued prior to the 15257
date of application for a real estate broker's license. 15258

(e) Successful completion of the instruction required by 15259
division (B) (6) (a) or (b) of this section shall be determined by 15260
the law in effect on the date the instruction was completed. 15261

(7) If licensed as a real estate salesperson on or after 15262
January 3, 1984, satisfactorily has completed a minimum of two 15263
years of post-secondary education, or its equivalent in semester 15264
or quarter hours, at an institution of higher education, and has 15265
fulfilled the requirements of division (B) (6) (a) or (b) of this 15266
section. The requirements of division (B) (6) (a) or (b) of this 15267
section may be included in the two years of post-secondary 15268
education, or its equivalent in semester or quarter hours, that 15269
is required by this division. The post-secondary education 15270
requirement may be satisfied by completing the credit-eligible 15271
courses using either classroom instruction or distance 15272
education. Successful completion of any course required by this 15273
section shall be determined by the law in effect on the date the 15274
course was completed. 15275

(C) Each applicant for a broker's license shall be 15276
examined in the principles of real estate practice, Ohio real 15277
estate law, and financing and appraisal, and as to the duties of 15278
real estate brokers and real estate salespersons, the 15279
applicant's knowledge of real estate transactions and 15280
instruments relating to them, and the canons of business ethics 15281
pertaining to them. The commission from time to time shall 15282

promulgate such canons and cause them to be published in printed 15283
form. 15284

(D) Examinations shall be administered with reasonable 15285
accommodations in accordance with the requirements of the 15286
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 15287
U.S.C. 12101. The contents of an examination shall be consistent 15288
with the requirements of division (B)(6) of this section and 15289
with the other specific requirements of this section. An 15290
applicant who has completed the requirements of division (B)(6) 15291
of this section at the time of application shall be examined no 15292
later than twelve months after the applicant is notified of 15293
admission to the examination. 15294

~~(E) The superintendent may waive one or more of the 15295
requirements of this section in the case of an application from 15296
a nonresident real estate broker pursuant to a reciprocity 15297
agreement with the licensing authority of the state from which 15298
the nonresident applicant holds a valid real estate broker 15299
license. Notwithstanding any provision of this chapter or Chapter 15300
4796. of the Revised Code to the contrary, the superintendent 15301
shall issue a real estate broker's license in accordance with 15302
Chapter 4796. of the Revised Code to an applicant if either of 15303
the following applies: 15304~~

(1) The applicant satisfies the requirements specified in 15305
section 4796.03 or 4796.04 of the Revised Code, as applicable, 15306
and all of the following apply: 15307

(a) The applicant has worked as a real estate broker for 15308
at least two of the five years immediately preceding the date of 15309
the application. 15310

(b) The applicant has completed not less than twenty real 15311

<u>estate transactions in which the applicant acted in the capacity</u>	15312
<u>of a real estate broker.</u>	15313
<u>(c) The applicant passes an examination on Ohio real</u>	15314
<u>estate law.</u>	15315
<u>(2) The applicant satisfies the requirements specified in</u>	15316
<u>section 4796.05 of the Revised Code and divisions (E) (1) (b) and</u>	15317
<u>(c) of this section.</u>	15318
(F) There shall be no limit placed on the number of times	15319
an applicant may retake the examination.	15320
(G) (1) Not earlier than the date of issue of a real estate	15321
broker's license to a licensee, but not later than twelve months	15322
after the date of issue of a real estate broker's license to a	15323
licensee, the licensee shall submit proof satisfactory to the	15324
superintendent, on forms made available by the superintendent,	15325
of the completion of ten hours of instruction that shall be	15326
completed in schools, seminars, and educational institutions	15327
that are approved by the commission. Approval of the curriculum	15328
and providers shall be granted according to rules adopted	15329
pursuant to section 4735.10 of the Revised Code and may be taken	15330
through classroom instruction or distance education.	15331
If the required proof of completion is not submitted to	15332
the superintendent within twelve months of the date a license is	15333
issued under this section, the license of the real estate broker	15334
is suspended automatically without the taking of any action by	15335
the superintendent. The broker's license shall not be	15336
reactivated by the superintendent until it is established, to	15337
the satisfaction of the superintendent, that the requirements of	15338
this division have been met and that the licensee is in	15339
compliance with this chapter. A licensee's license is revoked	15340

automatically without the taking of any action by the 15341
superintendent if the licensee fails to submit proof of 15342
completion of the education requirements specified under 15343
division (G) (1) of this section within twelve months of the date 15344
the license is suspended. 15345

(2) If the license of a real estate broker is suspended 15346
pursuant to division (G) (1) of this section, the license of a 15347
real estate salesperson associated with that broker 15348
correspondingly is suspended pursuant to division (H) of section 15349
4735.20 of the Revised Code. However, the suspended license of 15350
the associated real estate salesperson shall be reactivated and 15351
no fee shall be charged or collected for that reactivation if 15352
all of the following occur: 15353

(a) That broker subsequently submits satisfactory proof to 15354
the superintendent that the broker has complied with the 15355
requirements of division (G) (1) of this section and requests 15356
that the broker's license as a real estate broker be 15357
reactivated; 15358

(b) The superintendent then reactivates the broker's 15359
license as a real estate broker; 15360

(c) The associated real estate salesperson intends to 15361
continue to be associated with that broker and otherwise is in 15362
compliance with this chapter. 15363

Sec. 4735.08. The superintendent of real estate shall 15364
issue a real estate broker's license when the superintendent is 15365
satisfied that: 15366

(A) An applicant who is not a partnership, association, 15367
limited liability company, limited liability partnership, or 15368
corporation ~~satisfies one of the following:~~ 15369

~~(1) Has has received a passing score on each portion of~~ 15370
the real estate broker's examination as determined by rule by 15371
the real estate commission~~+~~ 15372

~~(2) Is qualified to be licensed without examination as a~~ 15373
~~nonresident real estate broker, under division (E) of section~~ 15374
~~4735.07 of the Revised Code.~~ 15375

(B) All the members or officers who are authorized to 15376
perform the functions of a real estate broker as the agents of 15377
an applicant that is a partnership, association, limited 15378
liability company, limited liability partnership, or 15379
corporation, are licensed themselves as real estate brokers 15380
under this chapter. 15381

Sec. 4735.09. (A) Application for a license as a real 15382
estate salesperson shall be made to the superintendent of real 15383
estate on forms furnished by the superintendent and signed by 15384
the applicant. The application shall be in the form prescribed 15385
by the superintendent and shall contain such information as is 15386
required by this chapter and the rules of the Ohio real estate 15387
commission. The application shall be accompanied by the 15388
recommendation of the real estate broker with whom the applicant 15389
is associated or with whom the applicant intends to be 15390
associated, certifying that the applicant is honest and 15391
truthful, and has not been finally adjudged by a court to have 15392
violated any municipal, state, or federal civil rights laws 15393
relevant to the protection of purchasers or sellers of real 15394
estate, which conviction or adjudication the applicant has not 15395
disclosed to the superintendent, and recommending that the 15396
applicant be admitted to the real estate salesperson 15397
examination. 15398

(B) A fee of eighty-one dollars shall accompany the 15399

application, which fee includes the fee for the initial year of 15400
the licensing period, if a license is issued. The initial year 15401
of the licensing period commences at the time the license is 15402
issued and ends on the applicant's first birthday thereafter. 15403
The application fee shall be nonrefundable. A fee of eighty-one 15404
dollars shall be charged by the superintendent for each 15405
successive application made by the applicant. One dollar of each 15406
application fee shall be credited to the real estate education 15407
and research fund. 15408

(C) There shall be no limit placed on the number of times 15409
an applicant may retake the examination. 15410

(D) The superintendent, with the consent of the 15411
commission, may enter into an agreement with a recognized 15412
national testing service to administer the real estate 15413
salesperson's examination under the superintendent's supervision 15414
and control, consistent with the requirements of this chapter as 15415
to the contents of the examination. 15416

If the superintendent, with the consent of the commission, 15417
enters into an agreement with a national testing service to 15418
administer the real estate salesperson's examination, the 15419
superintendent may require an applicant to pay the testing 15420
service's examination fee directly to the testing service. If 15421
the superintendent requires the payment of the examination fee 15422
directly to the testing service, each applicant shall submit to 15423
the superintendent a processing fee in an amount determined by 15424
the Ohio real estate commission pursuant to division (A) (1) of 15425
section 4735.10 of the Revised Code. 15426

(E) The superintendent shall issue a real estate 15427
salesperson's license when satisfied that the applicant has 15428
received a passing score on each portion of the salesperson's 15429

examination as determined by rule by the real estate commission, 15430
~~except that the superintendent may waive one or more of the~~ 15431
~~requirements of this section in the case of an applicant who is~~ 15432
~~a licensed real estate salesperson in another state pursuant to~~ 15433
~~a reciprocity agreement with the licensing authority of the~~ 15434
~~state from which the applicant holds a valid real estate~~ 15435
~~salesperson's license.~~ 15436

(F) No applicant for a salesperson's license shall take 15437
the salesperson's examination who has not established to the 15438
satisfaction of the superintendent that the applicant: 15439

(1) Is honest and truthful; 15440

(2) (a) Has not been convicted of a disqualifying offense 15441
as determined in accordance with section 9.79 of the Revised 15442
Code; 15443

(b) Has not been finally adjudged by a court to have 15444
violated any municipal, state, or federal civil rights laws 15445
relevant to the protection of purchasers or sellers of real 15446
estate or, if the applicant has been so adjudged, at least two 15447
years have passed since the court decision and the 15448
superintendent has disregarded the adjudication because the 15449
applicant has proven, by a preponderance of the evidence, that 15450
the applicant is honest and truthful, and there is no basis in 15451
fact for believing that the applicant again will violate the 15452
laws involved. 15453

(3) Has not, during any period in which the applicant was 15454
licensed under this chapter, violated any provision of, or any 15455
rule adopted pursuant to this chapter, or, if the applicant has 15456
violated such provision or rule, has established to the 15457
satisfaction of the superintendent that the applicant will not 15458

again violate such provision or rule;	15459
(4) Is at least eighteen years of age;	15460
(5) If born after the year 1950, has a high school diploma	15461
or a certificate of high school equivalence issued by the	15462
department of education;	15463
(6) Has successfully completed at an institution of higher	15464
education all of the following credit-eligible courses by either	15465
classroom instruction or distance education:	15466
(a) Forty hours of instruction in real estate practice;	15467
(b) Forty hours of instruction that includes the subjects	15468
of Ohio real estate law, municipal, state, and federal civil	15469
rights law, new case law on housing discrimination,	15470
desegregation issues, and methods of eliminating the effects of	15471
prior discrimination. If feasible, the instruction in Ohio real	15472
estate law shall be taught by a member of the faculty of an	15473
accredited law school. If feasible, the instruction in	15474
municipal, state, and federal civil rights law, new case law on	15475
housing discrimination, desegregation issues, and methods of	15476
eliminating the effects of prior discrimination shall be taught	15477
by a staff member of the Ohio civil rights commission who is	15478
knowledgeable with respect to those subjects. The requirements	15479
of this division do not apply to an applicant who is admitted to	15480
practice before the supreme court.	15481
(c) Twenty hours of instruction in real estate appraisal;	15482
(d) Twenty hours of instruction in real estate finance.	15483
(G) (1) Successful completion of the instruction required	15484
by division (F) (6) of this section shall be determined by the	15485
law in effect on the date the instruction was completed.	15486

(2) Division (F)(6)(c) of this section does not apply to 15487
any new applicant who holds a valid Ohio real estate appraiser 15488
license or certificate issued prior to the date of application 15489
for a real estate salesperson's license. 15490

(H) Only for noncredit course offerings, an institution of 15491
higher education shall obtain approval from the appropriate 15492
state authorizing entity prior to offering a real estate course 15493
that is designed and marketed as satisfying the salesperson 15494
license education requirements of division (F)(6) of this 15495
section. The state authorizing entity may consult with the 15496
superintendent in reviewing the course for compliance with this 15497
section. 15498

(I) Any person who has not been licensed as a real estate 15499
salesperson or broker within a four-year period immediately 15500
preceding the person's current application for the salesperson's 15501
examination shall have successfully completed the prelicensure 15502
instruction required by division (F)(6) of this section within a 15503
ten-year period immediately preceding the person's current 15504
application for the salesperson's examination. 15505

(J) Not earlier than the date of issue of a real estate 15506
salesperson's license to a licensee, but not later than twelve 15507
months after the date of issue of a real estate salesperson 15508
license to a licensee, the licensee shall submit proof 15509
satisfactory to the superintendent, on forms made available by 15510
the superintendent, of the completion of twenty hours of 15511
instruction that shall be completed in schools, seminars, and 15512
educational institutions approved by the commission. The 15513
instruction shall include, but is not limited to, current 15514
practices relating to commercial real estate, property 15515
management, short sales, and land contracts; contract law; 15516

federal and state programs; economic conditions; and fiduciary responsibility. Approval of the curriculum and providers shall be granted according to rules adopted pursuant to section 4735.10 of the Revised Code and may be taken through classroom instruction or distance education.

If proof of completion of the required instruction is not submitted within twelve months of the date a license is issued under this section, the licensee's license is suspended automatically without the taking of any action by the superintendent. The superintendent immediately shall notify the broker with whom such salesperson is associated of the suspension of the salesperson's license. A salesperson whose license has been suspended under this division shall have twelve months after the date of the suspension of the salesperson's license to submit proof of successful completion of the instruction required under this division. No such license shall be reactivated by the superintendent until it is established, to the satisfaction of the superintendent, that the requirements of this division have been met and that the licensee is in compliance with this chapter. A licensee's license is revoked automatically without the taking of any action by the superintendent when the licensee fails to submit the required proof of completion of the education requirements under division (I) of this section within twelve months of the date the license is suspended.

(K) Examinations shall be administered with reasonable accommodations in accordance with the requirements of the "Americans with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C. 12189. The contents of an examination shall be consistent with the classroom instructional requirements of division (F) (6) of this section. An applicant who has completed the classroom

instructional requirements of division (F) (6) of this section at 15548
the time of application shall be examined no later than twelve 15549
months after the applicant is notified of the applicant's 15550
admission to the examination. 15551

(L) Notwithstanding any provision of this chapter or 15552
Chapter 4796. of the Revised Code to the contrary, the 15553
superintendent shall issue a real estate salesperson's license 15554
in accordance with Chapter 4796. of the Revised Code to an 15555
applicant if both of the following apply: 15556

(1) The applicant satisfies the requirements specified in 15557
section 4796.03, 4796.04, or 4796.05 of the Revised Code, as 15558
applicable. 15559

(2) The applicant passes an examination on Ohio real 15560
estate law. 15561

Sec. 4735.10. (A) (1) The Ohio real estate commission may 15562
adopt reasonable rules in accordance with Chapter 119. of the 15563
Revised Code, necessary for implementing the provisions of this 15564
chapter relating, but not limited to, the following: 15565

(a) The form and manner of filing applications for 15566
licensure; 15567

(b) Times and form of examination for license; 15568

(c) Placing an existing broker's license on deposit or a 15569
salesperson's license on an inactive status for an indefinite 15570
period; 15571

(d) Specifying the process by which a licensee may resign 15572
the licensee's license; 15573

(e) Defining any additional license status that the 15574
commission determines is necessary and that is not otherwise 15575

defined in this chapter and establishing the process by which a licensee places the licensee's license in a status defined by the commission in the rules the commission adopts;	15576 15577 15578
(f) Clarification of the activities that require a license under this chapter;	15579 15580
(g) Permitting a broker to act as principal broker for more than one brokerage.	15581 15582
(2) The commission shall adopt reasonable rules in accordance with Chapter 119. of the Revised Code, for implementing the provisions of this chapter relating to the following:	15583 15584 15585 15586
(a) The issuance, renewal, suspension, and revocation of licenses, other sanctions that may be imposed for violations of this chapter, the conduct of hearings related to these actions, and the process of reactivating a license;	15587 15588 15589 15590
(b) A three-year license and a three-year license renewal system;	15591 15592
(c) Standards for the approval of the postlicensure courses as required by division (G) of section 4735.07 and division (J) of section 4735.09 of the Revised Code, courses of study required for licenses, courses offered in preparation for license examinations, or courses required as continuing education for licenses.	15593 15594 15595 15596 15597 15598
(d) Guidelines to ensure that continuing education classes are open to all persons licensed under this chapter. The rules shall specify that an organization that sponsors a continuing education class may offer its members a reasonable reduction in the fees charged for the class.	15599 15600 15601 15602 15603

(e) Requirements for trust accounts and property management accounts. The rules shall specify that:	15604 15605
(i) Brokerages engaged in the management of property for another may, pursuant to a written contract with the property owner, exercise signatory authority for withdrawals from property management accounts maintained in the name of the property owner. The exercise of authority for withdrawals does not constitute a violation of any provision of division (A) of section 4735.18 of the Revised Code.	15606 15607 15608 15609 15610 15611 15612
(ii) The interest earned on property management trust accounts maintained in the name of the property owner or the broker shall be payable to the property owner unless otherwise specified in a written contract.	15613 15614 15615 15616
(f) Notice of renewal forms and filing deadlines;	15617
(g) Special assessments under division (A) of section 4735.12 of the Revised Code.	15618 15619
(B) The commission may adopt rules in accordance with Chapter 119. of the Revised Code establishing standards and guidelines with which the superintendent of real estate shall comply in the exercise of the following powers:	15620 15621 15622 15623
(1) Appointment and recommendation of ancillary trustees under section 4735.05 of the Revised Code;	15624 15625
(2) Rejection of names proposed to be used by partnerships, associations, limited liability companies, limited liability partnerships, and corporations, under division (B) of section 4735.06 of the Revised Code, including procedures for the application and approval of more than one trade name for a brokerage;	15626 15627 15628 15629 15630 15631

(3) Acceptance and rejection of applications to take the 15632
broker and salesperson examinations and licensure, ~~with~~ 15633
~~appropriate waivers pursuant to division (E) of section 4735.07~~ 15634
~~and section 4735.09 of the Revised Code;~~ 15635

(4) Approval of applications of brokers to place their 15636
licenses in an inactive status and to become salespersons under 15637
section 4735.13 of the Revised Code; 15638

(5) Appointment of hearing examiners under section 119.09 15639
of the Revised Code; 15640

(6) Acceptance and rejection of applications to take the 15641
foreign real estate dealer and salesperson examinations and 15642
licensure, with waiver of examination, under sections 4735.27 15643
and 4735.28 of the Revised Code; 15644

(7) Qualification of foreign real estate under section 15645
4735.25 of the Revised Code. 15646

If at any time there is no rule in effect establishing a 15647
guideline or standard required by this division, the 15648
superintendent may adopt a rule in accordance with Chapter 119. 15649
of the Revised Code for such purpose. 15650

(C) The commission or superintendent may hear testimony in 15651
matters relating to the duties imposed upon them, and the 15652
president of the commission and superintendent may administer 15653
oaths. The commission or superintendent may require other proof 15654
of the honesty and truthfulness of any person named in an 15655
application for a real estate broker's or real estate 15656
salesperson's license before admitting the applicant to the 15657
examination or issuing a license. 15658

Sec. 4735.27. (A) An application to act as a foreign real 15659
estate dealer shall be in writing and filed with the 15660

superintendent of real estate. It shall be in the form the 15661
superintendent prescribes and shall contain the following 15662
information: 15663

(1) The name and address of the applicant; 15664

(2) A description of the applicant, including, if the 15665
applicant is a partnership, unincorporated association, or any 15666
similar form of business organization, the names and the 15667
residence and business addresses of all partners, officers, 15668
directors, trustees, or managers of the organization, and the 15669
limitation of the liability of any partner or member; and if the 15670
applicant is a corporation, a list of its officers and 15671
directors, and the residence and business addresses of each, 15672
and, if it is a foreign corporation, a copy of its articles of 15673
incorporation in addition; 15674

(3) The location and addresses of the principal office and 15675
all other offices of the applicant; 15676

(4) A general description of the business of the applicant 15677
prior to the application, including a list of states in which 15678
the applicant is a licensed foreign real estate dealer; 15679

(5) The names and addresses of all salespersons of the 15680
applicant at the date of the application; 15681

(6) The nature of the business of the applicant, and its 15682
places of business, for the ten-year period preceding the date 15683
of application. 15684

(B) Every nonresident applicant shall name a person within 15685
this state upon whom process against the applicant may be served 15686
and shall give the complete residence and business address of 15687
the person designated. Every applicant shall file an irrevocable 15688
written consent, executed and acknowledged by an individual duly 15689

authorized to give such consent, that actions growing out of a 15690
fraud committed by the applicant in connection with the sale in 15691
this state of foreign real estate may be commenced against it, 15692
in the proper court of any county in this state in which a cause 15693
of action for such fraud may arise or in which the plaintiff in 15694
such action may reside, by serving on the secretary of state any 15695
proper process or pleading authorized by the laws of this state, 15696
in the event that the applicant if a resident of this state, or 15697
the person designated by the nonresident applicant, cannot be 15698
found at the address given. The consent shall stipulate that the 15699
service of process on the secretary of state shall be taken in 15700
all courts to be as valid and binding as if service had been 15701
made upon the foreign real estate dealer. If the applicant is a 15702
corporation or an unincorporated association, the consent shall 15703
be accompanied by a certified copy of the resolution of the 15704
board of directors, trustees, or managers of the corporation or 15705
association, authorizing such individual to execute the consent. 15706

(C) The superintendent may investigate any applicant for a 15707
dealer's license, and may require any additional information the 15708
superintendent considers necessary to determine the 15709
qualifications of the applicant to act as a foreign real estate 15710
dealer. If the application for a dealer's license involves 15711
investigation outside this state, the superintendent may require 15712
the applicant to advance sufficient funds to pay any of the 15713
actual expenses of the investigation, and an itemized statement 15714
of such expense shall be furnished to the applicant. 15715

(D) Every applicant shall take a written examination, 15716
prescribed and conducted by the superintendent, which covers the 15717
applicant's knowledge of the principles of real estate practice, 15718
real estate law, financing and appraisal, real estate 15719
transactions and instruments relating to them, canons of 15720

business ethics relating to real estate transactions, and the 15721
duties of foreign real estate dealers and salespersons. The fee 15722
for the examination, when administered by the superintendent, is 15723
one hundred one dollars. If the applicant does not appear for 15724
the examination, the fee shall be forfeited and a new 15725
application and fee shall be filed, unless good cause for the 15726
failure to appear is shown to the superintendent. ~~The~~ 15727
~~requirement of an examination may be waived in whole or in part~~ 15728
~~by the superintendent if an applicant is licensed as a real-~~ 15729
~~estate broker by any state.~~ 15730

Any applicant who fails the examination twice shall wait 15731
six months before applying to retake the examination. 15732

(E) No person shall take the foreign real estate dealer's 15733
examination who has not established to the satisfaction of the 15734
superintendent that the person: 15735

(1) Has not been convicted of a disqualifying offense as 15736
determined in accordance with section 9.79 of the Revised Code; 15737

(2) Has not been finally adjudged by a court to have 15738
violated any municipal, state, or federal civil rights laws 15739
relevant to the protection of purchasers or sellers of real 15740
estate or, if the applicant has been so adjudged, at least two 15741
years have passed since the court decision and the 15742
superintendent has disregarded the adjudication because the 15743
applicant has proven, by a preponderance of the evidence, that 15744
the applicant's activities and employment record since the 15745
adjudication show that the applicant is honest and truthful, and 15746
there is no basis in fact for believing that the applicant again 15747
will violate the laws involved; 15748

(3) Has not, during any period for which the applicant was 15749

licensed under this chapter or any former section of the Revised 15750
Code applicable to licensed foreign real estate dealers or 15751
salespersons, violated any provision of, or any rule adopted 15752
pursuant to, this chapter or that section, or, if the applicant 15753
has violated any such provision or rule, has established to the 15754
satisfaction of the superintendent that the applicant will not 15755
again violate the provision or rule. 15756

(F) ~~If Except as provided in division (H) of this section,~~ 15757
~~if~~ the superintendent finds that an applicant for a license as a 15758
foreign real estate dealer, or each named member, manager, or 15759
officer of a partnership, association, or corporate applicant is 15760
at least eighteen years of age, has passed the examination 15761
required under this section ~~or has had the requirement of an~~ 15762
~~examination waived~~, and appears otherwise qualified, the 15763
superintendent shall issue a license to the applicant to engage 15764
in business in this state as a foreign real estate dealer. 15765
Dealers licensed pursuant to this section shall employ as 15766
salespersons of foreign real estate only persons licensed 15767
pursuant to section 4735.28 of the Revised Code. If at any time 15768
such salespersons resign or are discharged or new salespersons 15769
are added, the dealer forthwith shall notify the superintendent 15770
and shall file with the division of real estate the names and 15771
addresses of new salespersons. 15772

(G) If the applicant merely is renewing the applicant's 15773
license for the previous year, the application need contain only 15774
the information required by divisions (A) (2), (3), and (6) of 15775
this section. 15776

(H) The superintendent shall issue a license to engage in 15777
business in this state as a foreign real estate dealer in 15778
accordance with Chapter 4796. of the Revised Code to an 15779

applicant if either of the following applies: 15780

(1) The applicant holds a license in another state. 15781

(2) The applicant has satisfactory work experience, a 15782
government certification, or a private certification as 15783
described in that chapter as a foreign real estate dealer in a 15784
state that does not issue that license. 15785

Sec. 4735.28. (A) An application to act as a foreign real 15786
estate salesperson shall be in writing and filed with the 15787
superintendent of real estate. It shall be in the form the 15788
superintendent prescribes and shall contain the following 15789
information: 15790

(1) The name and complete residence and business addresses 15791
of the applicant; 15792

(2) The name of the foreign real estate dealer who is 15793
employing the applicant or who intends to employ the applicant; 15794

(3) The age and education of the applicant, and the 15795
applicant's experience in the sale of foreign real estate; 15796
whether the applicant has ever been licensed by the 15797
superintendent, and if so, when; whether the applicant has ever 15798
been refused a license by the superintendent; and whether the 15799
applicant has ever been licensed or refused a license or any 15800
similar permit by any division or superintendent of real estate, 15801
by whatsoever name known or designated, anywhere; 15802

(4) The nature of the employment, and the names and 15803
addresses of the employers, of the applicant for the period of 15804
ten years immediately preceding the date of the application. 15805

(B) Every applicant shall take a written examination, 15806
prescribed and conducted by the superintendent, which covers the 15807

applicant's knowledge of the principles of real estate practice, 15808
real estate law, financing and appraisal, real estate 15809
transactions and instruments relating to them, canons of 15810
business ethics relating to real estate transactions, and the 15811
duties of foreign real estate salespersons. The fee for the 15812
examination, when administered by the superintendent, is sixty- 15813
eight dollars. If the applicant does not appear for the 15814
examination, the fee shall be forfeited and a new application 15815
and fee shall be filed, unless good cause for the failure to 15816
appear is shown to the superintendent. ~~The requirement of an~~ 15817
~~examination may be waived in whole or in part by the~~ 15818
~~superintendent if an applicant is licensed as a real estate~~ 15819
~~broker or salesperson by any state.~~ 15820

Any applicant who fails the examination twice shall wait 15821
six months before applying to retake the examination. 15822

(C) No person shall take the foreign real estate 15823
salesperson's examination who has not established to the 15824
satisfaction of the superintendent that the person: 15825

(1) Has not been convicted of a disqualifying offense as 15826
determined in accordance with section 9.79 of the Revised Code; 15827

(2) Has not been finally adjudged by a court to have 15828
violated any municipal, state, or federal civil rights laws 15829
relevant to the protection of purchasers or sellers of real 15830
estate or, if the applicant has been so adjudged, at least two 15831
years have passed since the court decision and the 15832
superintendent has disregarded the adjudication because the 15833
applicant has proven, by a preponderance of the evidence, that 15834
the applicant's activities and employment record since the 15835
adjudication show that the applicant is honest and truthful, and 15836
there is no basis in fact for believing that the applicant will 15837

again violate the laws; 15838

(3) Has not, during any period for which the applicant was 15839
licensed under this chapter or any former section of the Revised 15840
Code applicable to licensed foreign real estate dealers or 15841
salespersons, violated any provision of, or any rule adopted 15842
pursuant to, this chapter or that section, or, if the applicant 15843
has violated any such provision or rule, has established to the 15844
satisfaction of the superintendent that the applicant will not 15845
again violate the provision or rule. 15846

(D) Every salesperson of foreign real estate shall be 15847
licensed by the superintendent of real estate and shall be 15848
employed only by the licensed foreign real estate dealer 15849
specified on the salesperson's license. 15850

(E) If the superintendent finds that the applicant appears 15851
to be qualified to act as a foreign real estate salesperson, and 15852
has fully complied with the provisions of this chapter, and that 15853
the dealer in the application is a licensed foreign real estate 15854
dealer, the superintendent, upon payment of the fees prescribed 15855
by section 4735.15 of the Revised Code, shall issue a license to 15856
the applicant authorizing the applicant to act as a salesperson 15857
for the dealer named in the application. 15858

(F) The superintendent shall issue a license to act as a 15859
salesperson of foreign real estate in accordance with Chapter 15860
4796. of the Revised Code to an applicant if either of the 15861
following applies: 15862

(1) The applicant holds a license in another state. 15863

(2) The applicant has satisfactory work experience, a 15864
government certification, or a private certification as 15865
described in that chapter as acting as a salesperson of foreign 15866

real estate in a state that does not issue that license. 15867

Sec. 4736.10. Any (A) Except as provided in division (B) 15868
of this section, any person who meets the educational 15869
qualifications of division (A), (B), or (C) of section 4736.08 15870
of the Revised Code, but does not meet the experience 15871
requirement of such division may make application to the 15872
director of health on a form prescribed by the director for 15873
registration as an environmental health specialist in training. 15874
The director shall register the person as an environmental 15875
health specialist in training upon payment of the fee required 15876
by section 4736.12 of the Revised Code. 15877

(B) The director shall issue an environmental health 15878
specialist in training registration in accordance with Chapter 15879
4796. of the Revised Code to an applicant if either of the 15880
following applies: 15881

(1) The applicant holds a license or registration in 15882
another state. 15883

(2) The applicant has satisfactory work experience, a 15884
government certification, or a private certification as 15885
described in that chapter as an environmental health specialist 15886
in training in a state that does not issue that license or 15887
registration. 15888

(C) An environmental health specialist in training shall 15889
apply for registration as an environmental health specialist 15890
within three years after registration as an environmental health 15891
specialist in training. The director may extend the registration 15892
of any environmental health specialist in training who 15893
furnishes, in writing, sufficient cause for not applying for 15894
registration as an environmental health specialist within the 15895

three-year period. However, the director shall not extend the 15896
registration more than an additional two years beyond the three- 15897
year period. 15898

Sec. 4736.14. The director of health ~~may, upon application~~ 15899
~~and proof of valid registration,~~ shall issue a certificate of 15900
registration in accordance with Chapter 4796. of the Revised 15901
Code to any a person who if either of the following applies: 15902

(A) The person is or has been registered as an 15903
environmental health specialist by any other state, ~~if the~~ 15904
~~requirements of that state at the time of such registration are~~ 15905
~~determined by the director to be at least equivalent to the~~ 15906
~~requirements of this chapter.~~ 15907

(B) The person has satisfactory work experience, a 15908
government certification, or a private certification as 15909
described in that chapter as an environmental health specialist 15910
in a state that does not issue that certificate of registration. 15911

Sec. 4740.05. Each specialty section of the Ohio 15912
construction industry licensing board, other than the 15913
administrative section, shall do all of the following: 15914

(A) Adopt rules in accordance with Chapter 119. of the 15915
Revised Code that are limited to the following: 15916

(1) Criteria for the section to use in evaluating the 15917
qualifications of an individual; 15918

(2) Criteria for the section to use in deciding whether to 15919
issue, renew, suspend, revoke, or refuse to issue or renew a 15920
license; 15921

(3) ~~The determinations and approvals the section makes~~ 15922
~~under the reciprocity provision of section 4740.08 of the~~ 15923

Revised Code;	15924
(4) Criteria for continuing education courses conducted pursuant to this chapter;	15925 15926
(5) <u>(4)</u> A requirement that any training agency seeking approval to provide continuing education courses submit the required information to the appropriate specialty section of the board at least thirty days, but not more than one year, prior to the date on which the course is proposed to be offered;	15927 15928 15929 15930 15931
(6) <u>(5)</u> A prohibition against any training agency providing a continuing education course unless the administrative section of the board approved that training agency not more than one year prior to the date the course is offered;	15932 15933 15934 15935 15936
(7) <u>(6)</u> A list of disqualifying offenses pursuant to sections 9.79, 4740.06, 4740.10, and 4776.10 of the Revised Code.	15937 15938 15939
(B) Investigate allegations in reference to violations of this chapter and the rules adopted pursuant to it that pertain to the specialty section and determine by rule a procedure to conduct investigations and hearings on these allegations;	15940 15941 15942 15943
(C) Maintain a record of its proceedings;	15944
(D) Grant approval to a training agency to offer continuing education courses pursuant to rules the board adopts;	15945 15946
(E) As required, do all things necessary to carry out this chapter;	15947 15948
(F) Establish or approve a continuing education curriculum for license renewal for each class of contractors for which the section has primary responsibility. No curriculum may require	15949 15950 15951

more than five hours per year in specific course requirements. 15952
No contractor may be required to take more than ten hours per 15953
year in continuing education courses. The ten hours shall be the 15954
aggregate of hours of continuing education for all licenses the 15955
contractor holds. 15956

(G) Design the examination for the type of contractor the 15957
specialty section licenses to determine an applicant's 15958
competence to perform that type of contracting. 15959

Sec. 4740.06. (A) Any individual who applies for a license 15960
shall file a written application with the appropriate specialty 15961
section of the Ohio construction industry licensing board, 15962
accompanied with the application fee as determined pursuant to 15963
section 4740.09 of the Revised Code. The application shall be on 15964
the form the section prescribes and verified by the applicant's 15965
oath. The applicant shall provide information satisfactory to 15966
the section showing that the applicant meets the requirements of 15967
division (B), (C), or (D) of this section. 15968

(B) To qualify to take an examination, an individual 15969
shall: 15970

(1) Be at least eighteen years of age; 15971

(2) Be a United States citizen or legal alien who produces 15972
valid documentation to demonstrate the individual is a legal 15973
resident of the United States; 15974

(3) Either have been a tradesperson in the type of 15975
licensed trade for which the application is filed for not less 15976
than five years immediately prior to the date the application is 15977
filed, be a currently registered engineer in this state with 15978
three years of business experience in the construction industry 15979
in the trade for which the engineer is applying to take an 15980

examination, or have other experience acceptable to the 15981
appropriate specialty section of the board; 15982

(4) Maintain contractor's liability insurance in an amount 15983
the appropriate specialty section of the board determines and 15984
only in one contracting company name; 15985

(5) Not have done any of the following: 15986

(a) Violated this chapter or any rule adopted pursuant to 15987
it; 15988

(b) Obtained or renewed a license issued pursuant to this 15989
chapter, or any order, ruling, or authorization of the board or 15990
a section of the board by fraud, misrepresentation, or 15991
deception; 15992

(c) Engaged in fraud, misrepresentation, or deception in 15993
the conduct of business. 15994

(C) For an individual who holds an out-of-state 15995
occupational license, as defined in section 4796.01 of the 15996
Revised Code, that is substantially similar to the license for 15997
which the individual is applying under this chapter, to qualify 15998
to take an examination, an individual shall: 15999

(1) Provide proof that the individual was issued at least 16000
five authorizations for construction, erection, equipment, 16001
alteration, or addition of any building by an authority with 16002
responsibility for enforcing building regulations in the 16003
jurisdiction where the individual holds the out-of-state 16004
occupational license; 16005

(2) Provide at least one tax return that reflects income 16006
earned for services provided under the individual's out-of-state 16007
occupational license; 16008

(3) Provide proof that the contracting company with whom the individual is employed in the jurisdiction where the individual holds the out-of-state occupational license is either of the following: 16009
16010
16011
16012

(a) Licensed as a foreign corporation under section 1703.04 of the Revised Code and has designated an agent in this state in accordance with section 1703.041 of the Revised Code; 16013
16014
16015

(b) Registered as a foreign limited liability company under section 1706.511 of the Revised Code and has designated an agent in this state in accordance with section 1706.09 of the Revised Code. 16016
16017
16018
16019

(4) Meet the requirements described in divisions (B)(1), (2), (4), and (5) of this section. 16020
16021

(D)(1) For an individual who has been actively engaged in activities in the service of the uniformed services, as defined in section 4796.01 of the Revised Code, that are substantially similar to the activities for which the license the individual is applying under this chapter is required, to qualify to take an examination, an individual shall: 16022
16023
16024
16025
16026
16027

(a) Provide proof that the individual was actively engaged in the activities in the service of the uniformed services for at least three of the five years immediately preceding the date the application is submitted; 16028
16029
16030
16031

(b) Meet the requirements described in divisions (B)(1), (2), (4), and (5) of this section. 16032
16033

(2) Each specialty section of the board may adopt a rule in accordance with Chapter 119. of the Revised Code to waive the requirement that an applicant under division (D)(1)(a) of this section has been actively engaged in the activity for three of 16034
16035
16036
16037

the five years immediately preceding the date the application is 16038
submitted. 16039

(E) The board secretary, or the secretary's designee, 16040
shall approve an application for examination submitted under 16041
division (C) or (D) of this section within thirty days after 16042
receiving a complete application that meets the requirements of 16043
that division. 16044

(F) When an applicant for licensure as a contractor in a 16045
licensed trade meets the qualifications set forth in division 16046
(B), (C), or (D) of this section and passes the required 16047
examination, the appropriate specialty section of the board, 16048
within ninety days after the application was filed, shall 16049
authorize the administrative section of the board to license the 16050
applicant for the type of contractor's license for which the 16051
applicant qualifies. A specialty section of the board may 16052
withdraw its authorization to the administrative section for 16053
issuance of a license for good cause shown, on the condition 16054
that notice of that withdrawal is given prior to the 16055
administrative section's issuance of the license. 16056

~~(D) (1)~~ (G) (1) Except as provided in division ~~(D) (2)~~ (G) (2) 16057
of this section, if an applicant does not pass the required 16058
examination, the applicant may retake the examination not less 16059
than sixty days after the applicant's most recent examination. 16060

(2) An applicant who does not pass the required 16061
examination after taking the examination five times under this 16062
section shall reapply for a license under division (A) of this 16063
section before retaking the required examination any subsequent 16064
time. 16065

~~(E)~~ (H) All licenses a contractor holds pursuant to this 16066

chapter shall expire annually on the same date, which shall be 16067
the expiration date of the original license the contractor 16068
holds. An individual holding a valid, unexpired license may 16069
renew the license, without reexamination, by submitting an 16070
application to the appropriate specialty section of the board 16071
not more than ninety calendar days before the expiration of the 16072
license, along with the renewal fee the specialty section 16073
requires and proof of compliance with the applicable continuing 16074
education requirements. The applicant shall provide information 16075
in the renewal application satisfactory to demonstrate to the 16076
appropriate specialty section that the applicant continues to 16077
meet the requirements of ~~division (B)~~ divisions (B) (2), (4), and 16078
(5) of this section. 16079

Upon application and within one calendar year after a 16080
license has expired, a section may waive any of the requirements 16081
for renewal of a license upon finding that an applicant 16082
substantially meets the renewal requirements or that failure to 16083
timely apply for renewal is due to excusable neglect. A section 16084
that waives requirements for renewal of a license may impose 16085
conditions upon the licensee and assess a late filing fee of not 16086
more than double the usual renewal fee. An applicant shall 16087
satisfy any condition the section imposes before a license is 16088
reissued. 16089

~~(F)~~ (I) An individual holding a valid license may request 16090
the section of the board that authorized that license to place 16091
the license in inactive status under conditions, and for a 16092
period of time, as that section determines. 16093

~~(G)~~ (J) Except for the ninety-day extension provided for a 16094
license assigned to a contracting company under division (D) of 16095
section 4740.07 of the Revised Code, a license held by an 16096

individual immediately terminates upon the death of the 16097
individual. 16098

~~(H)~~(K) Nothing in any license issued by the Ohio 16099
construction industry licensing board shall be construed to 16100
limit or eliminate any requirement of or any license issued by 16101
the Ohio fire marshal. 16102

~~(I)~~(1)~~(L)~~(1) Subject to division ~~(I)~~(3)~~(L)~~(3) of this 16103
section, no specialty section of the board shall adopt, 16104
maintain, renew, or enforce any rule, or otherwise preclude in 16105
any way, an individual from renewing a license under this 16106
chapter due to any past criminal activity or interpretation of 16107
moral character. If the specialty section denies an individual a 16108
license renewal, the reasons for such denial shall be put in 16109
writing. 16110

(2) The section may refuse to issue a license to an 16111
applicant because of a conviction of or plea of guilty to an 16112
offense if the refusal is in accordance with section 9.79 of the 16113
Revised Code. 16114

(3) In considering a renewal of an individual's license, 16115
the section shall not consider any conviction or plea of guilty 16116
prior to the initial licensing. However, the board may consider 16117
a conviction or plea of guilty if it occurred after the 16118
individual was initially licensed, or after the most recent 16119
license renewal. 16120

(4) The section may grant an individual a conditional 16121
license that lasts for one year. After the one-year period has 16122
expired, the license is no longer considered conditional, and 16123
the individual shall be considered fully licensed. 16124

~~(J)~~(M) Notwithstanding divisions ~~(E)~~(H) and ~~(I)~~(L) of 16125

this section and sections 4740.04 and 4740.05 of the Revised Code, the board may establish rules that amend the continuing education requirements and license renewal schedule for licensees as provided in or adopted pursuant to those sections for the purpose of establishing a compliance incentive program. These rules may include provisions for the creation of the program and the qualifications, continuing education requirements, and renewal schedule for the program.

Sec. 4741.12. (A) The state veterinary medical licensing board shall issue a license to practice veterinary medicine in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in the practice of veterinary medicine in a state that does not issue that license.

(B) The board may issue a license to practice veterinary medicine without the examination required pursuant to section 4741.11 of the Revised Code to an applicant from another ~~state, territory, country, or the District of Columbia~~ who furnishes satisfactory proof to the board that the applicant meets all of the following criteria:

~~(A)~~ (1) The applicant is a graduate of a veterinary college accredited by the American veterinary medical association or holds a certificate issued, on or after May 1, 1987, by the education commission for foreign veterinary graduates of the American veterinary medical association or issued by any other nationally recognized certification program

the board approves by rule. 16155

~~(B)~~ (2) The applicant holds a license, which is not under 16156
suspension, revocation, or other disciplinary action, issued by 16157
an agency similar to this board of another ~~state, territory,~~ 16158
~~country, or the District of Columbia,~~ having requirements 16159
equivalent to those of this state, provided the laws of such 16160
~~state, territory,~~ country, ~~or district~~ accord equal rights to 16161
the holder of a license to practice in this state who removes to 16162
such ~~state, territory, country, or district.~~ 16163

~~(C)~~ (3) The applicant is not under investigation for an 16164
act which would constitute a violation of this chapter that 16165
would require the revocation of or refusal to renew a license. 16166

~~(D)~~ (4) The applicant has a thorough knowledge of the laws 16167
and rules governing the practice of veterinary medicine in this 16168
state, as determined by the board. 16169

Sec. 4741.13. The state veterinary medical licensing board 16170
may issue a limited license to practice veterinary medicine to 16171
~~an~~ a nonresident individual whose sole professional capacity is 16172
with a veterinary academic institution or veterinary technology 16173
institution recognized by the board in accordance with rules the 16174
board adopts or with a government diagnostic laboratory. A 16175
person holding a limited license is authorized to engage in the 16176
practice of veterinary medicine only to the extent necessary to 16177
fulfill the person's employment or educational obligations as an 16178
instructor, researcher, diagnostician, intern, resident in a 16179
veterinary specialty, or graduate student. 16180

The board may issue a limited license to ~~an~~ a nonresident 16181
applicant who submits a completed application on a form 16182
prescribed by the board, pays the applicable fee prescribed in 16183

section 4741.17 of the Revised Code, and meets the criteria 16184
established by the board. The board shall not require an 16185
individual issued a limited license under this section to obtain 16186
a license under Chapter 4796. of the Revised Code. 16187

Sec. 4741.14. The state veterinary medical licensing board 16188
may issue, without the examination required pursuant to section 16189
4741.11 of the Revised Code, a temporary permit to practice 16190
veterinary medicine to a nonresident veterinarian holding a 16191
license which is not revoked, suspended, expired, or under any 16192
restrictions and is otherwise in good standing from another 16193
state, territory, or the District of Columbia, provided that a 16194
veterinarian who holds a current license in this state applies 16195
for the temporary permit for the veterinarian. The board shall 16196
not require a veterinarian issued a temporary permit under this 16197
section to obtain a license under Chapter 4796. of the Revised 16198
Code. 16199

A temporary permit issued pursuant to this section only 16200
authorizes the permit holder to act as a veterinary consultant 16201
or to provide veterinary medical services in this state for a 16202
specific animal or animals. When using the services of a 16203
veterinary consultant, the responsibility for the care and 16204
treatment of the patient remains with the veterinarian who holds 16205
a current license in this state and who is providing treatment, 16206
or consultation as to treatment, to the patient. The board shall 16207
determine by rule the specific purposes for which it may issue a 16208
temporary permit and the duration of the permit, not to exceed 16209
six months, under rules it adopts pursuant to Chapter 119. of 16210
the Revised Code. No more than two temporary permits may be 16211
issued pursuant to this section to any one applicant. Any 16212
subsequent applications shall be made pursuant to section 16213
4741.12 of the Revised Code. 16214

Sec. 4741.15. (A) A person who has done both of the 16215
following may submit an application to the state veterinary 16216
medical licensing board for a provisional veterinary graduate 16217
license: 16218

(1) Graduated from a veterinary college approved by the 16219
board; 16220

(2) Applied for and is waiting to take a nationally 16221
recognized examination approved by the board for a license to 16222
practice veterinary medicine. 16223

The application shall be on a form that the board 16224
prescribes and shall contain any information that the board 16225
requires together with a letter or letters of recommendation 16226
from a licensed veterinarian or veterinarians who will be 16227
directly supervising and responsible for the applicant as 16228
provided in division (C) of this section. The applicant shall 16229
include with the application the fee established in section 16230
4741.17 of the Revised Code. 16231

(B) The board may issue a provisional veterinary graduate 16232
license to an applicant who has satisfied the requirements 16233
established in division (A) of this section. The board shall 16234
issue a provisional veterinary graduate license in accordance 16235
with Chapter 4796. of the Revised Code to an applicant if the 16236
applicant holds a license in another state or has satisfactory 16237
work experience, a government certification, or a private 16238
certification as described in that chapter in performing or 16239
assisting in medical treatments, diagnoses, and surgeries under 16240
veterinary supervision in a state that does not issue that 16241
license. A provisional veterinary graduate license is valid for 16242
six months following the date of its issuance and is not 16243
renewable. 16244

(C) A person who holds a provisional veterinary graduate license may perform or assist in medical treatments, diagnosis, and surgery on a patient only under the direct veterinary supervision of the veterinarian or veterinarians who provided the letter or letters of recommendation accompanying the person's application under division (A) of this section and may engage in other duties related to the practice of veterinary medicine only under veterinary supervision.

(D) No person who holds a provisional veterinary graduate license shall be represented, explicitly or implicitly, as being a licensed veterinarian.

(E) The board may revoke a provisional veterinary graduate license if the person who holds the license violates division (C) or (D) of this section.

Sec. 4741.19. (A) Unless exempted under this chapter, no person shall practice veterinary medicine, or any of its branches, without a license or limited license issued by the state veterinary medical licensing board pursuant to sections 4741.11 to 4741.13 of the Revised Code, a temporary permit issued pursuant to section 4741.14 of the Revised Code, or a registration certificate issued pursuant to division (C) of this section, or with an inactive, expired, suspended, terminated, or revoked license, temporary permit, or registration.

(B) No veterinary student shall:

(1) Perform or assist surgery unless under direct veterinary supervision and unless the student has had the minimum education and experience prescribed by rule of the board;

(2) Engage in any other work related to the practice of

veterinary medicine unless under veterinary supervision;	16274
(3) Participate in the operation of a branch office,	16275
clinic, or allied establishment unless a licensed veterinarian	16276
is present on the establishment premises.	16277
(C) No person shall act as a registered veterinary	16278
technician unless the person is registered with the board on a	16279
biennial basis and pays the biennial registration fee. A	16280
registered veterinary technician registration expires biennially	16281
on the first day of March in the odd-numbered years and may be	16282
renewed in accordance with the standard renewal procedures	16283
contained in Chapter 4745. of the Revised Code upon payment of	16284
the biennial registration fee and fulfillment of ten continuing	16285
education hours during the two years immediately preceding	16286
renewal for registration. Each registered veterinary technician	16287
shall notify in writing the executive director of the board of	16288
any change in the registered veterinary technician's office	16289
address or employment within ninety days after the change has	16290
taken place.	16291
(1) A registered veterinary technician operating under	16292
veterinary supervision may perform the following duties:	16293
(a) Prepare or supervise the preparation of patients,	16294
instruments, equipment, and medications for surgery;	16295
(b) Collect or supervise the collection of specimens and	16296
perform laboratory procedures as required by the supervising	16297
veterinarian;	16298
(c) Apply wound dressings, casts, or splints as required	16299
by the supervising veterinarian;	16300
(d) Assist a veterinarian in immunologic, diagnostic,	16301
medical, and surgical procedures;	16302

(e) Suture skin incisions;	16303
(f) Administer or supervise the administration of topical, oral, or parenteral medication under the direction of the supervising veterinarian;	16304 16305 16306
(g) Other ancillary veterinary technician functions that are performed pursuant to the order and control and under the full responsibility of a licensed veterinarian.	16307 16308 16309
(h) Any additional duties as established by the board in rule.	16310 16311
(2) A registered veterinary technician operating under direct veterinary supervision may perform all of the following:	16312 16313
(a) Induce and monitor general anesthesia according to medically recognized and appropriate methods;	16314 16315
(b) Dental prophylaxis, periodontal care, and extraction not involving sectioning of teeth or resection of bone or both of these;	16316 16317 16318
(c) Equine dental procedures, including the floating of molars, premolars, and canine teeth; removal of deciduous teeth; and the extraction of first premolars or wolf teeth.	16319 16320 16321
The degree of supervision by a licensed veterinarian over the functions performed by the registered veterinary technician shall be consistent with the standards of generally accepted veterinary medical practices.	16322 16323 16324 16325
<u>(3) The board shall issue a registration to be a</u> <u>veterinary technician in accordance with Chapter 4796. of the</u> <u>Revised Code to an applicant if either of the following applies:</u>	16326 16327 16328
<u>(a) The applicant holds a similar registration or license</u>	16329

in another state. 16330

(b) The applicant has satisfactory work experience, a 16331
government certification, or a private certification as 16332
described in that chapter as a veterinary technician in a state 16333
that does not issue that registration or license. 16334

(D) A veterinarian licensed to practice in this state 16335
shall not present the person's self as or state a claim that the 16336
person is a specialist unless the veterinarian has previously 16337
met the requirements for certification by a specialty 16338
organization recognized by the American board of veterinary 16339
specialties for a specialty or such other requirements set by 16340
rule of the board and has paid the fee required by division (A) 16341
(10) of section 4741.17 of the Revised Code. 16342

The board shall issue a certification as a veterinary 16343
specialist in accordance with Chapter 4796. of the Revised Code 16344
to an applicant if the applicant holds a certification as a 16345
specialist in another state or has satisfactory work experience, 16346
a government certification, or a private certification as 16347
described in that chapter as a veterinary specialist in a state 16348
that does not issue that certification. 16349

(E) Notwithstanding division (A) of this section, any 16350
animal owner or the owner's designee may engage in the practice 16351
of embryo transfer on the owner's animal if a licensed 16352
veterinarian directly supervises the owner or the owner's 16353
designee and the means used to perform the embryo transfer are 16354
nonsurgical. 16355

(F) Allied medical support may assist a licensed 16356
veterinarian to the extent to which the law that governs the 16357
individual providing the support permits, if all of the 16358

following apply: 16359

(1) A valid veterinary-client-patient-relationship exists. 16360

(2) The individual acts under direct veterinary supervision. 16361
16362

(3) The allied medical support individual receives informed, written, client consent. 16363
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(4) The veterinarian maintains responsibility for the patient and keeps the patient's medical records. 16365
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The board may inspect the facilities of an allied medical support individual in connection with an investigation based on a complaint received in accordance with section 4741.26 of the Revised Code involving that individual. 16367
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Sec. 4743.04. (A) The renewal of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.10 of the Revised Code relating to service in the armed forces. 16371
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(B) Continuing education requirements applicable to the licensees under Title XLVII of the Revised Code are subject to the provisions of section 5903.12 of the Revised Code relating to active duty military service. 16376
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~~(C) A department, agency, or office of any political subdivision of this state that issues a license or certificate to practice a trade or profession may, pursuant to rules adopted by the department, agency, or office, issue a temporary license or certificate to practice the trade or profession to a person whose spouse is on active military duty in this state.~~ 16380
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~~(D)~~ A department, agency, or office of this state that 16386

issues a license or certificate to practice a trade or 16387
profession shall issue a temporary license or certificate to 16388
practice the trade or profession as provided in section 4743.041 16389
of the Revised Code. 16390

~~(E)~~(D) The issuance of a license or other authorization 16391
to practice a trade or profession issued under Title XLVII of 16392
the Revised Code is subject to the provisions of section 5903.03 16393
of the Revised Code relating to service in the armed forces. 16394

Sec. 4743.041. (A) As used in this section: 16395

"Active guard and reserve" has the meaning defined in 10 16396
U.S.C. 101. 16397

"Military duty" includes service in the uniformed services 16398
on active duty, in the active guard and reserve, and as a 16399
military technician dual status under 10 U.S.C. 10216. 16400

"Uniformed services" has the meaning defined in 10 U.S.C. 16401
101. 16402

(B) Pursuant to division ~~(D)~~(C) of section 4743.04 of the 16403
Revised Code, a department, agency, or office of this state 16404
shall issue a temporary license or certificate to practice a 16405
trade or profession to an individual, provided that all of the 16406
following qualifications are met: 16407

(1) The individual holds a valid license or certificate to 16408
practice the trade or profession issued by any other state or 16409
jurisdiction; 16410

(2) The individual is in good standing in the state or 16411
jurisdiction of licensure or certification; 16412

(3) The individual presents adequate proof to the 16413
department, agency, or office of this state that the individual 16414

or the individual's spouse is on military duty in this state; 16415
and 16416

(4) The individual complies with sections 4776.01 to 16417
4776.04 of the Revised Code if a department, agency, or office 16418
of this state requires an applicant under the law governing the 16419
applicable trade or profession to submit to a criminal records 16420
check to receive a license or certificate. 16421

(C) A department, agency, or office of this state may, 16422
under this section, issue a regular license or certificate in 16423
lieu of issuing a temporary license or certificate, provided 16424
that the applicant meets the requirements of this section, and 16425
provided that the regular license is issued by the deadline 16426
specified in division (D) of this section. 16427

(D) If the department, agency, or office of this state 16428
requires an individual under the law governing the applicable 16429
trade or profession to submit to a criminal records check to 16430
receive a license or certificate, and the individual applies for 16431
a license or certificate under this section, the department, 16432
agency, or office of this state shall, within twenty-four hours 16433
after receiving the report under division (A) of section 4776.04 16434
of the Revised Code, notify the applicant that the department, 16435
agency, or office of this state has received the results of a 16436
criminal records check. A department, agency, or office of this 16437
state shall issue a temporary license or certificate or a 16438
regular license under this section, provided that the applicant 16439
meets the requirements of this section, within thirty days of 16440
having received an application, or, if the applicant is subject 16441
to a criminal records check, within fourteen days of having 16442
received the results of a criminal records check. If the 16443
department, agency, or office of this state finds that the 16444

individual is under investigation by the licensing agency of any 16445
other state or jurisdiction, the department, agency, or office 16446
of this state may postpone issuing the license or certificate 16447
until the investigation is complete and the licensing agency of 16448
the other state or jurisdiction confirms that the individual is 16449
in good standing. The department, agency, or office of this 16450
state shall verify the standing of the license or certificate 16451
issued by another state or jurisdiction when the temporary 16452
license is up for renewal. No temporary license shall be valid 16453
for a period of more than six years. 16454

(E) A department, agency, or office of this state shall, 16455
in accordance with Chapter 119. of the Revised Code, deny an 16456
individual a temporary license or certificate issued under this 16457
section or revoke an individual's temporary license or 16458
certificate issued under this section if any of the following 16459
circumstances occur: 16460

(1) The individual's license or certificate issued by 16461
another state or jurisdiction expires or is revoked, or the 16462
individual is not in good standing; 16463

(2) With respect to an individual who was eligible for a 16464
temporary license under this section as the spouse of an 16465
individual on military duty, six months have elapsed since the 16466
divorce, dissolution, or annulment of the marriage; 16467

(3) The individual is disqualified from obtaining a 16468
license in the trade or profession because of a conviction, 16469
judicial finding of guilt, or plea of guilty to a disqualifying 16470
criminal offense specified on the list the department, agency, 16471
or office of this state makes available pursuant to division (C) 16472
of section 9.78 of the Revised Code. 16473

(F) An individual with a temporary license or certificate 16474
or a regular license issued under this section may practice the 16475
trade or profession in this state only within the scope and 16476
practice that is permitted under Ohio law and that does not 16477
exceed the individual's training. 16478

(G) Notwithstanding any other provision of the Revised 16479
Code, a department, agency, or office of this state shall waive 16480
all fees associated with the issuance of a temporary license or 16481
certificate issued under this section. 16482

(H) Each department, agency, or office of this state that 16483
issues a license or certificate to practice a trade or 16484
profession shall adopt rules under Chapter 119. of the Revised 16485
Code as necessary to implement this section. 16486

(I) Each department, agency, or office of this state that 16487
issues a license or certificate to practice a trade or 16488
profession, shall, upon the conclusion of the state fiscal year, 16489
prepare a report on the number and type of temporary licenses or 16490
certificates that were issued during the fiscal year under this 16491
section. The report shall be provided to the director of 16492
veterans services not later than thirty days after the end of 16493
the fiscal year. The director shall compile the reports and make 16494
them available to the public. 16495

(J) A license or certificate issued under this section 16496
shall be considered a license issued under the laws regulating 16497
the practice of the applicable occupation or profession in this 16498
state. Provisions of law applicable to a license issued to an 16499
applicant who does not obtain a license under this section apply 16500
in the same manner to licenses issued under this section. 16501

(K) Chapter 4796. of the Revised Code does not apply to a 16502

license or certificate issued under this section. 16503

(L) A department, agency, or office of this state shall 16504
not require an individual who meets the requirements of this 16505
section to apply for the license or certificate under Chapter 16506
4796. of the Revised Code. However, the individual may elect to 16507
apply for the license or certificate under Chapter 4796. of the 16508
Revised Code. 16509

Sec. 4747.04. (A) The state speech and hearing 16510
professionals board shall: 16511

(1) Establish the nature and scope of qualifying 16512
examinations in accordance with section 4747.08 of the Revised 16513
Code; 16514

(2) Determine whether persons holding similar valid 16515
licenses from other ~~states or jurisdictions~~ other than other 16516
states shall be required to take and successfully pass the 16517
appropriate qualifying examination as a condition for licensing 16518
in this state; 16519

(3) Review complaints and conduct investigations in 16520
accordance with section 4747.13 of the Revised Code and hold any 16521
hearings that are necessary to carry out this chapter; 16522

(4) Determine and specify the length of time each license 16523
that is suspended or revoked shall remain suspended or revoked; 16524

(5) Deposit all payments collected under this chapter into 16525
the state treasury to the credit of the occupational licensing 16526
and regulatory fund created in section 4743.05 of the Revised 16527
Code; 16528

(6) Establish a list of disqualifying offenses for 16529
licensure as a hearing aid dealer or fitter, or for a hearing 16530

aid dealer or fitter trainee permit, pursuant to sections 9.79, 16531
4747.05, 4747.10, 4747.12, and 4776.10 of the Revised Code. 16532

(B) The board shall adopt reasonable rules, in accordance 16533
with Chapter 119. of the Revised Code, necessary for the 16534
administration of this chapter. The board shall include all of 16535
the following in those rules: 16536

(1) The amount of any fees required under this chapter; 16537

(2) The information to be included in a hearing aid 16538
receipt provided by a licensed hearing aid dealer or fitter to a 16539
person under section 4747.09 of the Revised Code; 16540

(3) The amount of time a licensed hearing aid dealer or 16541
fitter or trainee permit holder has to provide the notice of a 16542
change in address or addresses required under section 4747.11 of 16543
the Revised Code and any other requirements relating to the 16544
notice; 16545

(4) Any additional conduct for which the board may 16546
discipline a licensee or permit holder under section 4747.12 of 16547
the Revised Code. 16548

(C) Nothing in this section shall be interpreted as 16549
granting to the board the right to restrict advertising which is 16550
not false or misleading, or to prohibit or in any way restrict a 16551
hearing aid dealer or fitter from renting or leasing space from 16552
any person, firm or corporation in a mercantile establishment 16553
for the purpose of using such space for the lawful sale of 16554
hearing aids or to prohibit a mercantile establishment from 16555
selling hearing aids if the sale would be otherwise lawful under 16556
this chapter. 16557

Sec. 4747.05. (A) (1) The state speech and hearing 16558
professionals board shall issue to each applicant, within sixty 16559

days of receipt of a properly completed application and payment 16560
of an application fee set by the board in rules adopted under 16561
section 4747.04 of the Revised Code, a hearing aid dealer's or 16562
fitter's license if the applicant: 16563

~~(1)~~ (a) In the case of an individual, the individual is at 16564
least eighteen years of age, is free of contagious or infectious 16565
disease, and has successfully passed a qualifying examination 16566
specified and administered by the board. 16567

~~(2)~~ (b) In the case of a firm, partnership, association, 16568
or corporation, the application, in addition to such information 16569
as the board requires, is accompanied by an application for a 16570
license for each person, whether owner or employee, of the firm, 16571
partnership, association, or corporation, who engages in dealing 16572
in or fitting of hearing aids, or contains a statement that such 16573
applications are submitted separately. No firm, partnership, 16574
association, or corporation licensed pursuant to this chapter 16575
shall permit any unlicensed person to sell or fit hearing aids. 16576

(2) The board shall issue a hearing aid dealer's or 16577
fitter's license in accordance with Chapter 4796. of the Revised 16578
Code to an applicant if either of the following applies: 16579

(a) The applicant holds a license in another state. 16580

(b) The applicant has satisfactory work experience, a 16581
government certification, or a private certification as 16582
described in that chapter as a hearing aid dealer or fitter in a 16583
state that does not issue that license. 16584

(B) (1) Subject to division (B) (3) of this section, the 16585
board shall not adopt or enforce any rule that precludes an 16586
individual from renewing a license issued under this chapter due 16587
to any past criminal activity, unless the individual has 16588

committed a crime of moral turpitude or a disqualifying offense 16589
as those terms are defined in section 4776.10 of the Revised 16590
Code. The board shall comply with Chapter 119. of the Revised 16591
Code when denying an individual a license renewal. 16592

(2) The board may refuse to issue a license to an 16593
applicant because of a conviction of or plea of guilty to an 16594
offense if the refusal is in accordance with section 9.79 of the 16595
Revised Code. 16596

(3) In considering a renewal of an individual's license, 16597
the board shall not consider any conviction or plea of guilty 16598
prior to the initial licensing. However, the board may consider 16599
a conviction or plea of guilty if it occurred after the 16600
individual was initially licensed, or after the most recent 16601
license renewal. 16602

(4) The board may grant an individual a conditional 16603
license that lasts for one year. After the one-year period has 16604
expired, the license is no longer considered conditional, and 16605
the individual shall be considered fully licensed. 16606

(C) (1) Except as provided in division (C) (2) of this 16607
section, each license issued is valid from the date of issuance 16608
until the thirty-first day of December of the even-numbered year 16609
that follows the date of issuance. 16610

(2) A license issued less than one hundred days before the 16611
thirty-first day of December of an even-numbered year is valid 16612
from the date of issuance until the thirty-first day of December 16613
of the even-numbered year that follows the thirty-first day of 16614
December immediately after the date of issuance. 16615

Sec. 4747.10. (A) (1) Each person currently engaged in 16616
training to become a licensed hearing aid dealer or fitter shall 16617

apply to the state speech and hearing professionals board for a 16618
hearing aid dealer's and fitter's trainee permit. The board 16619
shall issue to each applicant within thirty days of receipt of a 16620
properly completed application and payment of an application fee 16621
set by the board in rules adopted under section 4747.04 of the 16622
Revised Code, a trainee permit if such applicant meets all of 16623
the following criteria: 16624

~~(A)~~ (a) Is at least eighteen years of age; 16625

~~(B)~~ (b) Is the holder of a diploma from an accredited high 16626
school or a certificate of high school equivalence issued by the 16627
department of education; 16628

~~(C)~~ (c) Is free of contagious or infectious disease. 16629

(2) The board shall issue a hearing aid dealer's and 16630
fitter's trainee permit in accordance with Chapter 4796. of the 16631
Revised Code to an applicant if either of the following applies: 16632

(a) The applicant holds a permit or license in another 16633
state. 16634

(b) The applicant has satisfactory work experience, a 16635
government certification, or a private certification as 16636
described in that chapter as a hearing aid dealer and fitter 16637
trainee in a state that does not issue that permit or license. 16638

(B) The board shall not deny a trainee permit issued under 16639
this section to any individual based on the individual's past 16640
criminal history unless the denial is in accordance with section 16641
9.79 of the Revised Code. 16642

In considering a renewal of an individual's trainee 16643
permit, the board shall not consider any conviction or plea of 16644
guilty prior to the issuance of the initial trainee permit. 16645

However, the board may consider a conviction or plea of guilty 16646
if it occurred after the individual was initially granted the 16647
trainee permit, or after the most recent trainee permit renewal. 16648
The board shall comply with Chapter 119. of the Revised Code 16649
when denying an individual for a trainee permit or renewal. 16650
Additionally, the board may grant an individual a conditional 16651
trainee permit that lasts for one year. After the one-year 16652
period has expired, the permit is no longer considered 16653
conditional, and the individual shall be considered to be 16654
granted a full trainee permit. 16655

(C) Each trainee permit issued by the board expires one 16656
year from the date it was first issued, and may be renewed once 16657
if the trainee has not successfully completed the qualifying 16658
requirements for licensing as a hearing aid dealer or fitter 16659
before the expiration date of such permit. The board shall issue 16660
a renewed permit to each applicant upon receipt of a properly 16661
completed application and payment of a renewal fee set by the 16662
board in rules adopted under section 4747.04 of the Revised 16663
Code. No person holding a trainee permit shall engage in the 16664
practice of dealing in or fitting of hearing aids except while 16665
under supervision by a licensed hearing aid dealer or fitter. 16666

Sec. 4749.12. ~~(A) A~~ The director of public safety shall 16667
issue a license as a private investigator, security guard 16668
provider, or as a private investigator and a security guard 16669
provider in accordance with Chapter 4796. of the Revised Code to 16670
a person who is a resident of another state; if either of the 16671
following applies: 16672

(A) The person is licensed as a private investigator, 16673
security guard provider, or as a private investigator and a 16674
security guard provider in another state; ~~and wishes to engage~~ 16675

~~in the business of private investigation, the business of security services, or both businesses in this state, shall be licensed pursuant to section 4749.03 of the Revised Code, but the director of public safety may waive the examination requirement of that section and issue a license to a nonresident under the circumstances described in division (B) of this section.~~ 16676
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~~(B) If a nonresident~~The person has satisfactory work experience, a government certification, or a private certification as described in that chapter as a private investigator, security guard provider, or a private investigator and security guard provider seeking licensure under this chapter submits with the application and accompanying matter specified in section 4749.03 of the Revised Code proof of licensure in another state, and if the requirements of divisions (A) (1) (a), (b), and (d) and, if applicable, (F) (1) of section 4749.03 of the Revised Code are satisfied and the nonresident meets all current requirements of the laws of the other state regulating the business of private investigation, the business of security services, or both businesses, the director may waive the examination requirement and fee of that section. This waiver authority may be exercised only if the director determines that the other state has a law similar to this division and extends to residents of this state a similar waiver of examination privilegein a state that does not issue that license. 16683
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Sec. 4751.01. As used in this chapter: 16701

(A) "Health-care licensing agency" means any department, division, board, section of a board, or other government unit that is authorized by a statute of this or another state to issue a license, certificate, permit, card, or other authority 16702
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to do either of the following in the context of health care:	16706
(1) Engage in a specific profession, occupation, or occupational activity;	16707 16708
(2) Have charge of and operate certain specified equipment, machinery, or premises.	16709 16710
(B) "Licensed health services executive" means an individual who holds a valid health services executive license.	16711 16712
(C) "Licensed nursing home administrator" means an individual who holds a valid nursing home administrator license.	16713 16714
(D) "Licensed temporary nursing home administrator" means an individual who holds a valid temporary nursing home administrator license.	16715 16716 16717
(E) "Long-term services and supports setting" means any institutional or community-based setting in which medical, health, psychosocial, habilitative, rehabilitative, or personal care services are provided to individuals on a post-acute care basis.	16718 16719 16720 16721 16722
(F) "Nursing home" means a nursing home as defined by or under the authority of section 3721.01 of the Revised Code, or a nursing home operated by a governmental agency.	16723 16724 16725
(G) "Nursing home administration" means planning, organizing, directing, and managing the operation of a nursing home.	16726 16727 16728
(H) "Nursing home administrator" means any individual who engages in the practice of nursing home administration, whether or not the individual shares the functions and duties of nursing home administration with one or more other individuals.	16729 16730 16731 16732

(I) "Valid health services executive license" means a health services executive license to which all of the following apply:

(1) It was issued by the board of executives of long-term services and supports under section 4751.201, 4751.21, 4751.23, 4751.25, or 4751.33 of the Revised Code;

(2) It was not sold, fraudulently furnished, or fraudulently obtained in violation of division (F) of section 4751.10 of the Revised Code;

(3) It is current and in good standing.

(J) "Valid nursing home administrator license" means a nursing home administrator license to which all of the following apply:

(1) It was issued by the board under section 4751.20, 4751.201, 4751.23, 4751.24, or 4751.33 of the Revised Code;

(2) It was not sold, fraudulently furnished, or fraudulently obtained in violation of division (F) of section 4751.10 of the Revised Code;

(3) It is current and in good standing.

(K) "Valid temporary nursing home administrator license" means a temporary nursing home administrator license to which all of the following apply:

(1) It was issued by the board under section 4751.202, 4751.23, or 4751.33 of the Revised Code;

(2) It was not sold, fraudulently furnished, or fraudulently obtained in violation of division (F) of section 4751.10 of the Revised Code;

(3) It is current and in good standing. 16760

Sec. 4751.15. The board of executives of long-term 16761
services and supports shall administer, or contract with a 16762
government or private entity to administer, examinations that an 16763
individual must pass to obtain a nursing home administrator 16764
license under section 4751.20 ~~or 4751.201~~ of the Revised Code. 16765
If the board contracts with a government or private entity to 16766
administer the examinations, the contract may authorize the 16767
entity to collect and keep, as all or part of the entity's 16768
compensation under the contract, any fee an individual pays to 16769
take the examination. The entity is not required to deposit the 16770
fee into the state treasury. 16771

To be admitted to an examination administered under this 16772
section, an individual must pay the examination fee charged by 16773
the board or government or private entity. If an individual 16774
fails three times to pass the examination, the individual, 16775
before being admitted to the examination a subsequent time, also 16776
must satisfy any education requirements, experience 16777
requirements, or both, that may be prescribed in rules adopted 16778
under section 4751.04 of the Revised Code in addition to any 16779
education requirements or experience requirements that must be 16780
satisfied to obtain a nursing home administrator license under 16781
section 4751.20 ~~or 4751.201~~ of the Revised Code. 16782

Sec. 4751.20. (A) ~~Subject~~ Except as provided in section 16783
4751.201 of the Revised Code, and subject to section 4751.32 of 16784
the Revised Code, the board of executives of long-term services 16785
and supports shall issue a nursing home administrator license to 16786
an individual under this section if all of the following 16787
requirements are satisfied: 16788

(1) The individual has submitted to the board a completed 16789

application for the license in accordance with rules adopted 16790
under section 4751.04 of the Revised Code. 16791

(2) If the individual is required by rules adopted under 16792
section 4751.04 of the Revised Code to serve as a nursing home 16793
administrator in training, the individual has paid to the board 16794
the administrator in training fee of fifty dollars. 16795

(3) The individual is at least twenty-one years of age. 16796

(4) The individual has successfully completed educational 16797
requirements and work experience specified in rules adopted 16798
under section 4751.04 of the Revised Code, including, if so 16799
required by the rules, experience obtained as a nursing home 16800
administrator in training. 16801

(5) The individual has complied with section 4776.02 of 16802
the Revised Code regarding a criminal records check. 16803

(6) The board, in accordance with section 9.79 of the 16804
Revised Code, has determined that the results of the criminal 16805
records check do not make the individual ineligible for the 16806
license. 16807

(7) The individual has passed the licensing examination 16808
administered under section 4751.15 of the Revised Code. 16809

(8) The individual has paid to the board a license fee of 16810
two hundred fifty dollars. 16811

(9) The individual has satisfied any additional 16812
requirements as may be prescribed in rules adopted under section 16813
4751.04 of the Revised Code. 16814

(B) A nursing home administrator license shall certify 16815
that the individual to whom it was issued has met the applicable 16816
requirements of this chapter and any applicable rules adopted 16817

under section 4751.04 of the Revised Code and is authorized to 16818
practice nursing home administration while the license is valid. 16819

Sec. 4751.201. ~~(A) Subject to section 4751.32 of the~~ 16820
~~Revised Code, Notwithstanding the requirements for a license~~ 16821
~~under this chapter,~~ the board of executives of long-term 16822
services and supports ~~may~~ shall issue a nursing home 16823
administrator license or a health services executive license in 16824
accordance with Chapter 4796. of the Revised Code to an 16825
individual ~~under this section if all of the following~~ 16826
~~requirements are satisfied:~~ 16827

~~(1) The individual is legally authorized to practice~~ 16828
~~nursing home administration in another state.~~ 16829

~~(2) The individual has submitted to the board a completed~~ 16830
~~application for the license in accordance with rules adopted~~ 16831
~~under section 4751.04 of the Revised Code.~~ 16832

~~(3) The individual is at least twenty one years of age.~~ 16833

~~(4) The individual holds at least a bachelor's degree from~~ 16834
~~an accredited educational institution.~~ 16835

~~(5) The individual is of good moral character.~~ 16836

~~(6) The individual has complied with section 4776.02 of~~ 16837
~~the Revised Code regarding a criminal records check.~~ 16838

~~(7) The board, in its discretion, has determined that the~~ 16839
~~results of the criminal records check do not make the individual~~ 16840
~~ineligible for the license.~~ 16841

~~(8) The individual has passed the licensing examination~~ 16842
~~administered under section 4751.15 of the Revised Code.~~ 16843

~~(9) The individual has paid to the board a license fee of~~ 16844

~~two hundred fifty dollars.~~ 16845

~~(10) The individual has satisfied any additional requirements as may be prescribed in rules adopted under section 4751.04 of the Revised Code.~~ 16846
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~~(B) A nursing home administrator license shall certify that the individual to whom it was issued has met the applicable requirements of this chapter and any applicable rules adopted under section 4751.04 of the Revised Code and is authorized to practice nursing home administration while the license is valid applicant if either of the following applies:~~ 16849
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(A) The applicant holds a license in another state. 16855

(B) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a nursing home administrator or a health services executive in a state that does not issue that license. 16856
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Sec. 4751.202. (A) Subject to section 4751.32 of the Revised Code, the board of executives of long-term services and supports may issue a temporary nursing home administrator license to an individual if all of the following requirements are satisfied: 16861
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(1) The operator of a nursing home has requested that the board issue a temporary nursing home administrator license to the individual to authorize the individual to temporarily practice nursing home administration at the nursing home because of a vacancy in the position of nursing home administrator at the nursing home resulting from a death, illness, or other unexpected cause. 16866
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(2) The individual is at least twenty-one years of age. 16873

(3) The individual has complied with section 4776.02 of the Revised Code regarding a criminal records check. 16874
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(4) The board, in accordance with section 9.79 of the Revised Code, has determined that the results of the criminal records check do not make the individual ineligible for the license. 16876
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(5) The individual has paid to the board a fee for the temporary license of one hundred dollars. 16880
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(6) The individual has satisfied any additional requirements as may be prescribed in rules adopted under section 4751.04 of the Revised Code. 16882
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(B) A temporary nursing home administrator license shall certify that the individual to whom it was issued has met the applicable requirements of this chapter and any applicable rules adopted under section 4751.04 of the Revised Code and is authorized to practice nursing home administration while the temporary license is valid. 16885
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(C) Except as provided in section 4751.32 of the Revised Code, a temporary nursing home administrator license is valid for a period of time the board shall specify on the temporary license. That period shall not exceed one hundred eighty days. If that period is less than one hundred eighty days, the individual holding the temporary license may apply to the board for renewal of the temporary license in accordance with rules the board shall adopt under section 4751.04 of the Revised Code. Except as provided in section 4751.32 of the Revised Code, a renewed temporary nursing home administrator license is valid for a period of time the board shall specify on the renewed temporary license. That period shall not exceed the difference 16891
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between one hundred eighty days and the number of days for which 16903
the original temporary license was valid. A renewed temporary 16904
nursing home administrator license shall not be renewed. A 16905
licensed temporary nursing home administrator who intends to 16906
continue to practice nursing home administration after the 16907
temporary license, including, if applicable, the renewed 16908
temporary license, expires must obtain a nursing home 16909
administrator license under section 4751.20 of the Revised Code. 16910

(D) Chapter 4796. of the Revised Code does not apply to a 16911
temporary license issued under this section. 16912

Sec. 4751.21. (A) ~~Subject~~ Except as provided in section 16913
4751.201 of the Revised Code, and subject to section 4751.32 of 16914
the Revised Code, the board of executives of long-term services 16915
and supports shall issue a health services executive license to 16916
an individual if all of the following requirements are 16917
satisfied: 16918

(1) The individual has submitted to the board a completed 16919
application for the license in accordance with rules adopted 16920
under section 4751.04 of the Revised Code. 16921

(2) The individual is a licensed nursing home 16922
administrator. 16923

(3) The individual has obtained the health services 16924
executive qualification through the national association of 16925
long-term care administrator boards. 16926

(4) The individual has complied with section 4776.02 of 16927
the Revised Code regarding a criminal records check. 16928

(5) The board, in accordance with section 9.79 of the 16929
Revised Code, has determined that the results of the criminal 16930
records check do not make the individual ineligible for the 16931

license. 16932

(6) The individual has paid to the board a license fee of 16933
one hundred dollars. 16934

(B) A health services executive license shall certify that 16935
the individual to whom it was issued has met the applicable 16936
requirements of this chapter and any applicable rules adopted 16937
under section 4751.04 of the Revised Code and is a licensed 16938
health services executive while the license is valid. 16939

Sec. 4751.32. (A) Except as provided in division (D) of 16940
this section, the board of executives of long-term services and 16941
supports may take any of the actions authorized by division (B) 16942
of this section against an individual who has applied for or 16943
holds a nursing home administrator license, temporary nursing 16944
home administrator license, or health services executive license 16945
if any of the following apply to the individual: 16946

(1) The individual has failed to satisfy any requirement 16947
established by this chapter or the rules adopted under section 16948
4751.04 of the Revised Code that must be satisfied to obtain the 16949
license or temporary license. 16950

(2) The individual has violated, or failed to comply with 16951
a requirement of, this chapter or a rule adopted under section 16952
4751.04 of the Revised Code regarding the practice of nursing 16953
home administration, including the requirements of sections 16954
4751.40 and 4751.41 of the Revised Code. 16955

(3) The individual is unfit or incompetent to practice 16956
nursing home administration, serve in a leadership position at a 16957
long-term services and supports setting, or direct the practices 16958
of others in such a setting by reason of negligence, habits, or 16959
other causes, including the individual's habitual or excessive 16960

use or abuse of drugs, alcohol, or other substances. 16961

(4) The individual has acted in a manner inconsistent with 16962
the health and safety of either of the following: 16963

(a) The residents of the nursing home at which the 16964
individual practices nursing home administration; 16965

(b) The consumers of services and supports provided by a 16966
long-term services and supports setting at which the individual 16967
serves in a leadership position or directs the practices of 16968
others. 16969

(5) The individual has been convicted of, or pleaded 16970
guilty to, either of the following in a court of competent 16971
jurisdiction, either within or without this state: 16972

(a) A felony; 16973

(b) An offense of moral turpitude that constitutes a 16974
misdemeanor in this state. 16975

(6) The individual made a false, fraudulent, deceptive, or 16976
misleading statement in seeking to obtain, or obtaining, a 16977
nursing home administrator license, temporary nursing home 16978
administrator license, or health services executive license. 16979

(7) The individual made a fraudulent misrepresentation in 16980
attempting to obtain, or obtaining, money or anything of value 16981
in the practice of nursing home administration or while serving 16982
in a leadership position at a long-term services and supports 16983
setting or directing the practices of others in such a setting. 16984

(8) The individual has substantially deviated from the 16985
board's code of ethics. 16986

(9) Another health care licensing agency has taken any of 16987

the following actions against the individual for any reason	16988
other than nonpayment of a fee:	16989
(a) Denied, refused to renew or reinstate, limited,	16990
revoked, or suspended, or accepted the surrender of, a license	16991
or other authorization to practice;	16992
(b) Imposed probation;	16993
(c) Issued a censure or other reprimand.	16994
(10) The individual has failed to do any of the following:	16995
(a) Cooperate with an investigation conducted by the board	16996
under section 4751.31 of the Revised Code;	16997
(b) Respond to or comply with a subpoena issued by the	16998
board in an investigation of the individual;	16999
(c) Comply with any disciplinary action the board has	17000
taken against the individual pursuant to this section.	17001
(B) The following are the actions that the board may take	17002
for the purpose of division (A) of this section:	17003
(1) Deny the individual any of the following:	17004
(a) A nursing home administrator license under section	17005
4751.20, 4751.201, 4751.23, or 4751.24 of the Revised Code;	17006
(b) A temporary nursing home administrator license under	17007
section 4751.202 or 4751.23 of the Revised Code;	17008
(c) A health services executive license under section	17009
<u>4751.201</u> , 4751.21, 4751.23, or 4751.25 of the Revised Code.	17010
(2) Suspend the individual's nursing home administrator	17011
license, temporary nursing home administrator license, or health	17012
services executive license;	17013

(3) Revoke the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license, either permanently or for a period of time the board specifies;

(4) Place a limitation on the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license;

(5) Place the individual on probation;

(6) Issue a written reprimand of the individual;

(7) Impose on the individual a civil penalty, fine, or other sanction specified in rules adopted under section 4751.04 of the Revised Code.

(C) The board shall take actions authorized by division (B) of this section in accordance with Chapter 119. of the Revised Code, except that the board may enter into a consent agreement with an individual to resolve an alleged violation of this chapter or a rule adopted under section 4751.04 of the Revised Code in lieu of making an adjudication regarding the alleged violation. A consent agreement constitutes the board's findings and order with respect to the matter addressed in the consent agreement if the board ratifies the consent agreement. Any admissions or findings included in a proposed consent agreement have no force or effect if the board refuses to ratify the consent agreement.

(D) The board shall not refuse to issue an initial nursing home administrator license, temporary nursing home administrator license, or health services executive license, unless the refusal is in accordance with section 9.79 of the Revised Code.

Sec. 4752.05. (A) The Except as provided in division (D)

of this section, the state board of pharmacy shall issue a 17043
license to provide home medical equipment services to each 17044
applicant under section 4752.04 of the Revised Code that meets 17045
either of the following requirements: 17046

(1) Meets the standards established by the board in rules 17047
adopted under section 4752.17 of the Revised Code; 17048

(2) Is a pharmacy licensed under Chapter 4729. of the 17049
Revised Code that receives total payments of ten thousand 17050
dollars or more per year from selling or renting home medical 17051
equipment. 17052

(B) During the period ending one year after September 16, 17053
2004, an applicant that does not meet either of the requirements 17054
of division (A) of this section shall be granted a provisional 17055
license if for at least twelve months prior to September 16, 17056
2004, the applicant was engaged in the business of providing 17057
home medical equipment services. The provisional license expires 17058
one year following the date on which it is issued and is not 17059
subject to renewal under section 4752.06 of the Revised Code. 17060

(C) The board may conduct a personal interview of an 17061
applicant, or an applicant's representative, to determine the 17062
applicant's qualifications for licensure. 17063

(D) The board shall issue a license to provide home 17064
medical equipment services in accordance with Chapter 4796. of 17065
the Revised Code to an applicant if either of the following 17066
applies: 17067

(1) The applicant holds a license in another state. 17068

(2) The applicant has satisfactory work experience, a 17069
government certification, or a private certification as 17070
described in that chapter as a provider of home medical 17071

equipment services in a state that does not issue that license. 17072

(E) A license issued under division (A) of this section to 17073
provide home medical equipment services expires at the end of 17074
the licensing period for which it is issued and may be renewed 17075
in accordance with section 4752.06 of the Revised Code. For 17076
purposes of issuing and renewing licenses, the board shall use a 17077
biennial licensing period that begins on the first day of July 17078
of each even-numbered year and ends on the thirtieth day of June 17079
of the next succeeding even-numbered year. 17080

~~(E)~~ (F) Any license issued under this section is valid only 17081
for the facility named in the application. 17082

Sec. 4752.12. (A) The Except as provided in division (B) 17083
of this section, the state board of pharmacy shall issue a 17084
certificate of registration to provide home medical equipment 17085
services to each applicant who submits a complete application 17086
under section 4752.11 of the Revised Code. For purposes of this 17087
division, an application is complete only if the board finds 17088
that the applicant holds accreditation from the joint commission 17089
on accreditation of healthcare organizations or another national 17090
accrediting body recognized by the board, as specified in rules 17091
adopted under section 4752.17 of the Revised Code. 17092

(B) The board shall issue a certificate of registration in 17093
accordance with Chapter 4796. of the Revised Code to an 17094
applicant if either of the following applies: 17095

(1) The applicant holds a certificate of registration or 17096
license in another state. 17097

(2) The applicant has satisfactory work experience, a 17098
government certification, or a private certification as 17099
described in that chapter as a provider of home medical 17100

equipment services in a state that does not issue that 17101
certificate or license. 17102

~~(C)~~ A certificate of registration ~~issued under this~~ 17103
~~section~~ expires at the end of the registration period for which 17104
it is issued and may be renewed in accordance with section 17105
4752.13 of the Revised Code. For purposes of renewing 17106
certificates of registration, the board shall use a biennial 17107
registration period that begins on the first day of July of each 17108
even-numbered year and ends on the thirtieth day of June of the 17109
next succeeding even-numbered year. 17110

~~(C)~~ (D) A certificate of registration ~~issued under this~~ 17111
~~section~~ is valid only for the facility named in the application. 17112

Sec. 4753.07. The state speech and hearing professionals 17113
board shall issue under its seal a license or conditional 17114
license to every applicant who has passed the appropriate 17115
examinations designated by the board and who otherwise complies 17116
with the licensure requirements of this chapter. The license or 17117
conditional license entitles the holder to practice speech- 17118
language pathology or audiology. 17119

The board shall issue under its seal a license or 17120
conditional license to practice speech-language pathology or 17121
audiology to an applicant in accordance with Chapter 4796. of 17122
the Revised Code if the applicant holds a license or conditional 17123
license in another state or the applicant has satisfactory work 17124
experience, a government certification, or a private 17125
certification as described in that chapter as a speech-language 17126
pathologist or audiologist in a state that does not issue those 17127
licenses. 17128

Each licensee shall display the license or conditional 17129

license or an official duplicate in a conspicuous place where 17130
the licensee practices speech-language pathology or audiology or 17131
both. 17132

Sec. 4753.071. A person who is required to meet the 17133
supervised professional experience requirement of division (F) 17134
of section 4753.06 of the Revised Code shall submit to the state 17135
speech and hearing professionals board an application for a 17136
conditional license. The application shall include a plan for 17137
the content of the supervised professional experience on a form 17138
the board shall prescribe. The board shall issue the conditional 17139
license to the applicant if the applicant meets the requirements 17140
of section 4753.06 of the Revised Code, other than the 17141
requirement to have obtained the supervised professional 17142
experience, and pays to the board the appropriate fee for a 17143
conditional license. The board shall issue a conditional license 17144
in accordance with Chapter 4796. of the Revised Code to an 17145
applicant if the applicant holds a license in another state or 17146
the applicant has satisfactory work experience, a government 17147
certification, or a private certification as described in that 17148
chapter in a state that does not issue a conditional license. An 17149
applicant may not begin employment until the conditional license 17150
has been issued. 17151

A conditional license authorizes an individual to practice 17152
speech-language pathology or audiology while completing the 17153
supervised professional experience as required by division (F) 17154
of section 4753.06 of the Revised Code. A person holding a 17155
conditional license may practice speech-language pathology or 17156
audiology while working under the supervision of a person fully 17157
licensed in accordance with this chapter. A conditional license 17158
is valid for eighteen months unless suspended or revoked 17159
pursuant to section 3123.47 or 4753.10 of the Revised Code. 17160

A person holding a conditional license may perform 17161
services for which payment will be sought under the medicare 17162
program or the medicaid program but all requests for payment for 17163
such services shall be made by the person who supervises the 17164
person performing the services. 17165

Sec. 4753.072. The state speech and hearing professionals 17166
board shall establish by rule pursuant to Chapter 119. of the 17167
Revised Code the qualifications for persons seeking licensure as 17168
a speech-language pathology aide or an audiology aide. The 17169
qualifications shall be less than the standards for licensure as 17170
a speech-language pathologist or audiologist. An aide shall not 17171
act independently and shall work under the direction and 17172
supervision of a speech-language pathologist or audiologist 17173
licensed by the board. An aide shall not dispense hearing aids. 17174
An applicant shall not begin employment until the license has 17175
been approved. 17176

The board shall issue a license for a speech-language 17177
pathology aide or an audiology aide in accordance with Chapter 17178
4796. of the Revised Code to an applicant who holds a license in 17179
another state or has satisfactory work experience, a government 17180
certification, or a private certification as described in that 17181
chapter as a speech-language pathology aide or an audiology aide 17182
in a state that does not issue those licenses. 17183

Sec. 4753.073. (A) The state speech and hearing 17184
professionals board shall issue under its seal a speech-language 17185
pathology student permit to any applicant who submits a plan 17186
that has been approved by the applicant's university graduate 17187
program in speech-language pathology and that conforms to 17188
requirements determined by the board by rule and who meets all 17189
of the following requirements: 17190

(1) Is enrolled in a graduate program at an educational institution located in this state that is accredited by the council on academic accreditation in audiology and speech-language pathology of the American speech-language-hearing association; 17191
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(2) Has completed at least one year of postgraduate training in speech-language pathology, or equivalent coursework as determined by the board, and any student clinical experience the board may require by rule. 17196
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(B) The board shall issue under its seal a speech-language pathology student permit in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 17200
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(1) The applicant holds a permit or license in another state. 17203
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(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a speech-language pathology student in a state that does not issue that permit or license. 17205
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(C) The speech-language pathology student permit authorizes the holder to practice speech-language pathology within limits determined by the board by rule, which shall include the following: 17209
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(1) The permit holder's caseload shall be limited in a manner to be determined by the board by rule. 17213
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(2) The permit holder's authorized scope of practice shall be limited in a manner to be determined by the board by rule. 17215
17216
The rule shall consider the coursework and clinical experience 17217
that has been completed by the permit holder and the 17218
recommendation of the applicant's university graduate program in 17219

speech-language pathology. 17220

(3) The permit holder shall practice only when under the 17221
supervision of a speech-language pathologist who is licensed by 17222
the board and acting under the approval and direction of the 17223
applicant's university graduate program in speech-language 17224
pathology. The board shall determine by rule the manner of 17225
supervision. 17226

~~(C)~~ (D) A permit ~~issued under this section~~ shall expire two 17227
years after the date of issuance. Student permits may be renewed 17228
in a manner to be determined by the board by rule. 17229

~~(D)~~ (E) Each permit holder shall display the permit or an 17230
official duplicate in a conspicuous place where the permit 17231
holder practices speech-language pathology. 17232

Sec. 4753.08. The state speech and hearing professionals 17233
board shall waive the examination, educational, and professional 17234
experience requirements for any applicant who meets ~~any either~~ 17235
of the following requirements: 17236

(A) On September 26, 1975, had at least a bachelor's 17237
degree with a major in speech-language pathology or audiology 17238
from an accredited college or university, or was employed as a 17239
speech-language pathologist or audiologist for at least nine 17240
months at any time within the three years prior to September 26, 17241
1975, if an application providing bona fide proof of such degree 17242
or employment was filed with the former board of speech-language 17243
pathology and audiology within one year after that date, and was 17244
accompanied by the application fee as prescribed in division (A) 17245
of section 4753.11 of the Revised Code; 17246

~~(B) Presents proof to the state speech and hearing~~ 17247
~~professionals board of current certification or licensure in~~ 17248

~~good standing in the area in which licensure is sought in a~~ 17249
~~state that has standards at least equal to the standards for~~ 17250
~~licensure that are in effect in this state at the time the~~ 17251
~~applicant applies for the license;~~ 17252

~~(C) Presents proof to the state speech and hearing~~ 17253
~~professionals board of both of the following:~~ 17254

~~(1) Having current certification or licensure in good~~ 17255
~~standing in audiology in a state that has standards at least~~ 17256
~~equal to the standards for licensure as an audiologist that were~~ 17257
~~in effect in this state on December 31, 2005;~~ 17258

~~(2) Having first obtained that certification or licensure~~ 17259
~~not later than December 31, 2007.~~ 17260

~~(D) Presents proof to the state speech and hearing~~ 17261
~~professionals board of a current certificate of clinical~~ 17262
~~competence in speech-language pathology or audiology that is in~~ 17263
~~good standing and received from the American speech-language-~~ 17264
~~hearing association in the area in which licensure is sought.~~ 17265

Sec. 4753.09. Except as provided in this section and in 17266
section 4753.10 of the Revised Code, a license issued by the 17267
state speech and hearing professionals board shall be renewed 17268
biennially in accordance with the standard renewal procedure 17269
contained in Chapter 4745. of the Revised Code. If the 17270
application for renewal is made one year or longer after the 17271
renewal application is due, the person shall apply for licensure 17272
as provided in section 4753.06 or division (B), ~~(C), or (D)~~ of 17273
section 4753.08 of the Revised Code. The board shall not renew a 17274
conditional license; however, the board may grant an applicant a 17275
second conditional license. 17276

The board shall establish by rule adopted pursuant to 17277

Chapter 119. of the Revised Code the qualifications for license 17278
renewal. Applicants shall demonstrate continued competence, 17279
which may include continuing education, examination, self- 17280
evaluation, peer review, performance appraisal, or practical 17281
simulation. The board may establish other requirements as a 17282
condition for license renewal as considered appropriate by the 17283
board. 17284

The board may renew a license which expires while the 17285
license is suspended, but the renewal shall not affect the 17286
suspension. The board shall not renew a license which has been 17287
revoked. If a revoked license is reinstated under section 17288
4753.10 of the Revised Code after it has expired, the licensee, 17289
as a condition of reinstatement, shall pay a reinstatement fee 17290
in the amount equal to the renewal fee in effect on the last 17291
preceding regular renewal date on which it is reinstated, plus 17292
any delinquent fees accrued from the time of the revocation, if 17293
such a fee is prescribed by the board by rule. 17294

Sec. 4753.12. Nothing in this chapter shall be construed 17295
to: 17296

(A) Prohibit a person other than an individual from 17297
engaging in the business of speech-language pathology or 17298
audiology without licensure if it employs a licensed individual 17299
in the direct practice of speech-language pathology and 17300
audiology. Such entity shall file a statement with the state 17301
speech and hearing professionals board, on a form approved by 17302
the board for this purpose, swearing that it submits itself to 17303
the rules of the board and the provisions of this chapter which 17304
the board determines applicable. 17305

(B) Prevent or restrict the practice of a person employed 17306
as a speech-language pathologist or audiologist by any agency of 17307

the federal government. 17308

(C) Restrict the activities and services of a student or 17309
intern in speech-language pathology or audiology from pursuing a 17310
course of study leading to a degree in these areas at a college 17311
or university accredited by a recognized regional or national 17312
accrediting body or in one of its cooperating clinical training 17313
facilities, if these activities and services are supervised by a 17314
person licensed in the area of study or certified by the 17315
American speech-language-hearing association in the area of 17316
study and if the student is designated by a title such as 17317
"speech-language pathology intern," "audiology intern," 17318
"trainee," or other such title clearly indicating the training 17319
status. 17320

(D) Prevent a person from performing speech-language 17321
pathology or audiology services when performing these services 17322
in pursuit of the required supervised professional experience as 17323
prescribed in section 4753.06 of the Revised Code and that 17324
person has been issued a conditional license pursuant to section 17325
4753.071 of the Revised Code. 17326

(E) Restrict a speech-language pathologist or audiologist 17327
who holds the certification of the American speech-language- 17328
hearing association, or who is licensed as a speech-language 17329
pathologist or audiologist in another state and who has made 17330
application to the board for a license in this state from 17331
practicing speech-language pathology or audiology without a 17332
valid license pending the disposition of the application. The 17333
board shall not require a speech-language pathologist or 17334
audiologist who is licensed in another state to obtain a license 17335
in accordance with Chapter 4796. of the Revised Code to practice 17336
speech-language pathology or audiology in the manner described 17337

under this division. 17338

(F) Restrict a person not a resident of this state from 17339
offering speech-language pathology or audiology services in this 17340
state if such services are performed for not more than one 17341
period of thirty consecutive calendar days in any year, if the 17342
person is licensed in the state of the person's residence or 17343
certified by the American speech-language-hearing association 17344
and files a statement as prescribed by the board in advance of 17345
providing these services. Such person shall be subject to the 17346
rules of the board and the provisions of this chapter. The board 17347
shall not require a person not a resident of this state who is 17348
licensed in the state of the person's residence to obtain a 17349
license in accordance with Chapter 4796. of the Revised Code to 17350
offer speech-language pathology or audiology services in the 17351
manner described under this division. 17352

(G) Restrict a person licensed under Chapter 4747. of the 17353
Revised Code from engaging in the duties as defined in that 17354
chapter related to measuring, testing, and counseling for the 17355
purpose of identifying or modifying hearing conditions in 17356
connection with the fitting, dispensing, or servicing of a 17357
hearing aid, or affect the authority of hearing aid dealers to 17358
deal in hearing aids or advertise the practice of dealing in 17359
hearing aids in accordance with Chapter 4747. of the Revised 17360
Code. 17361

(H) Restrict a physician from engaging in the practice of 17362
medicine and surgery or osteopathic medicine and surgery or 17363
prevent any individual from carrying out any properly delegated 17364
responsibilities within the normal practice of medicine and 17365
surgery or osteopathic medicine and surgery. 17366

(I) Restrict a person registered or licensed under Chapter 17367

4723. of the Revised Code from performing those acts and 17368
utilizing those procedures that are within the scope of the 17369
practice of professional or practical nursing as defined in 17370
Chapter 4723. of the Revised Code and the ethics of the nursing 17371
profession, provided such a person does not claim to the public 17372
to be a speech-language pathologist or audiologist. 17373

(J) Restrict an individual licensed as an audiologist 17374
under this chapter from fitting, selling, or dispensing hearing 17375
aids. 17376

(K) Authorize the practice of medicine and surgery or 17377
entitle a person licensed pursuant to this chapter to engage in 17378
the practice of medicine or surgery or any of its branches. 17379

(L) Restrict a person licensed pursuant to Chapter 4755. 17380
of the Revised Code from performing those acts and utilizing 17381
those procedures that are within the scope of the practice of 17382
occupational therapy or occupational therapy assistant as 17383
defined in Chapter 4755. of the Revised Code, provided the 17384
person does not claim to the public to be a speech-language 17385
pathologist or audiologist. 17386

Sec. 4755.08. The occupational therapy section of the Ohio 17387
occupational therapy, physical therapy, and athletic trainers 17388
board shall issue a license to every applicant who has passed 17389
the appropriate examination designated by the section and who 17390
otherwise complies with the licensure requirements of sections 17391
4755.04 to 4755.13 of the Revised Code. The license entitles the 17392
holder to practice occupational therapy or to assist in the 17393
practice of occupational therapy. The licensee shall display the 17394
license in a conspicuous place at the licensee's principal place 17395
of business. 17396

The section shall issue a license to practice occupational therapy or to assist in the practice of occupational therapy in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 17397
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(A) The applicant holds a license in another state. 17401

(B) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an occupational therapist or assistant occupational therapist in a state that does not issue that license. 17402
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Sec. 4755.09. The occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board may waive the examination requirement under section 4755.07 of the Revised Code for any applicant for licensure as an occupational therapist or occupational therapy assistant who ~~either has met educational, training, and job experience requirements established by the section, or presents proof of current certification or licensure in another state that requires standards for licensure at least equal to those for licensure in this state.~~ 17407
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The section may waive the educational requirements under section 4755.07 of the Revised Code for any applicant who has met job experience requirements established by the section. 17417
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Sec. 4755.411. The physical therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall adopt rules in accordance with Chapter 119. of the Revised Code pertaining to the following: 17420
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(A) Fees for the verification of a license and license reinstatement, and other fees established by the section; 17424
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(B) Provisions for the section's government and control of its actions and business affairs;	17426 17427
(C) Minimum curricula for physical therapy education programs that prepare graduates to be licensed in this state as physical therapists and physical therapist assistants;	17428 17429 17430
(D) Eligibility criteria to take the examinations required under sections 4755.43 and 4755.431 of the Revised Code;	17431 17432
(E) The form and manner for filing applications for licensure with the section;	17433 17434
(F) For purposes of section 4755.46 of the Revised Code, all of the following:	17435 17436
(1) A schedule regarding when licenses to practice as a physical therapist and physical therapist assistant expire during a biennium;	17437 17438 17439
(2) An additional fee, not to exceed thirty-five dollars, that may be imposed if a licensee files a late application for renewal;	17440 17441 17442
(3) The conditions under which the license of a person who files a late application for renewal will be reinstated.	17443 17444
(G) The issuance, renewal, suspension, and permanent revocation of a license and the conduct of hearings;	17445 17446
(H) Appropriate ethical conduct in the practice of physical therapy;	17447 17448
(I) Requirements, including continuing education requirements, for restoring licenses that are inactive or have lapsed through failure to renew;	17449 17450 17451
(J) Conditions that may be imposed for reinstatement of a	17452

license following suspension pursuant to section 4755.47 of the Revised Code; 17453
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(K) For purposes of sections 4755.45 and 4755.451 of the Revised Code, both of the following: 17455
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(1) Identification of the credentialing organizations from which the section will accept equivalency evaluations for foreign physical therapist education and foreign physical therapist assistant education. The physical therapy section shall identify only those credentialing organizations that use a course evaluation tool or form approved by the physical therapy section. 17457
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(2) Evidence, other than the evaluations described in division (K)(1) of this section, that the section will consider for purposes of evaluating whether an applicant's education is reasonably equivalent to the educational requirements that were in force for licensure in this state as a physical therapist or physical therapist assistant on the date of the applicant's initial licensure or registration in another ~~state or~~ country. 17464
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(L) Standards of conduct for physical therapists and physical therapist assistants, including requirements for supervision, delegation, and practicing with or without referral or prescription; 17471
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(M) Appropriate display of a license; 17475

(N) Procedures for a licensee to follow in notifying the section within thirty days of a change in name or address, or both; 17476
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(O) The amount and content of corrective action courses required by the board under section 4755.47 of the Revised Code. 17479
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Sec. 4755.44. If an applicant passes the examination or 17481
examinations required under section 4755.43 of the Revised Code 17482
and pays the fee required by division (B) of section 4755.42 of 17483
the Revised Code, the physical therapy section of the Ohio 17484
occupational therapy, physical therapy, and athletic trainers 17485
board shall issue a license, attested by the seal of the board, 17486
to the applicant to practice as a physical therapist. 17487

The section shall issue a license to practice as a 17488
physical therapist in accordance with Chapter 4796. of the 17489
Revised Code, attested by the seal of the board, to an applicant 17490
if either of the following applies: 17491

(A) The applicant holds a license in another state. 17492

(B) The applicant has satisfactory work experience, a 17493
government certification, or a private certification as 17494
described in that chapter as a physical therapist in a state 17495
that does not issue that license. 17496

Sec. 4755.441. If an applicant passes the examination or 17497
examinations required under section 4755.431 of the Revised Code 17498
and pays the fee required by division (B) of section 4755.421 of 17499
the Revised Code, the physical therapy section of the Ohio 17500
occupational therapy, physical therapy, and athletic trainers 17501
board shall issue a license, attested by the seal of the board, 17502
to the applicant to practice as physical therapist assistant. 17503

The section shall issue a license to practice as a 17504
physical therapist assistant in accordance with Chapter 4796. of 17505
the Revised Code, attested by the seal of the board, to an 17506
applicant if either of the following applies: 17507

(A) The applicant holds a license in another state. 17508

(B) The applicant has satisfactory work experience, a 17509

government certification, or a private certification as 17510
described in that chapter as a physical therapist assistant in a 17511
state that does not issue that license. 17512

Sec. 4755.45. (A) The physical therapy section of the Ohio 17513
occupational therapy, physical therapy, and athletic trainers 17514
board shall issue to an applicant a license to practice as a 17515
physical therapist without requiring the applicant to have 17516
passed the national examination for physical therapists 17517
described in division (A) of section 4755.43 of the Revised Code 17518
within one year of filing an application described in section 17519
4755.42 of the Revised Code if all of the following are true: 17520

(1) The applicant presents evidence satisfactory to the 17521
physical therapy section that the applicant received a score on 17522
the national physical therapy examination described in division 17523
(A) of section 4755.43 of the Revised Code that would have been 17524
a passing score according to the board in the year the applicant 17525
sat for the examination; 17526

(2) The applicant presents evidence satisfactory to the 17527
physical therapy section that the applicant passed the 17528
jurisprudence examination described in division (B) of section 17529
4755.43 of the Revised Code; 17530

(3) The applicant holds a current and valid license or 17531
registration to practice physical therapy in another ~~state or~~ 17532
country; 17533

(4) Subject to division (B) of this section, the applicant 17534
can demonstrate that the applicant's education is reasonably 17535
equivalent to the educational requirements that were in force 17536
for licensure in this state on the date of the applicant's 17537
initial licensure or registration in the other ~~state or~~ country; 17538

(5) The applicant pays the fee described in division (B) 17539
of section 4755.42 of the Revised Code; 17540

(6) The applicant is not in violation of any section of 17541
this chapter or rule adopted under it. 17542

(B) For purposes of division (A) (4) of this section, if, 17543
after receiving the results of an equivalency evaluation from a 17544
credentialing organization identified by the section pursuant to 17545
rules adopted under section 4755.411 of the Revised Code, the 17546
section determines that regardless of the results of the 17547
evaluation the applicant's education is not reasonably 17548
equivalent to the educational requirements that were in force 17549
for licensure in this state on the date of the applicant's 17550
initial licensure or registration in ~~another state or a~~ foreign 17551
country, the section shall send a written notice to the 17552
applicant stating that the section is denying the applicant's 17553
application and stating the specific reason why the section is 17554
denying the applicant's application. The section shall send the 17555
notice to the applicant through certified mail within thirty 17556
days after the section makes that determination. 17557

Sec. 4755.451. (A) The physical therapy section of the 17558
Ohio occupational therapy, physical therapy, and athletic 17559
trainers board shall issue to an applicant a license as a 17560
physical therapist assistant without requiring the applicant to 17561
have passed the national examination for physical therapist 17562
assistants described in division (A) of section 4755.431 of the 17563
Revised Code within one year of filing an application described 17564
in section 4755.421 of the Revised Code if all of the following 17565
are true: 17566

(1) The applicant presents evidence satisfactory to the 17567
physical therapy section that the applicant received a score on 17568

the national physical therapy examination described in division 17569
(A) of section 4755.431 of the Revised Code that would have been 17570
a passing score according to the board in the year the applicant 17571
sat for the examination; 17572

(2) The applicant presents evidence satisfactory to the 17573
physical therapy section that the applicant passed the 17574
jurisprudence examination described in division (B) of section 17575
4755.431 of the Revised Code; 17576

(3) The applicant holds a current and valid license or 17577
registration to practice as a physical therapist assistant in 17578
another ~~state or~~ country; 17579

(4) Subject to division (B) of this section, the applicant 17580
can demonstrate that the applicant's education is reasonably 17581
equivalent to the educational requirements that were in force 17582
for licensure in this state on the date of the applicant's 17583
initial licensure or registration in the other ~~state or~~ country; 17584

(5) The applicant pays the fee described in division (B) 17585
of section 4755.421 of the Revised Code; 17586

(6) The applicant is not in violation of any section of 17587
this chapter or rule adopted under it. 17588

(B) For purposes of division (A)(4) of this section, if, 17589
after receiving the results of an equivalency evaluation from a 17590
credentialing organization identified by the section pursuant to 17591
rules adopted under section 4755.411 of the Revised Code, the 17592
section determines that, regardless of the results of the 17593
evaluation, the applicant's education is not reasonably 17594
equivalent to the educational requirements that were in force 17595
for licensure in this state on the date of the applicant's 17596
initial licensure or registration in ~~another state or a~~ foreign 17597

country, the section shall send a written notice to the 17598
applicant stating that the section is denying the applicant's 17599
application and stating the specific reason why the section is 17600
denying the applicant's application. The section shall send the 17601
notice to the applicant through certified mail within thirty 17602
days after the section makes the determination. 17603

Sec. 4755.48. (A) No person shall employ fraud or 17604
deception in applying for or securing a license to practice 17605
physical therapy or to be a physical therapist assistant. 17606

(B) No person shall practice or in any way imply or claim 17607
to the public by words, actions, or the use of letters as 17608
described in division (C) of this section to be able to practice 17609
physical therapy or to provide physical therapy services, 17610
including practice as a physical therapist assistant, unless the 17611
person holds a valid license under sections 4755.40 to 4755.56 17612
of the Revised Code or except for submission of claims as 17613
provided in section 4755.56 of the Revised Code. 17614

(C) No person shall use the words or letters, physical 17615
therapist, physical therapy, physical therapy services, 17616
physiotherapist, physiotherapy, physiotherapy services, licensed 17617
physical therapist, P.T., Ph.T., P.T.T., R.P.T., L.P.T., M.P.T., 17618
D.P.T., M.S.P.T., P.T.A., physical therapy assistant, physical 17619
therapist assistant, physical therapy technician, licensed 17620
physical therapist assistant, L.P.T.A., R.P.T.A., or any other 17621
letters, words, abbreviations, or insignia, indicating or 17622
implying that the person is a physical therapist or physical 17623
therapist assistant without a valid license under sections 17624
4755.40 to 4755.56 of the Revised Code. 17625

(D) No person who practices physical therapy or assists in 17626
the provision of physical therapy treatments under the 17627

supervision of a physical therapist shall fail to display the 17628
person's current license granted under sections 4755.40 to 17629
4755.56 of the Revised Code in a conspicuous location in the 17630
place where the person spends the major part of the person's 17631
time so engaged. 17632

(E) Nothing in sections 4755.40 to 4755.56 of the Revised 17633
Code shall affect or interfere with the performance of the 17634
duties of any physical therapist or physical therapist assistant 17635
in active service in the army, navy, coast guard, marine corps, 17636
air force, public health service, or marine hospital service of 17637
the United States, while so serving. 17638

(F) Nothing in sections 4755.40 to 4755.56 of the Revised 17639
Code shall prevent or restrict the activities or services of a 17640
person pursuing a course of study leading to a degree in 17641
physical therapy in an accredited or approved educational 17642
program if the activities or services constitute a part of a 17643
supervised course of study and the person is designated by a 17644
title that clearly indicates the person's status as a student. 17645

(G) (1) Subject to division (G) (2) of this section, nothing 17646
in sections 4755.40 to 4755.56 of the Revised Code shall prevent 17647
or restrict the activities or services of any person who holds a 17648
current, unrestricted license to practice physical therapy in 17649
another state when that person, pursuant to contract or 17650
employment with an athletic team located in the state in which 17651
the person holds the license, provides physical therapy to any 17652
of the following while the team is traveling to or from or 17653
participating in a sporting event in this state: 17654

(a) A member of the athletic team; 17655

(b) A member of the athletic team's coaching, 17656

communications, equipment, or sports medicine staff; 17657

(c) A member of a band or cheerleading squad accompanying 17658
the athletic team; 17659

(d) The athletic team's mascot. 17660

(2) In providing physical therapy pursuant to division (G) 17661
(1) of this section, the person shall not do either of the 17662
following: 17663

(a) Provide physical therapy at a health care facility; 17664

(b) Provide physical therapy for more than sixty days in a 17665
calendar year. 17666

(3) The limitations described in divisions (G) (1) and (2) 17667
of this section do not apply to a person who is practicing in 17668
accordance with the compact privilege granted by this state 17669
through the "Physical Therapy Licensure Compact" entered into 17670
under section 4755.57 of the Revised Code. 17671

(4) The physical therapy section of the occupational 17672
therapy, physical therapy, and athletic trainers board shall not 17673
require a nonresident person who holds a license to practice 17674
physical therapy in another state to obtain a license in 17675
accordance with Chapter 4796. of the Revised Code to provide 17676
physical therapy services in the manner described under division 17677
(G) (1) of this section. 17678

(H) (1) Except as provided in division (H) (2) of this 17679
section and subject to division (I) of this section, no person 17680
shall practice physical therapy other than on the prescription 17681
of, or the referral of a patient by, a person who is licensed in 17682
this or another state to do at least one of the following: 17683

(a) Practice medicine and surgery, chiropractic, 17684

dentistry, osteopathic medicine and surgery, podiatric medicine 17685
and surgery; 17686

(b) Practice as a physician assistant; 17687

(c) Practice nursing as an advanced practice registered 17688
nurse. 17689

(2) The prohibition in division (H) (1) of this section on 17690
practicing physical therapy other than on the prescription of, 17691
or the referral of a patient by, any of the persons described in 17692
that division does not apply if either of the following applies 17693
to the person: 17694

(a) The person holds a master's or doctorate degree from a 17695
professional physical therapy program that is accredited by a 17696
national physical therapy accreditation agency approved by the 17697
physical therapy section of the Ohio occupational therapy, 17698
physical therapy, and athletic trainers board. 17699

(b) On or before December 31, 2004, the person has 17700
completed at least two years of practical experience as a 17701
licensed physical therapist. 17702

(I) To be authorized to prescribe physical therapy or 17703
refer a patient to a physical therapist for physical therapy, a 17704
person described in division (H) (1) of this section must be in 17705
good standing with the relevant licensing board in this state or 17706
the state in which the person is licensed and must act only 17707
within the person's scope of practice. 17708

(J) In the prosecution of any person for violation of 17709
division (B) or (C) of this section, it is not necessary to 17710
allege or prove want of a valid license to practice physical 17711
therapy or to practice as a physical therapist assistant, but 17712
such matters shall be a matter of defense to be established by 17713

the accused. 17714

Sec. 4755.482. (A) Except as otherwise provided in 17715
divisions (B) and (C) of this section, a person shall not teach 17716
a physical therapy theory and procedures course in physical 17717
therapy education without obtaining a license as a physical 17718
therapist from the physical therapy section of the Ohio 17719
occupational therapy, physical therapy, and athletic trainers 17720
board. 17721

(B) A nonresident person who is registered or licensed as 17722
a physical therapist under the laws of another state shall not 17723
teach a physical therapy theory and procedures course in 17724
physical therapy education for more than one year without 17725
obtaining a license as a physical therapist from the physical 17726
therapy section, and the section shall not require that person 17727
to obtain a license in accordance with Chapter 4796. of the 17728
Revised Code to teach as described in this division. 17729

(C) A person who is registered or licensed as a physical 17730
therapist under the laws of a foreign country and is not 17731
registered or licensed as a physical therapist in any state who 17732
wishes to teach a physical therapy theory and procedures course 17733
in physical therapy education in this state, or an institution 17734
that wishes the person to teach such a course at the 17735
institution, may apply to the physical therapy section to 17736
request authorization for the person to teach such a course for 17737
a period of not more than one year. Any member of the physical 17738
therapy section may approve the person's or institution's 17739
application. No person described in this division shall teach 17740
such a course for longer than one year without obtaining a 17741
license from the physical therapy section. 17742

(D) The physical therapy section may investigate any 17743

person who allegedly has violated this section. The physical 17744
therapy section has the same powers to investigate an alleged 17745
violation of this section as those powers specified in section 17746
4755.02 of the Revised Code. If, after investigation, the 17747
physical therapy section determines that reasonable evidence 17748
exists that a person has violated this section, within seven 17749
days after that determination, the physical therapy section 17750
shall send a written notice to that person in the same manner as 17751
prescribed in section 119.07 of the Revised Code for licensees, 17752
except that the notice shall specify that a hearing will be held 17753
and specify the date, time, and place of the hearing. 17754

The physical therapy section shall hold a hearing 17755
regarding the alleged violation in the same manner prescribed 17756
for an adjudication hearing under section 119.09 of the Revised 17757
Code. If the physical therapy section, after the hearing, 17758
determines a violation has occurred, the physical therapy 17759
section may discipline the person in the same manner as the 17760
physical therapy section disciplines licensees under section 17761
4755.47 of the Revised Code. The physical therapy section's 17762
determination is an order that the person may appeal in 17763
accordance with section 119.12 of the Revised Code. 17764

If a person who allegedly committed a violation of this 17765
section fails to appear for a hearing, the physical therapy 17766
section may request the court of common pleas of the county 17767
where the alleged violation occurred to compel the person to 17768
appear before the physical therapy section for a hearing. If the 17769
physical therapy section assesses a person a civil penalty for a 17770
violation of this section and the person fails to pay that civil 17771
penalty within the time period prescribed by the physical 17772
therapy section, the physical therapy section shall forward to 17773
the attorney general the name of the person and the amount of 17774

the civil penalty for the purpose of collecting that civil 17775
penalty. In addition to the civil penalty assessed pursuant to 17776
this section, the person also shall pay any fee assessed by the 17777
attorney general for collection of the civil penalty. 17778

Sec. 4755.62. (A) No person shall claim to the public to 17779
be an athletic trainer or imply by words, actions, or letters 17780
that the person is an athletic trainer, or otherwise engage in 17781
the practice of athletic training, unless the person is licensed 17782
as an athletic trainer pursuant to this chapter. 17783

(B) Except as otherwise provided in division (B) of 17784
section 4755.65 of the Revised Code, no educational institution, 17785
partnership, association, or corporation shall advertise or 17786
otherwise offer to provide or convey the impression that it is 17787
providing athletic training unless an individual licensed as an 17788
athletic trainer pursuant to this chapter is employed by, or 17789
under contract to, the educational institution, partnership, 17790
association, or corporation and will be performing the athletic 17791
training services to which reference is made. 17792

(C) To qualify for an athletic trainers license, a person 17793
shall: 17794

(1) Have satisfactorily completed an application for 17795
licensure in accordance with rules adopted by the athletic 17796
trainers section of the Ohio occupational therapy, physical 17797
therapy, and athletic trainers board under section 4755.61 of 17798
the Revised Code; 17799

(2) Have paid the examination fee required under this 17800
section; 17801

(3) Have shown, to the satisfaction of the athletic 17802
trainers section, that the applicant has received a 17803

baccalaureate or higher degree from an institution of higher education, approved by the athletic trainers section of the board and the federal regional accreditation agency and recognized by the council on postsecondary accreditation, and has satisfactorily completed the educational course work requirements established by rule of the athletic trainers section under section 4755.61 of the Revised Code.

(4) In addition to educational course work requirements, have obtained supervised clinical experience that meets the requirements established in rules adopted by the athletic trainers section under section 4755.61 of the Revised Code;

(5) Have passed an examination adopted by the athletic trainers section under division (A) (8) of section 4755.61 of the Revised Code. Each applicant for licensure shall pay, at the time of application, the nonrefundable examination fee set by the athletic trainers section.

~~(D) The section may waive the requirements of division (C) of this section for any applicant who presents proof of current licensure shall issue a license to engage in the practice of athletic training in accordance with Chapter 4796. of the Revised Code to an applicant who holds a license in another state whose standards for licensure, as determined by the section, are equal to or greater than those in effect in this state on the date of application or to an applicant who has satisfactory work experience, a government certification, or a private certification as described in that chapter as an athletic trainer in a state that does not issue that license.~~

(E) The section shall issue a license to every applicant who complies with the requirements of division (C) of this section, files the required application form, and pays the fees

required by section 4755.61 of the Revised Code. Each licensee 17834
shall display the licensee's license in a conspicuous place at 17835
the licensee's principal place of employment. 17836

A license issued under this section entitles the holder to 17837
engage in the practice of athletic training, to claim to the 17838
public to be an athletic trainer, or to imply by words or 17839
letters that the licensee is an athletic trainer. A license 17840
issued under this section does not entitle the holder to 17841
provide, offer to provide, or represent that the holder is 17842
qualified to provide any care or services for which the holder 17843
lacks the education, training, or experience to provide or is 17844
prohibited by law from providing. 17845

Sec. 4755.65. (A) Nothing in sections 4755.61 to 4755.64 17846
of the Revised Code shall be construed to prevent or restrict 17847
the practice, services, or activities of any person who: 17848

(1) Is an individual authorized under Chapter 4731. of the 17849
Revised Code to practice medicine and surgery, osteopathic 17850
medicine and surgery, or podiatry, a dentist licensed under 17851
Chapter 4715. of the Revised Code, a chiropractor licensed under 17852
Chapter 4734. of the Revised Code, a dietitian licensed under 17853
Chapter 4759. of the Revised Code, a physical therapist licensed 17854
under this chapter, or a qualified member of any other 17855
occupation or profession practicing within the scope of the 17856
person's license or profession and who does not claim to the 17857
public to be an athletic trainer; 17858

(2) Is employed as an athletic trainer by an agency of the 17859
United States government and provides athletic training solely 17860
under the direction or control of the agency by which the person 17861
is employed; 17862

- (3) Is a student in an athletic training education program 17863
approved by the athletic trainers section leading to a 17864
baccalaureate or higher degree from an accredited college or 17865
university and is performing duties that are a part of a 17866
supervised course of study; 17867
- (4) Is ~~not an a nonresident~~ individual not licensed as an 17868
athletic trainer in this state who practices or offers to 17869
practice athletic training while traveling with a visiting team 17870
or organization from outside the state or an event approved by 17871
the section for the purpose of providing athletic training to 17872
the visiting team, organization, or event; 17873
- (5) Provides athletic training only to relatives or in 17874
medical emergencies; 17875
- (6) Provides gratuitous care to friends or members of the 17876
person's family; 17877
- (7) Provides only self-care. 17878
- (B) Nothing in this chapter shall be construed to prevent 17879
any person licensed under Chapter 4723. of the Revised Code and 17880
whose license is in good standing, any person authorized under 17881
Chapter 4731. of the Revised Code to practice medicine and 17882
surgery or osteopathic medicine and surgery and whose 17883
certificate to practice is in good standing, any person 17884
authorized under Chapter 4731. of the Revised Code to practice 17885
podiatry and whose certificate to practice is in good standing, 17886
any person licensed under Chapter 4734. of the Revised Code to 17887
practice chiropractic and whose license is in good standing, any 17888
person licensed as a dietitian under Chapter 4759. of the 17889
Revised Code to practice dietetics and whose license is in good 17890
standing, any person licensed as a physical therapist under this 17891

chapter to practice physical therapy and whose license is in 17892
good standing, or any association, corporation, or partnership 17893
from advertising, describing, or offering to provide athletic 17894
training, or billing for athletic training if the athletic 17895
training services are provided by a person licensed under this 17896
chapter and practicing within the scope of the person's license, 17897
by a person licensed under Chapter 4723. of the Revised Code and 17898
practicing within the scope of the person's license, by a person 17899
authorized under Chapter 4731. of the Revised Code to practice 17900
podiatry, by a person authorized under Chapter 4731. of the 17901
Revised Code to practice medicine and surgery or osteopathic 17902
medicine and surgery, by a person licensed under Chapter 4734. 17903
of the Revised Code to practice chiropractic, or by a person 17904
licensed under Chapter 4759. of the Revised Code to practice 17905
dietetics. 17906

(C) Nothing in this chapter shall be construed as 17907
authorizing a licensed athletic trainer to practice medicine and 17908
surgery, osteopathic medicine and surgery, podiatry, or 17909
chiropractic. 17910

(D) The athletic trainer section of the occupational 17911
therapy, physical therapy, and athletic trainers board shall not 17912
require a nonresident individual licensed as an athletic trainer 17913
in another state to obtain a license in accordance with Chapter 17914
4796. of the Revised Code to practice or offer to practice 17915
athletic training in the manner described under division (A) (4) 17916
of this section. 17917

~~Sec. 4757.18. The counselor, social worker, and marriage- 17918
and family therapist board may enter into a reciprocal agreement 17919
with any state that regulates individuals practicing in the same 17920
capacities as those regulated under this chapter if the board- 17921~~

~~finds that the state has requirements substantially equivalent to the requirements this state has for receipt of a license or certificate of registration under this chapter. In a reciprocal agreement, the board agrees to issue the appropriate license or certificate of registration to any resident of the other state whose practice is currently authorized by that state if that state's regulatory body agrees to authorize the appropriate practice of any resident of this state who holds a valid license or certificate of registration issued under this chapter.~~

~~Subject to section 4757.25 of the Revised Code, the The professional standards committees of the counselor, social worker, and marriage and family therapist board ~~may~~shall, by endorsement, issue the appropriate license, temporary license, or certificate of registration in accordance with Chapter 4796. of the Revised Code to a resident of a state with which the board does not have a reciprocal agreement, if the person submits proof satisfactory to the committee of currently being licensed, certified, registered, or otherwise authorized to practice by that state an applicant if either of the following applies:~~

(A) The applicant holds a license or certificate of registration in another state.

(B) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in a state that does not issue the license, temporary license, or certificate of registration for which the applicant is applying.

Sec. 4758.25. (A) The chemical dependency professionals board ~~may enter into a reciprocal agreement with any state that regulates individuals practicing in the same capacities as those~~

~~regulated under this chapter if the board finds that the state has requirements substantially equivalent to the requirements of this state to receive a license or certificate under this chapter.~~ 17952
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~~The board may become a member of a national reciprocity organization that requires its members to have requirements substantially equivalent to the requirements of this state to receive a license or certificate to practice in the same capacities as those regulated under this chapter. If the board becomes a member of such an organization, the board shall consider itself to have a reciprocal agreement with the other states that are also members of the organization.~~ 17956
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~~(B) The board may, by endorsement, shall issue the appropriate a license or, certificate, or endorsement in accordance with Chapter 4796. of the Revised Code to a resident of a an applicant if either of the following applies:~~ 17964
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~~(1) The applicant holds a license, certificate, or endorsement in another state with which the board does not have a reciprocal agreement if both of the following apply:~~ 17968
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~~(1) The board finds that the state has requirements substantially equivalent to the requirements of this state for receipt of a license or certificate under this chapter.~~ 17971
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~~(2) The individual submits proof satisfactory to the board of being currently authorized to practice by that state~~ 17974
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~~(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in a state that does not issue the license, certificate, or endorsement for which the applicant is applying.~~ 17976
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~~(C)-(B)~~ A license or certificate obtained by ~~reciprocity~~ 17981
~~or endorsement~~ under this section may be renewed or restored 17982
under section 4758.26 of the Revised Code if the individual 17983
holding the license or certificate satisfies the renewal or 17984
restoration requirements established by that section. An 17985
individual holding a license or certificate obtained by ~~by~~ 17986
~~reciprocity or endorsement~~ under this section may obtain, under 17987
section 4758.24 of the Revised Code, a different license or 17988
certificate available under this chapter if the individual meets 17989
all of the requirements as specified in that section for the 17990
license or certificate the individual seeks. 17991

Sec. 4759.05. (A) ~~The~~ Except as provided in division (E) 17992
of this section, the state medical board shall adopt, amend, or 17993
rescind rules pursuant to Chapter 119. of the Revised Code to 17994
carry out the provisions of this chapter, including rules 17995
governing the following: 17996

(1) Selection and approval of a dietitian licensure 17997
examination offered by the commission on dietetic registration 17998
or any other examination; 17999

(2) The examination of applicants for licensure as a 18000
dietitian, as required under division (A) of section 4759.06 of 18001
the Revised Code; 18002

(3) Requirements for pre-professional dietetic experience 18003
of applicants for licensure as a dietitian that are at least 18004
equivalent to the requirements adopted by the commission on 18005
dietetic registration; 18006

(4) Requirements for a person holding a limited permit 18007
under division (G) of section 4759.06 of the Revised Code, 18008
including the duration of validity of a limited permit and 18009

procedures for renewal;	18010
(5) Continuing education requirements for renewal of a	18011
license, including rules providing for pro rata reductions by	18012
month of the number of hours of continuing education that must	18013
be completed for license holders who have been disabled by	18014
illness or accident or have been absent from the country. Rules	18015
adopted under this division shall be consistent with the	18016
continuing education requirements adopted by the commission on	18017
dietetic registration.	18018
(6) Any additional education requirements the board	18019
considers necessary, for applicants who have not practiced	18020
dietetics within five years of the initial date of application	18021
for licensure;	18022
(7) Standards of professional responsibility and practice	18023
for persons licensed under this chapter that are consistent with	18024
those standards of professional responsibility and practice	18025
adopted by the academy of nutrition and dietetics;	18026
(8) Formulation of an application form for licensure or	18027
license renewal;	18028
(9) Procedures for license renewal;	18029
(10) Requirements for criminal records checks of	18030
applicants under section 4776.03 of the Revised Code.	18031
(B) (1) The board shall investigate evidence that appears	18032
to show that a person has violated any provision of this chapter	18033
or any rule adopted under it. Any person may report to the board	18034
in a signed writing any information that the person may have	18035
that appears to show a violation of any provision of this	18036
chapter or any rule adopted under it. In the absence of bad	18037
faith, any person who reports information of that nature or who	18038

testifies before the board in any adjudication conducted under 18039
Chapter 119. of the Revised Code shall not be liable in damages 18040
in a civil action as a result of the report or testimony. Each 18041
complaint or allegation of a violation received by the board 18042
shall be assigned a case number and shall be recorded by the 18043
board. 18044

(2) Investigations of alleged violations of this chapter 18045
or any rule adopted under it shall be supervised by the 18046
supervising member elected by the board in accordance with 18047
section 4731.02 of the Revised Code and by the secretary as 18048
provided in section 4759.012 of the Revised Code. The president 18049
may designate another member of the board to supervise the 18050
investigation in place of the supervising member. No member of 18051
the board who supervises the investigation of a case shall 18052
participate in further adjudication of the case. 18053

(3) In investigating a possible violation of this chapter 18054
or any rule adopted under this chapter, the board may issue 18055
subpoenas, question witnesses, conduct interviews, administer 18056
oaths, order the taking of depositions, inspect and copy any 18057
books, accounts, papers, records, or documents, and compel the 18058
attendance of witnesses and the production of books, accounts, 18059
papers, records, documents, and testimony, except that a 18060
subpoena for patient record information shall not be issued 18061
without consultation with the attorney general's office and 18062
approval of the secretary and supervising member of the board. 18063

Before issuance of a subpoena for patient record 18064
information, the secretary and supervising member shall 18065
determine whether there is probable cause to believe that the 18066
complaint filed alleges a violation of this chapter or any rule 18067
adopted under it and that the records sought are relevant to the 18068

alleged violation and material to the investigation. The 18069
subpoena may apply only to records that cover a reasonable 18070
period of time surrounding the alleged violation. 18071

On failure to comply with any subpoena issued by the board 18072
and after reasonable notice to the person being subpoenaed, the 18073
board may move for an order compelling the production of persons 18074
or records pursuant to the Rules of Civil Procedure. 18075

A subpoena issued by the board may be served by a sheriff, 18076
the sheriff's deputy, or a board employee or agent designated by 18077
the board. Service of a subpoena issued by the board may be made 18078
by delivering a copy of the subpoena to the person named 18079
therein, reading it to the person, or leaving it at the person's 18080
usual place of residence, usual place of business, or address on 18081
file with the board. When serving a subpoena to an applicant for 18082
or the holder of a license or limited permit issued under this 18083
chapter, service of the subpoena may be made by certified mail, 18084
return receipt requested, and the subpoena shall be deemed 18085
served on the date delivery is made or the date the person 18086
refuses to accept delivery. If the person being served refuses 18087
to accept the subpoena or is not located, service may be made to 18088
an attorney who notifies the board that the attorney is 18089
representing the person. 18090

A sheriff's deputy who serves a subpoena shall receive the 18091
same fees as a sheriff. Each witness who appears before the 18092
board in obedience to a subpoena shall receive the fees and 18093
mileage provided for under section 119.094 of the Revised Code. 18094

(4) All hearings, investigations, and inspections of the 18095
board shall be considered civil actions for the purposes of 18096
section 2305.252 of the Revised Code. 18097

(5) A report required to be submitted to the board under 18098
this chapter, a complaint, or information received by the board 18099
pursuant to an investigation is confidential and not subject to 18100
discovery in any civil action. 18101

The board shall conduct all investigations or inspections 18102
and proceedings in a manner that protects the confidentiality of 18103
patients and persons who file complaints with the board. The 18104
board shall not make public the names or any other identifying 18105
information about patients or complainants unless proper consent 18106
is given. 18107

The board may share any information it receives pursuant 18108
to an investigation or inspection, including patient records and 18109
patient record information, with law enforcement agencies, other 18110
licensing boards, and other governmental agencies that are 18111
prosecuting, adjudicating, or investigating alleged violations 18112
of statutes or administrative rules. An agency or board that 18113
receives the information shall comply with the same requirements 18114
regarding confidentiality as those with which the state medical 18115
board must comply, notwithstanding any conflicting provision of 18116
the Revised Code or procedure of the agency or board that 18117
applies when it is dealing with other information in its 18118
possession. In a judicial proceeding, the information may be 18119
admitted into evidence only in accordance with the Rules of 18120
Evidence, but the court shall require that appropriate measures 18121
are taken to ensure that confidentiality is maintained with 18122
respect to any part of the information that contains names or 18123
other identifying information about patients or complainants 18124
whose confidentiality was protected by the state medical board 18125
when the information was in the board's possession. Measures to 18126
ensure confidentiality that may be taken by the court include 18127
sealing its records or deleting specific information from its 18128

records.	18129
(6) On a quarterly basis, the board shall prepare a report that documents the disposition of all cases during the preceding three months. The report shall contain the following information for each case with which the board has completed its activities:	18130 18131 18132 18133
(a) The case number assigned to the complaint or alleged violation;	18134 18135
(b) The type of license, if any, held by the individual against whom the complaint is directed;	18136 18137
(c) A description of the allegations contained in the complaint;	18138 18139
(d) The disposition of the case.	18140
The report shall state how many cases are still pending and shall be prepared in a manner that protects the identity of each person involved in each case. The report shall be a public record under section 149.43 of the Revised Code.	18141 18142 18143 18144
(C) The board shall keep records as are necessary to carry out the provisions of this chapter.	18145 18146
(D) The board shall maintain and publish on its internet web site the board's rules and requirements for licensure adopted under division (A) of this section.	18147 18148 18149
<u>(E) The board shall issue a license or limited permit to practice dietetics in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following apply:</u>	18150 18151 18152
<u>(1) The applicant holds a license or permit in another state.</u>	18153 18154
<u>(2) The applicant has satisfactory work experience, a</u>	18155

government certification, or a private certification as 18156
described in that chapter as a dietitian in a state that does 18157
not issue that license. 18158

Sec. 4759.06. (A) ~~The~~ Except as provided in section 18159
4759.05 of the Revised Code, the state medical board shall issue 18160
a license to practice dietetics to an applicant who meets all of 18161
the following requirements: 18162

(1) Has satisfactorily completed an application for 18163
licensure in accordance with rules adopted under division (A) of 18164
section 4759.05 of the Revised Code; 18165

(2) Has paid the fee required under division (A) of 18166
section 4759.08 of the Revised Code; 18167

(3) Has received a baccalaureate or higher degree from an 18168
institution of higher education that is approved by the board or 18169
a regional accreditation agency that is recognized by the 18170
council on postsecondary accreditation, and has completed a 18171
program consistent with the academic standards for dietitians 18172
established by the academy of nutrition and dietetics; 18173

(4) Has successfully completed a pre-professional dietetic 18174
experience approved by the academy of nutrition and dietetics, 18175
or experience approved by the board under division (A) (3) of 18176
section 4759.05 of the Revised Code; 18177

(5) Has passed the examination approved by the board under 18178
division (A) (1) of section 4759.05 of the Revised Code. 18179

(B) The board shall waive the requirements of divisions 18180
(A) (3), (4), and (5) of this section and any rules adopted under 18181
division (A) (6) of section 4759.05 of the Revised Code if the 18182
applicant presents satisfactory evidence to the board of current 18183
registration as a registered dietitian with the commission on 18184

dietetic registration. 18185

(C) (1) The board shall issue a license to practice 18186
dietetics to an applicant who meets the requirements of division 18187
(A) of this section. A license shall be valid for a two-year 18188
period unless revoked or suspended by the board and shall expire 18189
on the date that is two years after the date of issuance. A 18190
license may be renewed for additional two-year periods. 18191

(2) The board shall renew an applicant's license if the 18192
applicant has paid the license renewal fee specified in section 18193
4759.08 of the Revised Code and certifies to the board that the 18194
applicant has met the continuing education requirements adopted 18195
under division (A) (5) of section 4759.05 of the Revised Code. 18196
The renewal shall be pursuant to the standard renewal procedure 18197
of sections 4745.01 to 4745.03 of the Revised Code. 18198

At least one month before a license expires, the board 18199
shall provide a renewal notice. Failure of any person to receive 18200
a notice of renewal from the board shall not excuse the person 18201
from the requirements contained in this section. Each person 18202
holding a license shall give notice to the board of a change in 18203
the license holder's residence address, business address, or 18204
electronic mail address not later than thirty days after the 18205
change occurs. 18206

(D) Any person licensed to practice dietetics by the 18207
former Ohio board of dietetics before January 21, 2018, may 18208
continue to practice dietetics in this state under that license 18209
if the person continues to meet the requirements to renew a 18210
license under this chapter and renews the license through the 18211
state medical board. 18212

The state medical board may take any of the following 18213

actions, as provided in section 4759.07 of the Revised Code, 18214
against the holder of a license to practice dietetics issued 18215
before January 21, 2018, by the former Ohio board of dietetics: 18216

(1) Limit, revoke, or suspend the holder's license; 18217

(2) Refuse to renew or reinstate the holder's license; 18218

(3) Reprimand the holder or place the holder on probation. 18219

(E) The board may require a random sample of dietitians to 18220
submit materials documenting that the continuing education 18221
requirements adopted under division (A) (5) of section 4759.05 of 18222
the Revised Code have been met. 18223

This division does not limit the board's authority to 18224
conduct investigations pursuant to section 4759.07 of the 18225
Revised Code. 18226

(F) (1) If, through a random sample conducted under 18227
division (E) of this section or any other means, the board finds 18228
that an individual who certified completion of the number of 18229
hours and type of continuing education required to renew, 18230
reinstate, or restore a license to practice did not complete the 18231
requisite continuing education, the board may do either of the 18232
following: 18233

(a) Take disciplinary action against the individual under 18234
section 4759.07 of the Revised Code, impose a civil penalty, or 18235
both; 18236

(b) Permit the individual to agree in writing to complete 18237
the continuing education and pay a civil penalty. 18238

(2) The board's finding in any disciplinary action taken 18239
under division (F) (1) (a) of this section shall be made pursuant 18240
to an adjudication under Chapter 119. of the Revised Code and by 18241

an affirmative vote of not fewer than six of its members. 18242

(3) A civil penalty imposed under division (F) (1) (a) of 18243
this section or paid under division (F) (1) (b) of this section 18244
shall be in an amount specified by the board of not more than 18245
five thousand dollars. The board shall deposit civil penalties 18246
in accordance with section 4731.24 of the Revised Code. 18247

(G) (1) ~~The~~ Except as provided in section 4759.05 of the 18248
Revised Code, the board may grant a limited permit to a person 18249
who has completed the education and pre-professional 18250
requirements of divisions (A) (3) and (4) of this section and who 18251
presents evidence to the board of having applied to take the 18252
examination approved by the board under division (A) (1) of 18253
section 4759.05 of the Revised Code. An application for a 18254
limited permit shall be made on forms that the board shall 18255
furnish and shall be accompanied by the limited permit fee 18256
specified in section 4759.08 of the Revised Code. 18257

(2) If no grounds apply under section 4759.07 of the 18258
Revised Code for denying a license to the applicant and the 18259
applicant meets the requirements of division (G) (1) of this 18260
section, the board shall issue a limited permit to the 18261
applicant. 18262

A limited permit expires in accordance with rules adopted 18263
under section 4759.05 of the Revised Code. A limited permit may 18264
be renewed in accordance with those rules. 18265

(3) A person holding a limited permit who has failed the 18266
examination shall practice only under the direct supervision of 18267
a licensed dietitian. 18268

(4) The board may revoke a limited permit on proof 18269
satisfactory to the board that the permit holder has engaged in 18270

practice in this state outside the scope of the permit, that the 18271
holder has engaged in unethical conduct, or that grounds for 18272
action against the holder exist under section 4759.07 of the 18273
Revised Code. 18274

Sec. 4760.03. (A) ~~An~~ Except as provided in division (D) of 18275
this section, an individual seeking a license to practice as an 18276
anesthesiologist assistant shall file with the state medical 18277
board a written application on a form prescribed and supplied by 18278
the board. The application shall include all of the following 18279
information: 18280

(1) Evidence satisfactory to the board that the applicant 18281
is at least twenty-one years of age; 18282

(2) Evidence satisfactory to the board that the applicant 18283
has successfully completed the training necessary to prepare 18284
individuals to practice as anesthesiologist assistants, as 18285
specified in section 4760.031 of the Revised Code; 18286

(3) Evidence satisfactory to the board that the applicant 18287
holds current certification from the national commission for 18288
certification of anesthesiologist assistants and that the 18289
requirements for receiving the certification included passage of 18290
an examination to determine the individual's competence to 18291
practice as an anesthesiologist assistant; 18292

(4) Any other information the board considers necessary to 18293
process the application and evaluate the applicant's 18294
qualifications. 18295

(B) (1) At the time of making application for a license 18296
under division (A) of this section, the ~~an~~ applicant shall pay 18297
the board a fee of one hundred dollars, no part of which shall 18298
be returned. 18299

(2) An applicant seeking a license under division (D) of this section shall pay the fee required under Chapter 4796. of the Revised Code. 18300
18301
18302

(C) The board shall review all applications received under this section. Not later than sixty days after receiving a complete application, the board shall determine whether an applicant meets the requirements to receive a license. ~~The~~ Except as provided in division (D) of this section, the board shall not issue a license to an applicant unless the applicant is certified by the national commission for certification of anesthesiologist assistants or a successor organization that is recognized by the board. 18303
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(D) The board shall issue a license to practice as an anesthesiologist assistant in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 18312
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(1) The applicant holds a license in another state. 18316

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an anesthesiologist assistant in a state that does not issue that license. 18317
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Sec. 4760.031. ~~As~~ Except for a license issued under division (D) of section 4760.03 of the Revised Code, as a condition of being eligible to receive a license to practice as an anesthesiologist assistant, an individual must successfully complete the following training requirements: 18321
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18323
18324
18325

(A) A baccalaureate or higher degree program at an institution of higher education accredited by an organization recognized by the department of higher education. The program 18326
18327
18328

must have included courses in the following areas of study:	18329
(1) General biology;	18330
(2) General chemistry;	18331
(3) Organic chemistry;	18332
(4) Physics;	18333
(5) Calculus.	18334
(B) A training program conducted for the purpose of	18335
preparing individuals to practice as anesthesiologist	18336
assistants. If the program was completed prior to May 31, 2000,	18337
the program must have been completed at case western reserve	18338
university or emory university in Atlanta, Georgia. If the	18339
program is completed on or after May 31, 2000, the program must	18340
be a graduate-level program accredited by the commission on	18341
accreditation of allied health education programs or any of the	18342
commission's successor organizations. In either case, the	18343
training program must have included at least all of the	18344
following components:	18345
(1) Basic sciences of anesthesia: physiology,	18346
pathophysiology, anatomy, and biochemistry. The courses must be	18347
presented as a continuum of didactic courses designed to teach	18348
students the foundations of human biological existence on which	18349
clinical correlations to anesthesia practice are based.	18350
(2) Pharmacology for the anesthetic sciences. The course	18351
must include instruction in the anesthetic principles of	18352
pharmacology, pharmacodynamics, pharmacokinetics, uptake and	18353
distribution, intravenous anesthetics and narcotics, and	18354
volatile anesthetics.	18355
(3) Physics in anesthesia.	18356

(4) Fundamentals of anesthetic sciences, presented as a continuum of courses covering a series of topics in basic medical sciences with special emphasis on the effects of anesthetics on normal physiology and pathophysiology.

(5) Patient instrumentation and monitoring, presented as a continuum of courses focusing on the design of, proper preparation of, and proper methods of resolving problems that arise with anesthesia equipment. The courses must provide a balance between the engineering concepts used in anesthesia instruments and the clinical application of anesthesia instruments.

(6) Clinically based conferences in which techniques of anesthetic management, quality assurance issues, and current professional literature are reviewed from the perspective of practice improvement.

(7) Clinical experience consisting of at least two thousand hours of direct patient contact, presented as a continuum of courses throughout the entirety of the program, beginning with a gradual introduction of the techniques for the anesthetic management of patients and culminating in the assimilation of the graduate of the program into the work force. Areas of instruction must include the following:

(a) Preoperative patient assessment;

(b) Indwelling vascular catheter placement, including intravenous and arterial catheters;

(c) Airway management, including mask airway and orotracheal intubation;

(d) Intraoperative charting;

(e) Administration and maintenance of anesthetic agents,	18385
narcotics, hypnotics, and muscle relaxants;	18386
(f) Administration and maintenance of volatile	18387
anesthetics;	18388
(g) Administration of blood products and fluid therapy;	18389
(h) Patient monitoring;	18390
(i) Postoperative management of patients;	18391
(j) Regional anesthesia techniques;	18392
(k) Administration of vasoactive substances for treatment	18393
of unacceptable patient hemodynamic status;	18394
(l) Specific clinical training in all the subspecialties	18395
of anesthesia, including pediatrics, neurosurgery,	18396
cardiovascular surgery, trauma, obstetrics, orthopedics, and	18397
vascular surgery.	18398
(8) Basic life support that qualifies the individual to	18399
administer cardiopulmonary resuscitation to patients in need.	18400
The course must include the instruction necessary to be	18401
certified in basic life support by the American red cross or the	18402
American heart association.	18403
(9) Advanced cardiac life support that qualifies the	18404
individual to participate in the pharmacologic intervention and	18405
management resuscitation efforts for a patient in full cardiac	18406
arrest. The course must include the instruction necessary to be	18407
certified in advanced cardiac life support by the American red	18408
cross or the American heart association.	18409
Sec. 4761.04. (A) Except as provided in division (B) <u>or</u>	18410
<u>(C)</u> of this section, no person is eligible for licensure as a	18411

respiratory care professional unless the person has shown, to 18412
the satisfaction of the state medical board, all of the 18413
following: 18414

(1) That the person has successfully completed the 18415
requirements of an educational program approved by the board 18416
that includes instruction in the biological and physical 18417
sciences, pharmacology, respiratory care theory, procedures, and 18418
clinical practice, and cardiopulmonary rehabilitation 18419
techniques; 18420

(2) That the person has passed an examination approved 18421
under rules adopted by the board that tests the applicant's 18422
knowledge of the basic and clinical sciences relating to 18423
respiratory care theory and practice, professional skills and 18424
judgment in the utilization of respiratory care techniques, and 18425
such other subjects as the board considers useful in determining 18426
fitness to practice. 18427

(B) Any person licensed to practice respiratory care by 18428
the former Ohio respiratory care board before January 21, 2018, 18429
may continue to practice respiratory care in this state under 18430
that license if the person continues to meet the requirements to 18431
renew a license under this chapter and renews the license 18432
through the state medical board. 18433

The state medical board may take any of the following 18434
actions, as provided in section 4761.09 of the Revised Code, 18435
against the holder of a license to practice respiratory care 18436
issued before January 21, 2018, by the former Ohio respiratory 18437
care board: 18438

(1) Limit, revoke, or suspend the holder's license; 18439

(2) Refuse to renew or reinstate the holder's license; 18440

(3) Reprimand the holder or place the holder on probation.	18441
<u>(C) The board shall issue a license to act as a</u>	18442
<u>respiratory care professional in accordance with Chapter 4796.</u>	18443
<u>of the Revised Code to an applicant if either of the following</u>	18444
<u>apply:</u>	18445
<u>(1) The applicant holds a license in another state.</u>	18446
<u>(2) The applicant has satisfactory work experience, a</u>	18447
<u>government certification, or a private certification as</u>	18448
<u>described in that chapter as a respiratory care professional in</u>	18449
<u>a state that does not issue that license.</u>	18450
Sec. 4761.05. (A) <u>The</u> <u>Except as provided in division (C)</u>	18451
<u>of section 4761.04 of the Revised Code, the</u> state medical board	18452
shall issue a license to any applicant who complies with the	18453
requirements of section 4761.04 of the Revised Code, files the	18454
prescribed application form, and pays the fee or fees required	18455
under section 4761.07 of the Revised Code. The license entitles	18456
the holder to practice respiratory care.	18457
(B) (1) <u>The</u> <u>Except as provided in division (D) of this</u>	18458
<u>section, the</u> board shall issue a limited permit to any applicant	18459
who files an application on a form furnished by the board, pays	18460
the fee required under section 4761.07 of the Revised Code, and	18461
meets either of the following requirements:	18462
(a) Is enrolled in and is in good standing in a	18463
respiratory care educational program approved by the board that	18464
meets the requirements of division (A) (1) of section 4761.04 of	18465
the Revised Code leading to a degree or certificate of	18466
completion or is a graduate of the program;	18467
(b) Is employed as a provider of respiratory care in this	18468
state and was employed as a provider of respiratory care in this	18469

state prior to March 14, 1989. 18470

(2) If no grounds apply under section 4761.09 of the 18471
Revised Code for denying a limited permit to the applicant and 18472
the applicant meets the requirements of division (B) of this 18473
section, the board shall issue a limited permit to the 18474
applicant. 18475

The limited permit authorizes the holder to provide 18476
respiratory care under the supervision of a respiratory care 18477
professional. A person issued a limited permit under division 18478
(B) (1) (a) of this section may practice respiratory care under 18479
the limited permit for not more than three years after the date 18480
the limited permit is issued, except that the limited permit 18481
shall cease to be valid one year following the date of receipt 18482
of a certificate of completion from a board-approved respiratory 18483
care education program or immediately if the holder discontinues 18484
participation in the educational program. 18485

The holder shall notify the board as soon as practicable 18486
when the holder completes a board-approved respiratory care 18487
education program or discontinues participation in the 18488
educational program. 18489

This division does not require a student enrolled in an 18490
educational program leading to a degree or certificate of 18491
completion in respiratory care approved by the board to obtain a 18492
limited permit to perform any duties that are part of the 18493
required course of study. 18494

(3) A person issued a limited permit under division (B) (1) 18495
(b) of this section may practice under a limited permit for not 18496
more than three years, except that this restriction does not 18497
apply to a permit holder who, on March 14, 1989, has been 18498

employed as a provider of respiratory care for an average of not 18499
less than twenty-five hours per week for a period of not less 18500
than five years by a hospital. 18501

(4) During the three-year period in which a person may 18502
practice under a limited permit, the person shall apply for 18503
renewal on an annual basis in accordance with section 4761.06 of 18504
the Revised Code. 18505

(5) The board may revoke a limited permit upon proof 18506
satisfactory to the board that the permit holder has engaged in 18507
practice in this state outside the scope of the permit, that the 18508
holder has engaged in unethical conduct, or that there are 18509
grounds for action against the holder under section 4761.09 of 18510
the Revised Code. 18511

(C) The holder of a license or limited permit issued under 18512
this section shall either provide verification of licensure or 18513
permit status from the board's internet web site on request or 18514
prominently display a wall certificate in the license holder's 18515
office or place where the majority of the holder's practice is 18516
conducted. 18517

(D) The board shall issue a limited permit to practice 18518
respiratory care in accordance with Chapter 4796. of the Revised 18519
Code to an applicant if either of the following applies: 18520

(1) The applicant holds a license or permit in another 18521
state. 18522

(2) The applicant has satisfactory work experience, a 18523
government certification, or a private certification as 18524
described in that chapter as a provider of respiratory care in a 18525
state that does not issue that license or permit. 18526

Sec. 4762.03. (A) ~~An~~ Except as provided in division (D) of 18527

this section, an individual seeking a license to practice as an 18528
oriental medicine practitioner or license to practice as an 18529
acupuncturist shall file with the state medical board a written 18530
application on a form prescribed and supplied by the board. 18531

(B) ~~To~~ Except as provided in division (D) of this section, 18532
to be eligible for the license, an applicant shall meet all of 18533
the following conditions, as applicable: 18534

(1) The applicant shall submit evidence satisfactory to 18535
the board that the applicant is at least eighteen years of age. 18536

(2) In the case of an applicant seeking a license to 18537
practice as an oriental medicine practitioner, the applicant 18538
shall submit evidence satisfactory to the board of both of the 18539
following: 18540

(a) That the applicant holds a current and active 18541
designation from the national certification commission for 18542
acupuncture and oriental medicine as either a diplomate in 18543
oriental medicine or diplomate of acupuncture and Chinese 18544
herbology; 18545

(b) That the applicant has successfully completed, in the 18546
two-year period immediately preceding application for the 18547
license to practice, one course approved by the commission on 18548
federal food and drug administration dispensary and compounding 18549
guidelines and procedures. 18550

(3) In the case of an applicant seeking a license to 18551
practice as an acupuncturist, the applicant shall submit 18552
evidence satisfactory to the board that the applicant holds a 18553
current and active designation from the national certification 18554
commission for acupuncture and oriental medicine as a diplomate 18555
in acupuncture. 18556

(4) The applicant shall demonstrate to the board 18557
proficiency in spoken English by satisfying one of the following 18558
requirements: 18559

(a) Passing the examination described in section 4731.142 18560
of the Revised Code; 18561

(b) Submitting evidence satisfactory to the board that the 18562
applicant was required to demonstrate proficiency in spoken 18563
English as a condition of obtaining designation from the 18564
national certification commission for acupuncture and oriental 18565
medicine as a diplomate in oriental medicine, diplomate of 18566
acupuncture and Chinese herbology, or diplomate in acupuncture; 18567

(c) Submitting evidence satisfactory to the board that the 18568
applicant, in seeking a designation from the national 18569
certification commission for acupuncture and oriental medicine 18570
as a diplomate of oriental medicine, diplomate of acupuncture 18571
and Chinese herbology, or diplomate of acupuncture, has 18572
successfully completed in English the examination required for 18573
such a designation by the national certification commission for 18574
acupuncture and oriental medicine; 18575

(d) In the case of an applicant seeking a license to 18576
practice as an oriental medicine practitioner, submitting 18577
evidence satisfactory to the board that the applicant has 18578
previously held a license to practice as an acupuncturist issued 18579
under section 4762.04 of the Revised Code. 18580

(5) The applicant shall submit to the board any other 18581
information the board requires. 18582

(6) The applicant shall pay to the board a fee of one 18583
hundred dollars, no part of which may be returned to the 18584
applicant. 18585

(C) The board shall review all applications received under 18586
this section. The board shall determine whether an applicant 18587
meets the requirements to receive a license not later than sixty 18588
days after receiving a complete application. 18589

(D) The board shall issue a license to practice as an 18590
oriental medicine practitioner or acupuncturist in accordance 18591
with Chapter 4796. of the Revised Code to an applicant if either 18592
of the following applies: 18593

(1) The applicant holds a license in another state. 18594

(2) The applicant has satisfactory work experience, a 18595
government certification, or a private certification as 18596
described in that chapter as an oriental medicine practitioner 18597
or acupuncturist in a state that does not issue that license. 18598

Sec. 4763.05. (A) (1) (a) A person shall make application 18599
for an initial state-certified general real estate appraiser 18600
certificate, an initial state-certified residential real estate 18601
appraiser certificate, an initial state-licensed residential 18602
real estate appraiser license, or an initial state-registered 18603
real estate appraiser assistant registration in writing to the 18604
superintendent of real estate on a form the superintendent 18605
prescribes. The application shall include the address of the 18606
applicant's principal place of business and all other addresses 18607
at which the applicant currently engages in the business of 18608
performing real estate appraisals and the address of the 18609
applicant's current residence. The superintendent shall retain 18610
the applicant's current residence address in a separate record 18611
which does not constitute a public record for purposes of 18612
section 149.43 of the Revised Code. The application shall 18613
indicate whether the applicant seeks certification as a general 18614
real estate appraiser or as a residential real estate appraiser, 18615

licensure as a residential real estate appraiser, or 18616
registration as a real estate appraiser assistant and be 18617
accompanied by the prescribed examination and certification, 18618
registration, or licensure fees set forth in section 4763.09 of 18619
the Revised Code. The application also shall include a pledge, 18620
signed by the applicant, that the applicant will comply with the 18621
standards set forth in this chapter; and a statement that the 18622
applicant understands the types of misconduct for which 18623
disciplinary proceedings may be initiated against the applicant 18624
pursuant to this chapter. 18625

(b) Upon the filing of an application and payment of any 18626
examination and certification, registration, or licensure fees, 18627
the superintendent of real estate shall request the 18628
superintendent of the bureau of criminal identification and 18629
investigation, or a vendor approved by the bureau, to conduct a 18630
criminal records check based on the applicant's fingerprints in 18631
accordance with section 109.572 of the Revised Code. 18632
Notwithstanding division (K) of section 121.08 of the Revised 18633
Code, the superintendent of real estate shall request that 18634
criminal record information from the federal bureau of 18635
investigation be obtained as part of the criminal records check. 18636
Any fee required under division (C) (3) of section 109.572 of the 18637
Revised Code shall be paid by the applicant. 18638

(2) For purposes of providing funding for the real estate 18639
appraiser recovery fund established by section 4763.16 of the 18640
Revised Code, the real estate appraiser board shall levy an 18641
assessment against each person issued an initial certificate, 18642
registration, or license and against current licensees, 18643
registrants, and certificate holders, as required by board rule. 18644
The assessment is in addition to the application and examination 18645
fees for initial applicants required by division (A) (1) of this 18646

section and the renewal fees required for current certificate 18647
holders, registrants, and licensees. The superintendent of real 18648
estate shall deposit the assessment into the state treasury to 18649
the credit of the real estate appraiser recovery fund. The 18650
assessment for initial certificate holders, registrants, and 18651
licensees shall be paid prior to the issuance of a certificate, 18652
registration, or license, and for current certificate holders, 18653
registrants, and licensees, at the time of renewal. 18654

(B) An applicant for an initial general real estate 18655
appraiser certificate, residential real estate appraiser 18656
certificate, or residential real estate appraiser license shall 18657
possess experience in real estate appraisal as the board 18658
prescribes by rule. In addition to any other information 18659
required by the board, the applicant shall furnish, under oath, 18660
a detailed listing of the appraisal reports or file memoranda 18661
for each year for which experience is claimed and, upon request 18662
of the superintendent or the board, shall make available for 18663
examination a sample of the appraisal reports prepared by the 18664
applicant in the course of the applicant's practice. 18665

(C) An applicant for an initial certificate, registration, 18666
or license shall be at least eighteen years of age, honest, and 18667
truthful and shall present satisfactory evidence to the 18668
superintendent that the applicant has successfully completed any 18669
education requirements the board prescribes by rule. 18670

(D) An applicant for an initial general real estate 18671
appraiser or residential real estate appraiser certificate or 18672
residential real estate appraiser license shall take and 18673
successfully complete a written examination in order to qualify 18674
for the certificate or license. 18675

The board shall prescribe the examination requirements by 18676

rule. 18677

(E) (1) ~~A person who has obtained~~ The board shall issue a 18678
residential real estate appraiser license, a residential real 18679
estate appraiser certificate, real estate appraiser assistant 18680
registration, or a general real estate appraiser certificate 18681
~~from another state may apply to obtain a license or certificate~~ 18682
~~issued under this chapter provided the state that issued the~~ 18683
~~license or certificate has requirements that meet or exceed the~~ 18684
~~requirements found in this chapter. The board shall adopt rules~~ 18685
~~relating to this division. The application for obtaining a~~ 18686
~~license or certificate under this division may include any of~~ 18687
~~the following:~~ 18688

~~(a) A pledge, signed by the applicant, that the applicant~~ 18689
~~will comply with the standards set forth in this chapter;~~ 18690

~~(b) A statement that the applicant understands the types~~ 18691
~~of misconduct for which disciplinary proceedings may be~~ 18692
~~initiated against the applicant pursuant to this chapter;~~ 18693

~~(c) A consent to service of process~~ in accordance with 18694
Chapter 4796. of the Revised Code to an applicant if either of 18695
the following applies: 18696

(a) The applicant holds a certificate, license, or 18697
registration in another state. 18698

(b) The applicant has satisfactory work experience, a 18699
government certification, or a private certification as 18700
described in that chapter as a residential real estate 18701
appraiser, real estate appraiser assistant, or general real 18702
estate appraiser in a state that does not issue that 18703
certificate, license, or registration. 18704

(2) (a) The board shall recognize on a temporary basis a 18705

certification or license issued in another state and shall 18706
register on a temporary basis an appraiser who is certified or 18707
licensed in another state if all of the following apply: 18708

(i) The temporary registration is to perform an appraisal 18709
assignment that is part of a federally related transaction. 18710

(ii) The appraiser's business in this state is of a 18711
temporary nature. 18712

(iii) The appraiser registers with the board pursuant to 18713
this division. 18714

(b) An appraiser who is certified or licensed in another 18715
state shall register with the board for temporary practice 18716
before performing an appraisal assignment in this state in 18717
connection with a federally related transaction. 18718

(c) The board shall adopt rules relating to registration 18719
for the temporary recognition of certification and licensure of 18720
appraisers from another state. The registration for temporary 18721
recognition of certified or licensed appraisers from another 18722
state shall not authorize completion of more than one appraisal 18723
assignment in this state. The board shall not issue more than 18724
two registrations for temporary practice to any one applicant in 18725
any calendar year. The application for obtaining a registration 18726
under this division may include any of the following: 18727

(i) A pledge, signed by the applicant, that the applicant 18728
will comply with the standards set forth in this chapter; 18729

(ii) A statement that the applicant understands the types 18730
of misconduct for which disciplinary proceedings may be 18731
initiated against the applicant pursuant to this chapter; 18732

(iii) A consent to service of process. 18733

~~(3) The board may enter into reciprocal agreements with~~ 18734
~~other states. The board shall prescribe reciprocal agreement~~ 18735
~~requirements by rule.~~ 18736
(d) A nonresident appraiser whose 18736
certification or license has been recognized by the board on a 18737
temporary basis and who is acting in accordance with this 18738
section and the board's rules is not required to obtain a 18739
license in accordance with Chapter 4796. of the Revised Code. 18740

(F) The superintendent shall not issue a certificate, 18741
registration, or license to, or recognize on a temporary basis 18742
an appraiser from another state that is a corporation, 18743
partnership, or association. This prohibition shall not be 18744
construed to prevent a certificate holder or licensee from 18745
signing an appraisal report on behalf of a corporation, 18746
partnership, or association. 18747

(G) Every person licensed, registered, or certified under 18748
this chapter shall notify the superintendent, on a form provided 18749
by the superintendent, of a change in the address of the 18750
licensee's, registrant's, or certificate holder's principal 18751
place of business or residence within thirty days of the change. 18752
If a licensee's, registrant's, or certificate holder's license, 18753
registration, or certificate is revoked or not renewed, the 18754
licensee, registrant, or certificate holder immediately shall 18755
return the annual and any renewal certificate, registration, or 18756
license to the superintendent. 18757

(H) (1) The superintendent shall not issue a certificate, 18758
registration, or license to any person, or recognize on a 18759
temporary basis an appraiser from another state, who does not 18760
meet applicable minimum criteria for state certification, 18761
registration, or licensure prescribed by federal law or rule. 18762

(2) The superintendent shall not refuse to issue a general 18763

real estate appraiser certificate, residential real estate 18764
appraiser certificate, residential real estate appraiser 18765
license, or real estate appraiser assistant registration to any 18766
person because of a conviction of or plea of guilty to any 18767
criminal offense unless the refusal is in accordance with 18768
section 9.79 of the Revised Code. 18769

Sec. 4764.10. (A) The superintendent of real estate and 18770
professional licensing may issue a home inspector license to an 18771
applicant who holds a license, registration, or certification as 18772
a home inspector in another jurisdiction other than another 18773
state if that applicant submits an application on a form the 18774
superintendent provides, pays the fee the Ohio home inspector 18775
board prescribes, and satisfies all of the following 18776
requirements: 18777

~~(A)~~ (1) The applicant is licensed, registered, or 18778
certified as a home inspector in a jurisdiction that the board 18779
determines grants the same privileges to persons licensed under 18780
this chapter as this state grants to persons in that 18781
jurisdiction. 18782

~~(B)~~ (2) That other jurisdiction has licensing, 18783
registration, or certification requirements that are 18784
substantially similar to, or exceed, those of this state. 18785

~~(C)~~ (3) The applicant attests that the applicant is 18786
familiar with and will abide by this chapter. 18787

~~(D)~~ (4) The applicant attests to all of the following in a 18788
written statement that the applicant submits to the 18789
superintendent: 18790

~~(1)~~ (a) To provide the superintendent the name and address 18791
of an agent to receive service of process in this state or that 18792

the applicant authorizes the superintendent to act as agent for 18793
that applicant; 18794

~~(2)~~ (b) That service of process in accordance with the 18795
Revised Code is proper and the applicant is subject to the 18796
jurisdiction of the courts of this state; 18797

~~(3)~~ (c) That any cause of action arising out of the 18798
conduct of the applicant's business in this state shall be filed 18799
in the county in which the events that gave rise to that cause 18800
of action occurred. 18801

(B) The board shall issue a home inspector license in 18802
accordance with Chapter 4796. of the Revised Code to an 18803
applicant if either of the following applies: 18804

(1) The applicant holds a license in another state. 18805

(2) The applicant has satisfactory work experience, a 18806
government certification, or a private certification as 18807
described in that chapter as a home inspector in a state that 18808
does not issue that license. 18809

Sec. 4765.10. (A) The state board of emergency medical, 18810
fire, and transportation services shall do all of the following: 18811

(1) Administer and enforce the provisions of this chapter 18812
and the rules adopted under it; 18813

(2) Approve, in accordance with procedures established in 18814
rules adopted under section 4765.11 of the Revised Code, 18815
examinations that demonstrate competence to have a certificate 18816
to practice renewed without completing a continuing education 18817
program; 18818

(3) Advise applicants for state or federal emergency 18819
medical services funds, review and comment on applications for 18820

these funds, and approve the use of all state and federal funds 18821
designated solely for emergency medical service programs unless 18822
federal law requires another state agency to approve the use of 18823
all such federal funds; 18824

(4) Serve as a statewide clearinghouse for discussion, 18825
inquiry, and complaints concerning emergency medical services; 18826

(5) Make recommendations to the general assembly on 18827
legislation to improve the delivery of emergency medical 18828
services; 18829

(6) Maintain a toll-free long distance telephone number 18830
through which it shall respond to questions about emergency 18831
medical services; 18832

(7) Work with appropriate state offices in coordinating 18833
the training of firefighters and emergency medical service 18834
personnel. Other state offices that are involved in the training 18835
of firefighters or emergency medical service personnel shall 18836
cooperate with the board and its committees and subcommittees to 18837
achieve this goal. 18838

(8) Provide a liaison to the state emergency operation 18839
center during those periods when a disaster, as defined in 18840
section 5502.21 of the Revised Code, has occurred in this state 18841
and the governor has declared an emergency as defined in that 18842
section. 18843

(B) The board may do any of the following: 18844

(1) Investigate complaints concerning emergency medical 18845
services and emergency medical service organizations as it 18846
determines necessary; 18847

(2) ~~Enter into reciprocal agreements with other states~~ 18848

~~that have standards for accreditation of emergency medical services training programs and for certification of first responders, EMTs basic, EMTs I, paramedics, firefighters, or fire safety inspectors that are substantially similar to those established under this chapter and the rules adopted under it;~~ 18849
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~~(3)~~ Establish a statewide public information system and public education programs regarding emergency medical services; 18854
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~~(4)~~ (3) Establish an injury prevention program. 18856

(C) The state board of emergency medical, fire, and transportation services shall not regulate any profession that otherwise is regulated by another board, commission, or similar regulatory entity. 18857
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Sec. 4765.11. (A) The state board of emergency medical, fire, and transportation services shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code and divisions (C) and (D) of this section that establish all of the following: 18861
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(1) Procedures for its governance and the control of its actions and business affairs; 18866
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(2) Standards for the performance of emergency medical services by first responders, emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic; 18868
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(3) Application fees for certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, which shall be deposited into the trauma and emergency medical services fund created in section 4513.263 of the Revised Code; 18872
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- (4) Criteria for determining when the application or renewal fee for a certificate to practice may be waived because an applicant cannot afford to pay the fee; 18877
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- (5) Procedures for issuance and renewal of certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, including any measures necessary to implement section 9.79 of the Revised Code and any procedures necessary to ensure that adequate notice of renewal is provided in accordance with division ~~(D)~~ (E) of section 4765.30 of the Revised Code; 18880
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- (6) Procedures for suspending or revoking certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice; 18887
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- (7) Grounds for suspension or revocation of a certificate to practice issued under section 4765.30 of the Revised Code and for taking any other disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic; 18890
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- (8) Procedures for taking disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic; 18894
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- (9) Standards for certificates of accreditation and certificates of approval; 18896
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- (10) Qualifications for certificates to teach; 18898
- (11) Requirements for a certificate to practice; 18899
- (12) The curricula, number of hours of instruction and training, and instructional materials to be used in adult and pediatric emergency medical services training programs and adult and pediatric emergency medical services continuing education programs; 18900
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(13) Procedures for conducting courses in recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine to adult and pediatric patients who suffer life-threatening allergic reactions;	18905 18906 18907 18908 18909
(14) Examinations for certificates to practice;	18910
(15) Procedures for administering examinations for certificates to practice;	18911 18912
(16) Procedures for approving examinations that demonstrate competence to have a certificate to practice renewed without completing an emergency medical services continuing education program;	18913 18914 18915 18916
(17) Procedures for granting extensions and exemptions of emergency medical services continuing education requirements;	18917 18918
(18) Specifications of the emergency medical services that first responders are authorized to perform under section 4765.35 of the Revised Code, that EMTs-basic are authorized to perform under section 4765.37 of the Revised Code, that EMTs-I are authorized to perform under section 4765.38 of the Revised Code, and that paramedics are authorized to perform under section 4765.39 of the Revised Code;	18919 18920 18921 18922 18923 18924 18925
(19) Standards and procedures for implementing the requirements of section 4765.06 of the Revised Code, including designations of the persons who are required to report information to the board and the types of information to be reported;	18926 18927 18928 18929 18930
(20) Procedures for administering the emergency medical services grant program established under section 4765.07 of the Revised Code;	18931 18932 18933

- (21) Procedures consistent with Chapter 119. of the Revised Code for appealing decisions of the board; 18934
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- (22) Minimum qualifications and peer review and quality improvement requirements for persons who provide medical direction to emergency medical service personnel, including, subject to division (B) of section 4765.42 of the Revised Code, qualifications for a physician to be eligible to serve as the medical director of an emergency medical service organization or a member of its cooperating physician advisory board; 18936
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- (23) The manner in which a patient, or a patient's parent, guardian, or custodian, may consent to the board releasing identifying information about the patient under division (D) of section 4765.102 of the Revised Code; 18943
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- (24) Circumstances under which a training program or continuing education program, or portion of either type of program, may be taught by a person who does not hold a certificate to teach issued under section 4765.23 of the Revised Code; 18947
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- (25) Certification cycles for certificates issued under sections 4765.23 and 4765.30 of the Revised Code and certificates issued by the executive director of the state board of emergency medical, fire, and transportation services under section 4765.55 of the Revised Code that establish a common expiration date for all certificates. 18952
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- (B) The board may adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code and divisions (C) and (D) of this section that establish any of the following: 18958
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- (1) Specifications of information that may be collected 18962

under the trauma system registry and incidence reporting system 18963
created under section 4765.06 of the Revised Code; 18964

(2) Standards and procedures for implementing any of the 18965
recommendations made by any committees of the board or under 18966
section 4765.04 of the Revised Code; 18967

(3) Any other rules necessary to implement this chapter. 18968

(C) In developing and administering rules adopted under 18969
this chapter, the state board of emergency medical, fire, and 18970
transportation services shall consult with regional directors 18971
and regional advisory boards appointed under section 4765.05 of 18972
the Revised Code and emphasize the special needs of pediatric 18973
and geriatric patients. 18974

(D) Except as otherwise provided in this division, before 18975
adopting, amending, or rescinding any rule under this chapter, 18976
the board shall submit the proposed rule to the director of 18977
public safety for review. The director may review the proposed 18978
rule for not more than sixty days after the date it is 18979
submitted. If, within this sixty-day period, the director 18980
approves the proposed rule or does not notify the board that the 18981
rule is disapproved, the board may adopt, amend, or rescind the 18982
rule as proposed. If, within this sixty-day period, the director 18983
notifies the board that the proposed rule is disapproved, the 18984
board shall not adopt, amend, or rescind the rule as proposed 18985
unless at least twelve members of the board vote to adopt, 18986
amend, or rescind it. 18987

This division does not apply to an emergency rule adopted 18988
in accordance with section 119.03 of the Revised Code. 18989

(E) Notwithstanding any requirement for a certificate 18990
issued in accordance with rules adopted by the board under this 18991

section, the board, in accordance with Chapter 4796. of the 18992
Revised Code, shall issue a certificate that is a license as 18993
defined in section 4796.01 of the Revised Code to an individual 18994
if either of the following applies: 18995

(1) The individual holds a license or certificate in 18996
another state. 18997

(2) The individual has satisfactory work experience, a 18998
government certification, or a private certification as 18999
described in that chapter as a first responder, emergency 19000
medical technician-basic, emergency medical technician- 19001
intermediate, or emergency medical technician-paramedic in a 19002
state that does not issue that license or certificate. 19003

Sec. 4765.30. All of the following apply to the state 19004
board of emergency medical, fire, and transportation services 19005
with respect to issuing and renewing certificates to practice: 19006

(A) The board shall issue a certificate to practice as a 19007
first responder to an applicant who meets all of the following 19008
conditions: 19009

(1) Holds the appropriate certificate of completion issued 19010
in accordance with section 4765.24 of the Revised Code; 19011

(2) Passes the appropriate examination conducted under 19012
section 4765.29 of the Revised Code; 19013

(3) Is not in violation of any provision of this chapter 19014
or the rules adopted under it; 19015

(4) Meets any other certification requirements established 19016
in rules adopted under section 4765.11 of the Revised Code. 19017

(B) The board shall issue a certificate to practice as an 19018
emergency medical technician-basic to an applicant who meets all 19019

of the following conditions:	19020
(1) Holds the appropriate certificate of completion issued	19021
in accordance with section 4765.24 of the Revised Code;	19022
(2) Passes the appropriate examination conducted under	19023
section 4765.29 of the Revised Code;	19024
(3) Is not in violation of any provision of this chapter	19025
or the rules adopted under it;	19026
(4) Meets any other certification requirements established	19027
in rules adopted under section 4765.11 of the Revised Code.	19028
(C) The board shall issue a certificate to practice as an	19029
emergency medical technician-intermediate or emergency medical	19030
technician-paramedic to an applicant who meets all of the	19031
following conditions:	19032
(1) Holds a certificate to practice as an emergency	19033
medical technician-basic;	19034
(2) Holds the appropriate certificate of completion issued	19035
in accordance with section 4765.24 of the Revised Code;	19036
(3) Passes the appropriate examination conducted under	19037
section 4765.29 of the Revised Code;	19038
(4) Is not in violation of any provision of this chapter	19039
or the rules adopted under it;	19040
(5) Meets any other certification requirements established	19041
in rules adopted under section 4765.11 of the Revised Code.	19042
(D) <u>Notwithstanding any requirement for a certificate to</u>	19043
<u>practice issued under this section, the board shall issue a</u>	19044
<u>certificate in accordance with Chapter 4796. of the Revised Code</u>	19045
<u>to an individual if either of the following applies:</u>	19046

(1) The individual holds a license or certificate in another state. 19047
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(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a first responder in a state that does not issue that license or certificate. 19049
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(E) A certificate to practice shall have a certification cycle established by the board and may be renewed by the board pursuant to rules adopted under section 4765.11 of the Revised Code. Not later than sixty days prior to the expiration date of an individual's certificate to practice, the board shall notify the individual of the scheduled expiration. 19053
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An application for renewal shall be accompanied by the appropriate renewal fee established in rules adopted under section 4765.11 of the Revised Code, unless the board waives the fee on determining pursuant to those rules that the applicant cannot afford to pay the fee. Except as provided in division (B) of section 4765.31 of the Revised Code, the application shall include evidence of either of the following: 19059
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(1) That the applicant received a certificate of completion from the appropriate emergency medical services continuing education program pursuant to section 4765.24 of the Revised Code; 19066
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(2) That the applicant has successfully passed an examination that demonstrates the competence to have a certificate renewed without completing an emergency medical services continuing education program. The board shall approve such examinations in accordance with rules adopted under section 4765.11 of the Revised Code. 19070
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~~(E)~~-(F) The board shall not require an applicant for 19076
renewal of a certificate to practice to take an examination as a 19077
condition of renewing the certificate. This division does not 19078
preclude the use of examinations by operators of approved 19079
emergency medical services continuing education programs as a 19080
condition for issuance of a certificate of completion in 19081
emergency medical services continuing education. 19082

Sec. 4765.55. (A) The executive director of the state 19083
board of emergency medical, fire, and transportation services, 19084
with the advice and counsel of the firefighter and fire safety 19085
inspector training committee of the state board of emergency 19086
medical, fire, and transportation services, shall assist in the 19087
establishment and maintenance by any state agency, or any 19088
county, township, city, village, school district, or educational 19089
service center of a fire service training program for the 19090
training of all persons in positions of any fire training 19091
certification level approved by the executive director, 19092
including full-time paid firefighters, part-time paid 19093
firefighters, volunteer firefighters, and fire safety inspectors 19094
in this state. The executive director, with the advice and 19095
counsel of the committee, shall adopt rules to regulate those 19096
firefighter and fire safety inspector training programs, and 19097
other training programs approved by the executive director. The 19098
rules may include, but need not be limited to, training 19099
curriculum, certification examinations, training schedules, 19100
minimum hours of instruction, attendance requirements, required 19101
equipment and facilities, basic physical requirements, and 19102
methods of training for all persons in positions of any fire 19103
training certification level approved by the executive director, 19104
including full-time paid firefighters, part-time paid 19105
firefighters, volunteer firefighters, and fire safety 19106

inspectors. The rules adopted to regulate training programs for 19107
volunteer firefighters shall not require more than thirty-six 19108
hours of training. 19109

The executive director, with the advice and counsel of the 19110
committee, shall provide for the classification and chartering 19111
of fire service training programs in accordance with rules 19112
adopted under division (B) of this section, and may take action 19113
against any chartered training program or applicant, in 19114
accordance with rules adopted under divisions (B)(4) and (5) of 19115
this section, for failure to meet standards set by the adopted 19116
rules. 19117

(B) The executive director, with the advice and counsel of 19118
the firefighter and fire safety inspector training committee of 19119
the state board of emergency medical, fire, and transportation 19120
services, shall adopt, and may amend or rescind, rules under 19121
Chapter 119. of the Revised Code that establish all of the 19122
following: 19123

(1) Requirements for, and procedures for chartering, the 19124
training programs regulated by this section; 19125

(2) Requirements for, and requirements and procedures for 19126
obtaining and renewing, an instructor certificate to teach the 19127
training programs and continuing education classes regulated by 19128
this section; 19129

(3) Requirements for, and requirements and procedures for 19130
obtaining and renewing, any of the fire training certificates 19131
regulated by this section; 19132

(4) Grounds and procedures for suspending, revoking, 19133
restricting, or refusing to issue or renew any of the 19134
certificates or charters regulated by this section, which 19135

grounds shall be limited to one of the following:	19136
(a) Failure to satisfy the education or training requirements of this section;	19137 19138
(b) Conviction of a felony offense;	19139
(c) Conviction of a misdemeanor involving moral turpitude;	19140
(d) Conviction of a misdemeanor committed in the course of practice;	19141 19142
(e) In the case of a chartered training program or applicant, failure to meet standards set by the rules adopted under this division.	19143 19144 19145
(5) Grounds and procedures for imposing and collecting fines, not to exceed one thousand dollars, in relation to actions taken under division (B) (4) of this section against persons holding certificates and charters regulated by this section, the fines to be deposited into the trauma and emergency medical services fund established under section 4513.263 of the Revised Code;	19146 19147 19148 19149 19150 19151 19152
(6) Continuing education requirements for certificate holders, including a requirement that credit shall be granted for in-service training programs conducted by local entities;	19153 19154 19155
(7) Procedures for considering the granting of an extension or exemption of fire service continuing education requirements;	19156 19157 19158
(8) Certification cycles for which the certificates and charters regulated by this section are valid.	19159 19160
(C) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of	19161 19162

the state board of emergency medical, fire, and transportation 19163
services, shall issue or renew an instructor certificate to 19164
teach the training programs and continuing education classes 19165
regulated by this section to any applicant that the executive 19166
director determines meets the qualifications established in 19167
rules adopted under division (B) of this section, and may take 19168
disciplinary action against an instructor certificate holder or 19169
applicant in accordance with rules adopted under division (B) of 19170
this section. The executive director, with the advice and 19171
counsel of the committee, shall charter or renew the charter of 19172
any training program that the executive director determines 19173
meets the qualifications established in rules adopted under 19174
division (B) of this section, and may take disciplinary action 19175
against the holder of a charter in accordance with rules adopted 19176
under division (B) of this section. 19177

(D) The executive director shall issue or renew a fire 19178
training certificate for a firefighter, a fire safety inspector, 19179
or another position of any fire training certification level 19180
approved by the executive director, to any applicant that the 19181
executive director determines meets the qualifications 19182
established in rules adopted under division (B) of this section 19183
and may take disciplinary actions against a certificate holder 19184
or applicant in accordance with rules adopted under division (B) 19185
of this section. 19186

(E) Certificates issued under this section shall be on a 19187
form prescribed by the executive director, with the advice and 19188
counsel of the firefighter and fire safety inspector training 19189
committee of the state board of emergency medical, fire, and 19190
transportation services. 19191

(F) (1) The executive director, with the advice and counsel 19192

of the firefighter and fire safety inspector training committee 19193
of the state board of emergency medical, fire, and 19194
transportation services, shall establish criteria for evaluating 19195
the standards maintained by ~~other states and~~ the branches of the 19196
United States military for firefighter, fire safety inspector, 19197
and fire instructor training programs, and other training 19198
programs recognized by the executive director, to determine 19199
whether the standards are equivalent to those established under 19200
this section and shall establish requirements and procedures for 19201
issuing a certificate to each person who presents proof to the 19202
executive director of having satisfactorily completed a training 19203
program that meets those standards. 19204

(2) The executive director, with the committee's advice 19205
and counsel, shall adopt rules establishing requirements and 19206
procedures for issuing a fire training certificate in lieu of 19207
completing a chartered training program. 19208

(G) Notwithstanding any requirement for a certificate 19209
issued under this section, the executive director shall issue a 19210
certificate in accordance with Chapter 4796. of the Revised Code 19211
to an individual if either of the following applies: 19212

(1) The individual holds a license or certificate in 19213
another state. 19214

(2) The individual has satisfactory work experience, a 19215
government certification, or a private certification as 19216
described in that chapter as a firefighter or fire safety 19217
inspector in a state that does not issue that license or 19218
certificate. 19219

(H) Nothing in this section invalidates any other section 19220
of the Revised Code relating to the fire training academy. 19221

Section 4765.11 of the Revised Code does not affect any powers 19222
and duties granted to the executive director under this section. 19223

~~(H)~~ (I) Notwithstanding any provision of division (B) (4) 19224
of this section to the contrary, the executive director shall 19225
not adopt rules for refusing to issue any of the certificates or 19226
charters regulated by this section to an applicant because of a 19227
criminal conviction unless the rules establishing grounds and 19228
procedures for refusal are in accordance with section 9.79 of 19229
the Revised Code. 19230

Sec. 4767.031. (A) The owner or the person responsible for 19231
the operation of each cemetery required to register under 19232
section 4767.03 of the Revised Code shall provide the division 19233
of real estate in the department of commerce, on a form 19234
prescribed by the division, at the same time the owner or other 19235
person applies for registration or renewal of registration as 19236
required by section 4767.03 of the Revised Code, a list of the 19237
names and residence addresses of all persons employed or 19238
otherwise engaged by the cemetery to sell interment rights. The 19239
provision of this information constitutes the registration of 19240
these persons to sell interment rights. 19241

In order for an independent contractor to sell interment 19242
rights for a cemetery, the cemetery shall sponsor and register 19243
the independent contractor with the division. More than one 19244
cemetery may sponsor and register the same independent 19245
contractor. The division shall register an independent 19246
contractor in accordance with Chapter 4796. of the Revised Code 19247
if either of the following applies: 19248

(1) The individual is licensed or registered in another 19249
state. 19250

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as an independent contractor selling interment rights for a cemetery in a state that does not issue that license or registration. 19251
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(B) The owner or the person responsible for the operation of each cemetery required to register under section 4767.03 of the Revised Code shall provide the division with a revised list of the names and residence addresses of all persons employed or otherwise engaged by the cemetery to sell interment rights within the calendar quarter immediately following the date of the termination of the cemetery's relationship with an existing salesperson or the commencement of a relationship with a new salesperson. As used in this division, "calendar quarter" means the three-month period that commences on the first day of each January, April, July, and October. 19256
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Sec. 4771.08. (A) Upon receipt of all the materials required for application for registration under section 4771.07 of the Revised Code, the Ohio athletic commission shall evaluate the information provided and issue a certificate of registration to the applicant, unless the commission finds that the applicant or an employee or representative of the applicant has committed any of the acts described in division (A) of section 4771.18 of the Revised Code. 19267
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Notwithstanding the requirements for a certificate of registration under this chapter, the commission shall issue a certificate of registration in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 19275
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(1) The applicant is registered in another state. 19280

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an athlete agent in a state that does not issue that certificate of registration. 19281
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(B) The commission may issue a temporary certificate of registration, effective for a period of up to ninety days after the issuance of the temporary registration, to ~~an~~ a nonresident athlete agent who is registered as an athlete agent in another state, or to a person who has not submitted all the material required under section 4771.07 of the Revised Code, but who the commission determines to have submitted sufficient material to warrant the issuance of a temporary certificate. Chapter 4796. of the Revised Code does not apply to a temporary certificate of registration issued under this division. 19285
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(C) The registration of an athlete agent with the commission is valid for a period of two years after the date the certificate of registration is issued. An athlete agent shall file an application for the renewal of a registration with the commission at least thirty days prior to the expiration of the registration of the athlete agent. An application for renewal shall be accompanied by a renewal fee in an amount determined by the commission pursuant to division (F) of section 4771.05 of the Revised Code. 19295
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(D) Each certificate of registration issued by the commission to an athlete agent shall contain all the following information: 19304
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(1) The name of the athlete agent; 19307

(2) The address of the primary location in which the athlete agent is authorized to conduct business as an athlete 19308
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agent; 19310

(3) A registration number for the athlete agent and the 19311
date of issuance of the registration. 19312

(E) No registration or certificate of registration is 19313
valid for any individual other than the athlete agent to whom it 19314
is issued. 19315

(F) The commission is not liable for the acts of an 19316
athlete agent who is registered with the commission. 19317

Sec. 4773.03. (A) ~~Each~~ Except as provided in division (G) 19318
of this section, each individual seeking a license to practice 19319
as a general x-ray machine operator, radiographer, radiation 19320
therapy technologist, or nuclear medicine technologist shall 19321
apply to the department of health on a form the department shall 19322
prescribe and provide. The application shall be accompanied by 19323
the appropriate license application fee established in rules 19324
adopted under section 4773.08 of the Revised Code. 19325

(B) ~~The~~ Except as provided in division (G) of this 19326
section, the department shall review all applications received 19327
and issue the appropriate general x-ray machine operator, 19328
radiographer, radiation therapy technologist, or nuclear 19329
medicine technologist license to each applicant who meets all of 19330
the following requirements: 19331

(1) Is eighteen years of age or older; 19332

(2) Except as provided in division (C) of this section, 19333
passes the examination administered under section 4773.04 of the 19334
Revised Code for the applicant's area of practice; 19335

(3) Complies with any other licensing standards 19336
established in rules adopted under section 4773.08 of the 19337

Revised Code.	19338
(C) An applicant is not required to take a licensing examination if one of the following applies to the applicant:	19339 19340
(1) The individual is applying for a license as a general x-ray machine operator and holds certification in that area of practice from the American registry of radiologic technologists or the American chiropractic registry of radiologic technologists.	19341 19342 19343 19344 19345
(2) The individual is applying for a license as a radiographer and holds certification in that area of practice from the American registry of radiologic technologists.	19346 19347 19348
(3) The individual is applying for a license as a radiation therapy technologist and holds certification in that area of practice from the American registry of radiologic technologists.	19349 19350 19351 19352
(4) The individual is applying for a license as a nuclear medicine technologist and holds certification in that area of practice from the American registry of radiologic technologists or the nuclear medicine technology certification board.	19353 19354 19355 19356
(5) The individual holds a conditional license issued under section 4773.05 of the Revised Code and has completed the continuing education requirements established in rules adopted under section 4773.08 of the Revised Code.	19357 19358 19359 19360
(6) The individual holds a license, certificate, or other credential issued by another state that the department determines uses standards for radiologic professions that are at least equal to those established under this chapter.	19361 19362 19363 19364
(D) A license issued under this section expires biennially	19365

on the license holder's birthday, except for an initial license 19366
which expires on the license holder's birthday following two 19367
years after it is issued. For an initial license, the fee 19368
established in rules adopted under section 4773.08 of the 19369
Revised Code may be increased in proportion to the amount of 19370
time beyond two years that the license may be valid. 19371

A license may be renewed. To be eligible for renewal, the 19372
license holder must complete the continuing education 19373
requirements specified in rules adopted by the department under 19374
section 4773.08 of the Revised Code. Applications for license 19375
renewal shall be accompanied by the appropriate renewal fee 19376
established in rules adopted under section 4773.08 of the 19377
Revised Code. Renewals shall be made in accordance with the 19378
standard renewal procedure established under Chapter 4745. of 19379
the Revised Code. 19380

(E) (1) A license that has lapsed or otherwise become 19381
inactive may be reinstated. An individual seeking reinstatement 19382
of a license shall apply to the department on a form the 19383
department shall prescribe and provide. The application shall be 19384
accompanied by the appropriate reinstatement fee established in 19385
rules adopted under section 4773.08 of the Revised Code. 19386

(2) To be eligible for reinstatement, both of the 19387
following apply: 19388

(a) An applicant must continue to meet the conditions for 19389
receiving an initial license, including the examination or 19390
certification requirements specified in division (B) or (C) of 19391
this section. In the case of an applicant seeking reinstatement 19392
based on having passed an examination administered under section 19393
4773.04 of the Revised Code, the length of time that has elapsed 19394
since the examination was passed is not a consideration in 19395

determining whether the applicant is eligible for reinstatement. 19396

(b) The applicant must complete the continuing education 19397
requirements for reinstatement established in rules adopted 19398
under section 4773.08 of the Revised Code. 19399

(F) The department shall refuse to issue, renew, or 19400
reinstate and may suspend or revoke a general x-ray machine 19401
operator, radiographer, radiation therapy technologist, or 19402
nuclear medicine technologist license if the applicant or 19403
license holder does not comply with the applicable requirements 19404
of this chapter or rules adopted under it. 19405

(G) The department shall issue a general x-ray machine 19406
operator, radiographer, radiation therapy technologist, or 19407
nuclear medicine technologist license in accordance with Chapter 19408
4796. of the Revised Code to an applicant if either of the 19409
following applies: 19410

(1) The applicant holds a license in another state. 19411

(2) The applicant has satisfactory work experience, a 19412
government certification, or a private certification as 19413
described in that chapter as a general x-ray machine operator, 19414
radiographer, radiation therapy technologist, or nuclear 19415
medicine technologist in a state that does not issue that 19416
license. 19417

Sec. 4774.03. (A) ~~An~~ Except as provided in division (D) of 19418
this section, an individual seeking a license to practice as a 19419
radiologist assistant shall file with the state medical board a 19420
written application on a form prescribed and supplied by the 19421
board. The application shall include all the information the 19422
board considers necessary to process the application, including 19423
evidence satisfactory to the board that the applicant meets the 19424

requirements specified in division (B) of this section. 19425

At the time an application is submitted, the applicant 19426
shall pay the board the application fee specified by the board 19427
in rules adopted under section 4774.11 of the Revised Code. No 19428
part of the fee shall be returned. 19429

(B) ~~To~~ Except as provided in division (D) of this section, 19430
to be eligible to receive a license to practice as a radiologist 19431
assistant, an applicant shall meet all of the following 19432
requirements: 19433

(1) Be at least eighteen years of age; 19434

(2) Hold a current, valid license as a radiographer under 19435
Chapter 4773. of the Revised Code; 19436

(3) Have attained a baccalaureate degree or 19437
postbaccalaureate certificate from an advanced academic program 19438
encompassing a nationally recognized radiologist assistant 19439
curriculum that includes a radiologist-directed clinical 19440
preceptorship; 19441

(4) Hold current certification as a registered radiologist 19442
assistant from the American registry of radiologic technologists 19443
and have attained the certification by meeting the standard 19444
certification requirements established by the registry, 19445
including the registry's requirements for documenting clinical 19446
education in the form of a clinical portfolio and passing an 19447
examination to determine competence to practice; 19448

(5) Hold current certification in advanced cardiac life 19449
support. 19450

(C) The board shall review all applications received under 19451
this section. Not later than sixty days after receiving an 19452

application the board considers to be complete, the board shall 19453
determine whether the applicant meets the requirements to 19454
receive a license to practice as a radiologist assistant. 19455

(D) The board shall issue a license to practice as a 19456
radiologist assistant in accordance with Chapter 4796. of the 19457
Revised Code to an applicant if either of the following applies: 19458

(1) The applicant holds a license in another state. 19459

(2) The applicant has satisfactory work experience, a 19460
government certification, or a private certification as 19461
described in that chapter as a radiologist assistant in a state 19462
that does not issue that license. 19463

Sec. 4775.07. (A) Any person required to be registered as 19464
a motor vehicle repair operator shall apply to the motor vehicle 19465
repair board upon forms prescribed by the board. The forms shall 19466
contain sufficient information to identify the applicant, 19467
including name, address, state tax identification number, and 19468
any other identifying data prescribed by rule of the board. If 19469
the applicant is a partnership, identifying data as prescribed 19470
by the board may be required for each partner. If the applicant 19471
is a corporation, identifying data may be required for each 19472
officer of the corporation and each person in charge of each 19473
place of the motor vehicle repair operator's business in this 19474
state. The applicant shall affirm the application by oath. The 19475
applicant shall include with the application the initial 19476
registration fee set forth in section 4775.08 of the Revised 19477
Code and proof satisfactory to the board that the applicant has 19478
a current state and federal tax identification number, a valid 19479
vendor's license issued pursuant to section 5739.17 of the 19480
Revised Code, a United States environmental protection agency 19481
identification number issued under the "Resource Conservation 19482

and Recovery Act of 1976," 90 Stat. 2795, 42 U.S.C.A. 6901, as 19483
amended, and regulations adopted under that act, proof of 19484
possession of all permits required under Chapter 3704. of the 19485
Revised Code, general liability insurance and liability 19486
insurance that protects a person against liability for damage to 19487
motor vehicles in the applicant's care, custody, or control in 19488
an amount and form that conforms to the rules the board adopts 19489
under section 4775.04 of the Revised Code, and coverage under 19490
Chapters 4123. and 4141. of the Revised Code. In addition, the 19491
applicant shall affirm that the applicant is in compliance with 19492
all applicable federal and state statutes and rules and all 19493
local ordinances and resolutions, including all applicable 19494
zoning regulations. 19495

(B) Upon receipt of the completed application form and 19496
fees and after the board determines that the applicant meets the 19497
requirements for registration under division (A) of this 19498
section, the board shall direct the executive director to issue 19499
a registration certificate to the applicant for each place of 19500
business. The motor vehicle repair operator shall display the 19501
registration certificate in a conspicuous place on the premises 19502
of the business for which the registration is obtained. The 19503
board and director shall issue a registration certificate in 19504
accordance with Chapter 4796. of the Revised Code to an 19505
applicant if either of the following applies: 19506

(1) The applicant holds a license or registration 19507
certificate in another state. 19508

(2) The applicant has satisfactory work experience, a 19509
government certification, or a private certification as 19510
described in that chapter as a motor vehicle repair operator in 19511
a state that does not issue that license or registration 19512

certificate. 19513

(C) Each registration certificate issued under this 19514
section expires annually on the date of its original issuance 19515
and may be renewed in accordance with the standard renewal 19516
procedure of Chapter 4745. of the Revised Code. The application 19517
for a renewal of a registration certificate shall be accompanied 19518
by the same information and proof as is required to accompany an 19519
initial application under division (A) of this section. 19520

(D) When a motor vehicle repair operator experiences a 19521
change in any information or data required under division (A) of 19522
this section or by rule of the board for registration as a motor 19523
vehicle repair operator, the motor vehicle repair operator shall 19524
submit written notification of the change to the board within 19525
sixty days after the date that the information becomes obsolete. 19526
If a motor vehicle repair operator fails to submit the written 19527
notification of a change in information or data within sixty 19528
days after the change in information or data, the operator's 19529
registration certificate is automatically suspended, except that 19530
the board may waive the suspension for good cause shown. 19531

(E) Notwithstanding section 5703.21 of the Revised Code, 19532
the department of taxation may disclose to the board any 19533
information necessary for the board to verify the existence of 19534
an applicant's valid vendor's license and current state tax 19535
identification number. 19536

Sec. 4778.03. (A) ~~An~~ Except as provided in division (D) of 19537
this section, an individual seeking a license to practice as a 19538
genetic counselor shall file with the state medical board an 19539
application in a manner prescribed by the board. The application 19540
shall include all the information the board considers necessary 19541
to process the application, including evidence satisfactory to 19542

the board that the applicant meets the requirements specified in 19543
division (B) of this section. 19544

At the time an application is submitted, the applicant 19545
shall pay the board an application fee of two hundred dollars. 19546
No part of the fee shall be returned to the applicant or 19547
transferred for purposes of another application. 19548

(B) ~~To~~ Except as provided in division (D) of this section, 19549
to be eligible to receive a license to practice as a genetic 19550
counselor, an applicant shall demonstrate to the board that the 19551
applicant meets all of the following requirements: 19552

(1) Is at least eighteen years of age; 19553

(2) Has attained a master's degree or higher degree from a 19554
genetic counseling graduate program accredited by the American 19555
board of genetic counseling, inc.; 19556

(3) Is a certified genetic counselor; 19557

(4) Has satisfied any other requirements established by 19558
the board in rules adopted under section 4778.12 of the Revised 19559
Code. 19560

(C) The board shall review all applications received under 19561
this section. Not later than sixty days after receiving an 19562
application it considers complete, the board shall determine 19563
whether the applicant meets the requirements for a license to 19564
practice as a genetic counselor. 19565

(D) The board shall issue a license to practice as a 19566
genetic counselor in accordance with Chapter 4796. of the 19567
Revised Code to an applicant if either of the following applies: 19568

(1) The applicant holds a license in another state. 19569

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a genetic counselor in a state that does not issue that license. 19570
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Sec. 4778.08. (A) The—Except as provided in division (C) of this section, the state medical board may issue to an applicant under section 4778.03 of the Revised Code a license to practice as a genetic counselor, designated as a supervised practice license, if both of the following apply: 19574
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(1) The applicant meets the requirements specified in section 4778.03 of the Revised Code other than being a certified genetic counselor; 19579
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(2) The applicant is in active candidate status with the American board of genetic counseling. 19582
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(B) A supervised practice license authorizes the holder to engage in the activities authorized by section 4778.11 of the Revised Code while the holder is under the general supervision of a genetic counselor licensed under section 4778.05 of the Revised Code or a physician. General supervision does not require the supervising licensed genetic counselor or physician to be present while the holder engages in such activities, but does require the licensed genetic counselor or physician to have professional responsibility for the holder and be readily accessible to the holder for professional consultation and assistance. 19584
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A supervised practice license is valid from the date of issuance until the earlier of one year from that date or the date a license is issued under section 4778.05 of the Revised Code. A supervised practice license may not be renewed. 19595
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(C) The board shall issue a supervised practice license to practice as a genetic counselor in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 19599
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(1) The applicant holds a license in another state. 19603

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a supervised practice genetic counselor in a state that does not issue that license. 19604
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Sec. 4778.09. (A) The state medical board may issue a license to practice as a genetic counselor, designated as a special activity license, to an individual from another state seeking to practice in this state genetic counseling associated with a rare disease. 19608
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(B) An applicant for a special activity license shall submit to the board all of the following information: 19613
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(1) Evidence that the applicant holds a current, unrestricted license to practice genetic counseling issued by another state or, if the applicant practices genetic counseling in another state that does not license genetic counselors, evidence that the applicant is a certified genetic counselor; 19615
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(2) Evidence that the applicant has actively practiced genetic counseling within the two-year period immediately preceding application; 19620
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(3) The name of the applicant's sponsoring institution or organization, a statement of need for genetic counseling from the sponsoring institution or organization, and the name of the rare disease for which the applicant will be practicing genetic counseling in this state. 19623
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(C) At the time an application is submitted, the applicant shall pay a fee of twenty-five dollars. No part of the fee shall be returned to the applicant or transferred for purposes of another application.

(D) The board shall not require the holder of a special activity license issued under this section to obtain a license under Chapter 4796. of the Revised Code. A special activity license is valid for the shorter of thirty days or the duration of the genetic counseling associated with the rare disease for which the license was issued. The license may not be renewed.

(E) The holder of a special activity license may practice genetic counseling only to the extent that it is associated with the rare disease for which the license was issued. The license holder shall not bill a patient or any third party payer for genetic counseling provided in this state.

(F) The board may revoke a special activity license on receiving proof satisfactory to the board that the holder of the license has engaged in practice in this state outside the scope of the license or that there are grounds for action against the license holder under section 4778.14 of the Revised Code.

Sec. 4779.17. The Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license under section 4779.09 of the Revised Code to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics ~~without examination to an applicant who meets all of the following requirements:~~

~~(A) Applies to the board in accordance with section 4779.09 of the Revised Code;~~

~~(B) Holds a license to practice orthotics, prosthetics,~~

~~orthotics and prosthetics, or pedorthics issued by the~~ 19657
~~appropriate authority of another state,~~ 19658

~~(C) One of the following applies:~~ 19659

~~(1) In the case of an applicant for a license to practice~~ 19660
~~orthotics, the applicant meets the requirements in divisions (A)~~ 19661
~~(2) and (3) of section 4779.10 of the Revised Code.~~ 19662

~~(2) In the case of an applicant for a license to practice~~ 19663
~~prosthetics, the applicant meets the requirements in divisions~~ 19664
~~(A) (2) and (3) of section 4779.11 of the Revised Code.~~ 19665

~~(3) In the case of an applicant for a license to practice~~ 19666
~~orthotics and prosthetics, the applicant meets the requirements~~ 19667
~~in divisions (A) (2) and (3) of section 4779.12 of the Revised~~ 19668
~~Code.~~ 19669

~~(4) In the case of an applicant for a license to practice~~ 19670
~~pedorthics, the applicant meets the requirements in divisions~~ 19671
~~(B) and (C) of section 4779.13 of the Revised Code.~~ 19672

~~(D) All fees received by the board under this section~~ 19673
~~shall be deposited in the state treasury to the credit of the~~ 19674
~~occupational licensing and regulatory fund established in~~ 19675
~~section 4743.05 accordance with Chapter 4796. of the Revised~~ 19676
~~Code to an applicant if either of the following applies:~~ 19677

(A) The applicant holds a license in another state. 19678

(B) The applicant has satisfactory work experience, a 19679
government certification, or a private certification as 19680
described in that chapter in orthotics, prosthetics, orthotics 19681
and prosthetics, or pedorthics in a state that does not issue 19682
that license. 19683

Sec. 4779.18. (A) The Ohio occupational therapy, physical 19684

therapy, and athletic trainers board shall issue a temporary 19685
license to an individual who meets all of the following 19686
requirements: 19687

(1) Applies to the board in accordance with rules adopted 19688
under section 4779.08 of the Revised Code and pays the 19689
application fee specified in the rules; 19690

(2) Is eighteen years of age or older; 19691

(3) One of the following applies: 19692

(a) In the case of an applicant for a license to practice 19693
orthotics, the applicant meets the requirements in divisions (A) 19694
(2) and (3) of section 4779.10 of the Revised Code. 19695

(b) In the case of an applicant for a license to practice 19696
prosthetics, the applicant meets the requirements in divisions 19697
(A) (2) and (3) of section 4779.11 of the Revised Code. 19698

(c) In the case of an applicant for a license to practice 19699
orthotics and prosthetics, the applicant meets the requirements 19700
in divisions (A) (2) and (3) of section 4779.12 of the Revised 19701
Code. 19702

(d) In the case of an applicant for a license to practice 19703
pedorthics, the applicant meets the requirements in divisions 19704
(B) and (C) of section 4779.13 of the Revised Code. 19705

(B) The board shall issue a temporary license in 19706
accordance with Chapter 4796. of the Revised Code to an 19707
applicant who holds a license in another state, a government 19708
certification, or a private certification as described in that 19709
chapter in a state that does not issue that license. 19710

(C) A temporary license issued under this section is valid 19711
for one year and may be renewed once in accordance with rules 19712

adopted by the board under section 4779.08 of the Revised Code. 19713

(D) An individual who holds a temporary license may 19714
practice orthotics, prosthetics, orthotics and prosthetics, or 19715
pedorthics only under the supervision of an individual who holds 19716
a license issued under section 4779.09 of the Revised Code in 19717
the same area of practice. 19718

~~(C)~~ (E) All fees received by the board under this section 19719
shall be deposited in the state treasury to the credit of the 19720
occupational licensing and regulatory fund established in 19721
section 4743.05 of the Revised Code. 19722

Sec. 4781.07. (A) Pursuant to rules the division of 19723
industrial compliance adopts, the division may certify 19724
municipal, township, and county building departments and the 19725
personnel of those departments, or any private third party, to 19726
exercise the division's enforcement authority, accept and 19727
approve plans and specifications for foundations, support 19728
systems and installations, and inspect manufactured housing 19729
foundations, support systems, and manufactured housing 19730
installations. Any certification is effective for three years. 19731

(B) Following an investigation and finding of facts that 19732
support its action, the division of industrial compliance may 19733
revoke or suspend certification. The division may initiate an 19734
investigation on the division's own motion or the petition of a 19735
person affected by the enforcement or approval of plans. 19736

(C) (1) If a township, municipal corporation, or county 19737
does not have a building department that is certified pursuant 19738
to this section, it may designate by resolution or ordinance 19739
another building department that has been certified pursuant to 19740
this section to exercise the division's enforcement authority, 19741

accept and approve plans and specifications for foundations, 19742
support systems and installations, and inspect manufactured 19743
housing foundations, support systems, and manufactured housing 19744
installations. The designation is effective upon acceptance by 19745
the designee. 19746

(2) An owner of a manufactured home or an operator of a 19747
manufactured home park may request an inspection and obtain an 19748
approval described in division (C) (1) of this section from any 19749
building department certified pursuant to this section 19750
designated by the township, municipal corporation, or county in 19751
which the owner's manufactured home or operator's manufactured 19752
home park is located. 19753

(D) The board shall certify an individual to exercise 19754
enforcement authority, to accept and approve plans and 19755
specifications, or to make inspections in this state in 19756
accordance with Chapter 4796. of the Revised Code if either of 19757
the following applies: 19758

(1) The individual is certified in another state. 19759

(2) The individual has satisfactory work experience, a 19760
government certification, or a private certification as 19761
described in that chapter in exercising enforcement authority, 19762
accepting and approving plans and specifications for 19763
foundations, support systems and installations, or inspecting 19764
manufactured housing foundations, support systems, and 19765
installations, in a state that does not issue that 19766
certification. 19767

Sec. 4781.08. (A) The division of industrial compliance 19768
shall issue a manufactured housing installer license to any 19769
applicant who is at least eighteen years of age and meets all of 19770

the following requirements:	19771
(1) Submits an application to the division on a form the division prescribes and pays the fee the division requires;	19772 19773
(2) Completes all training requirements the division prescribes;	19774 19775
(3) Meets the experience requirements the division prescribes by rule;	19776 19777
(4) Has at least one year of experience installing manufactured housing under the supervision of a licensed manufactured home installer if applying for licensure after January 1, 2006;	19778 19779 19780 19781
(5) Has completed an installation training course the division approves, which may be offered by the Ohio manufactured homes association or other entity;	19782 19783 19784
(6) Receives a passing score on the licensure examination the division administers;	19785 19786
(7) Provides information the division requires to demonstrate compliance with this chapter and the rules the division adopts;	19787 19788 19789
(8) Provides the division with three references from persons who are retailers, manufacturers, or manufactured home park operators familiar with the person's installation work experience and competency, with at least two of the three references provided after January 1, 2006, being from persons who are licensed manufactured housing installers;	19790 19791 19792 19793 19794 19795
(9) Has liability insurance or a surety bond that is issued by an insurance or surety company authorized to transact business in Ohio, in the amount the division specifies, and	19796 19797 19798

containing the terms and conditions the division requires; 19799

(10) Is in compliance with section 4123.35 of the Revised Code. 19800
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(B) The division of industrial compliance shall not grant a license to any person who the division finds has engaged in actions during the previous two years that constitute a ground for denial, suspension, or revocation of a license or who has had a license revoked or disciplinary action imposed by the licensing or certification board of another state or jurisdiction during the previous two years in connection with the installation of manufactured housing. 19802
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(C) Any person who is licensed, certified, or otherwise approved under the laws of another state to perform functions substantially similar to those of a manufactured housing installer may apply to the division for licensure on a form the division prescribes. The division shall issue a license ~~if the standards for licensure, certification, or approval in the state in which the applicant is licensed, certified, or approved are substantially similar to or exceed the requirements set forth in this chapter and the rules adopted pursuant to it in accordance with Chapter 4796. of the Revised Code to an applicant if either~~ of the following applies: 19810
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(1) The applicant holds a license in another state. 19821

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a manufactured housing installer in a state that does not issue that license. ~~The division may require the applicant to pass the division's licensure examination.~~ 19822
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(D) Any license issued pursuant to this section shall bear the licensee's name and post-office address, the issue date, a serial number the division designates, and the signature of the person the division designates pursuant to rules.

(E) A manufactured housing installer license expires two years after it is issued. The division of industrial compliance shall renew a license if the applicant does all of the following:

(1) Meets the requirements of division (A) of this section;

(2) Demonstrates compliance with the requirements of this chapter and the rules adopted pursuant to it;

(3) Meets the division's continuing education requirements.

(F) No manufactured housing installer license may be transferred to another person.

Sec. 4781.17. (A) Each person applying for a manufactured housing dealer's license or manufactured housing broker's license shall complete and deliver to the department of commerce, division of real estate, before the first day of April, a separate application for license for each county in which the business of selling or brokering manufactured or mobile homes is to be conducted. The application shall be in the form prescribed by the division of real estate and accompanied by the fee established by the division of real estate. The applicant shall sign and swear to the application that shall include all of the following:

(1) Name of applicant and location of principal place of business;

(2) Name or style under which business is to be conducted	19857
and, if a corporation, the state of incorporation;	19858
(3) Name and address of each owner or partner and, if a	19859
corporation, the names of the officers and directors;	19860
(4) The county in which the business is to be conducted	19861
and the address of each place of business therein;	19862
(5) A statement of the previous history, record, and	19863
association of the applicant and of each owner, partner,	19864
officer, and director, that is sufficient to establish to the	19865
satisfaction of the division of real estate the reputation in	19866
business of the applicant;	19867
(6) A statement showing whether the applicant has	19868
previously applied for a manufactured housing dealer's license,	19869
manufactured housing broker's license, manufactured housing	19870
salesperson's license, or, prior to July 1, 2010, a motor	19871
vehicle dealer's license, manufactured home broker's license, or	19872
motor vehicle salesperson's license, and the result of the	19873
application, and whether the applicant has ever been the holder	19874
of any such license that was revoked or suspended;	19875
(7) If the applicant is a corporation or partnership, a	19876
statement showing whether any partner, employee, officer, or	19877
director has been refused a manufactured housing dealer's	19878
license, manufactured housing broker's license, manufactured	19879
housing salesperson's license, or, prior to July 1, 2010, a	19880
motor vehicle dealer's license, manufactured home broker's	19881
license, or motor vehicle salesperson's license, or has been the	19882
holder of any such license that was revoked or suspended;	19883
(8) Any other information required by the division of real	19884
estate.	19885

(B) Each person applying for a manufactured housing salesperson's license shall complete and deliver to the division of real estate before the first day of July an application for license. The application shall be in the form prescribed by the division of real estate and shall be accompanied by the fee established by the division. The applicant shall sign and swear to the application that shall include all of the following:

(1) Name and post-office address of the applicant;

(2) Name and post-office address of the manufactured housing dealer or manufactured housing broker for whom the applicant intends to act as salesperson;

(3) A statement of the applicant's previous history, record, and association, that is sufficient to establish to the satisfaction of the division of real estate the applicant's reputation in business;

(4) A statement as to whether the applicant intends to engage in any occupation or business other than that of a manufactured housing salesperson;

(5) A statement as to whether the applicant has ever had any previous application for a manufactured housing salesperson license refused or, prior to July 1, 2010, any application for a motor vehicle salesperson license refused, and whether the applicant has previously had a manufactured housing salesperson or motor vehicle salesperson license revoked or suspended;

(6) A statement as to whether the applicant was an employee of or salesperson for a manufactured housing dealer or manufactured housing broker whose license was suspended or revoked;

(7) A statement of the manufactured housing dealer or

manufactured housing broker named therein, designating the 19915
applicant as the dealer's or broker's salesperson; 19916

(8) Any other information required by the division of real 19917
estate. 19918

(C) Any application for a manufactured housing dealer or 19919
manufactured housing broker delivered to the division of real 19920
estate under this section also shall be accompanied by a 19921
photograph, as prescribed by the division, of each place of 19922
business operated, or to be operated, by the applicant. 19923

(D) The division of real estate shall deposit all license 19924
fees into the state treasury to the credit of the manufactured 19925
homes regulatory fund. 19926

(E) Notwithstanding any provision of this chapter to the 19927
contrary, the division shall issue a manufactured housing 19928
dealer's license or manufactured housing broker's license in 19929
accordance with Chapter 4796. of the Revised Code to an 19930
applicant if either of the following applies: 19931

(1) The applicant holds a license in another state. 19932

(2) The applicant has satisfactory work experience, a 19933
government certification, or a private certification as 19934
described in that chapter as a manufactured housing dealer or 19935
manufactured housing broker in a state that does not issue that 19936
license. 19937

Sec. 4783.04. (A) An individual seeking a certificate to 19938
practice as a certified Ohio behavior analyst shall file with 19939
the state board of psychology a written application on a form 19940
prescribed and supplied by the board. To be eligible for a 19941
certificate, the individual shall do all of the following: 19942

(1) Demonstrate that the applicant conducts the applicant's professional activities in accordance with accepted professional and ethical standards;

(2) Comply with sections 4776.01 to 4776.04 of the Revised Code;

(3) Demonstrate an understanding of the law regarding behavioral health practice;

(4) Demonstrate current certification as a board certified behavior analyst by the behavior analyst certification board or its successor organization or demonstrate completion of equivalent requirements and passage of a psychometrically valid examination administered by a nationally accredited credentialing organization;

(5) Pay the fee established by the state board of psychology.

(B) The state board of psychology shall review all applications received under this section. The state board of psychology shall not grant a certificate to an applicant for an initial certificate unless the applicant complies with sections 4776.01 to 4776.04 of the Revised Code. If the state board of psychology determines that an applicant satisfies the requirements for a certificate to practice as a certified Ohio behavior analyst, the state board of psychology shall issue the applicant a certificate.

(C) The board shall issue a certificate to practice as a certified Ohio behavior analyst in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a certificate or license in

another state. 19972

(2) The applicant has satisfactory work experience, a 19973
government certification, or a private certification as 19974
described in that chapter as a behavior analyst in a state that 19975
does not issue that certificate or license. 19976

Sec. 5123.161. A person or government entity that seeks to 19977
provide supported living shall apply to the director of 19978
developmental disabilities for a supported living certificate. 19979

Except as provided in sections 5123.166 and 5123.169 of 19980
the Revised Code, the director shall issue to the person or 19981
government entity a supported living certificate if the person 19982
or government entity follows the application process established 19983
in rules adopted under section 5123.1611 of the Revised Code, 19984
meets the applicable certification standards established in 19985
those rules, and pays the certification fee established in those 19986
rules. The director shall issue a supported living certificate 19987
in accordance with Chapter 4796. of the Revised Code to a person 19988
if either of the following applies: 19989

(A) The person holds a supported living certificate issued 19990
by another state. 19991

(B) The person has satisfactory work experience, a 19992
government certification, or a private certification as 19993
described in that chapter as a person providing supported living 19994
in a state that does not issue that certificate. 19995

Sec. 5123.45. (A) The department of developmental 19996
disabilities shall establish a program under which the 19997
department issues certificates to the following: 19998

(1) Developmental disabilities personnel, for purposes of 19999
meeting the requirement of division (D) (1) of section 5123.42 of 20000

the Revised Code to obtain a certificate or certificates to 20001
administer medications and perform health-related activities 20002
pursuant to the authority granted under division (C) of that 20003
section; 20004

(2) Registered nurses, for purposes of meeting the 20005
requirement of division (B) of section 5123.441 of the Revised 20006
Code to obtain a certificate or certificates to provide the 20007
developmental disabilities personnel training courses developed 20008
under section 5123.43 of the Revised Code. 20009

(B) To receive a certificate issued under this section, 20010
developmental disabilities personnel and registered nurses shall 20011
successfully complete the applicable training course or courses 20012
and meet all other applicable requirements established in rules 20013
adopted pursuant to this section. The department shall issue the 20014
appropriate certificate or certificates to developmental 20015
disabilities personnel and registered nurses who meet the 20016
requirements for the certificate or certificates. The department 20017
shall issue the appropriate certificate or certificates in 20018
accordance with Chapter 4796. of the Revised Code to an 20019
applicant if either of the following applies: 20020

(1) The applicant holds a certificate or certificates 20021
issued by another state. 20022

(2) The applicant has satisfactory work experience, a 20023
government certification, or a private certification as 20024
described in that chapter as developmental disabilities 20025
personnel in a state that does not issue that certificate. 20026

(C) Certificates issued to developmental disabilities 20027
personnel are valid for one year and may be renewed. 20028
Certificates issued to registered nurses are valid for two years 20029

and may be renewed. 20030

To be eligible for renewal, developmental disabilities 20031
personnel and registered nurses shall meet the applicable 20032
continued competency requirements and continuing education 20033
requirements specified in rules adopted under division (D) of 20034
this section. In the case of registered nurses, continuing 20035
nursing education completed in compliance with the license 20036
renewal requirements established under Chapter 4723. of the 20037
Revised Code may be counted toward meeting the continuing 20038
education requirements established in the rules adopted under 20039
division (D) of this section. 20040

(D) In accordance with section 5123.46 of the Revised 20041
Code, the department shall adopt rules that establish all of the 20042
following: 20043

(1) Requirements that developmental disabilities personnel 20044
and registered nurses must meet to be eligible to take a 20045
training course, including having sufficient written and oral 20046
English skills to communicate effectively and reliably with 20047
patients, their families, and other medical professionals; 20048

(2) Standards that must be met to receive a certificate, 20049
including requirements pertaining to an applicant's criminal 20050
background; 20051

(3) Procedures to be followed in applying for a 20052
certificate and issuing a certificate; 20053

(4) Standards and procedures for renewing a certificate, 20054
including requirements for continuing education and, in the case 20055
of developmental disabilities personnel who administer 20056
prescribed medications, standards that require successful 20057
demonstration of proficiency in administering prescribed 20058

medications;	20059
(5) Any other standards or procedures the department considers necessary to administer the certification program.	20060 20061
Sec. 5126.25. (A) The director of developmental disabilities shall adopt rules under division (C) of this section establishing uniform standards and procedures for the certification and registration of persons, other than the persons described in division (I) of this section, who are seeking employment with or are employed by either of the following:	20062 20063 20064 20065 20066 20067 20068
(1) A county board of developmental disabilities;	20069
(2) An entity that contracts with a county board to operate programs and services for individuals with developmental disabilities.	20070 20071 20072
(B) No person shall be employed in a position for which certification or registration is required pursuant to the rules adopted under this section without the certification or registration that is required for that position. The person shall not be employed or shall not continue to be employed if the required certification or registration is denied, revoked, or not renewed.	20073 20074 20075 20076 20077 20078 20079
(C) The director shall adopt rules in accordance with Chapter 119. of the Revised Code as the director considers necessary to implement and administer this section, including rules establishing all of the following:	20080 20081 20082 20083
(1) Positions of employment that are subject to this section and, for each position, whether a person must receive certification or receive registration to be employed in that position;	20084 20085 20086 20087

(2) Requirements that must be met to receive the certification or registration required to be employed in a particular position, including standards regarding education, specialized training, and experience, taking into account the needs of individuals with developmental disabilities and the specialized techniques needed to serve them, except that the rules shall not require a person designated as a service employee under section 5126.22 of the Revised Code to have or obtain a bachelor's or higher degree;

(3) Procedures to be followed in applying for initial certification or registration and for renewing the certification or registration.

(4) Requirements that must be met for renewal of certification or registration, which may include continuing education and professional training requirements;

(5) Subject to section 5126.23 of the Revised Code, grounds for which certification or registration may be denied, suspended, or revoked and procedures for appealing the denial, suspension, or revocation.

(D) Each person seeking certification or registration for employment shall apply in the manner established in rules adopted under this section.

(E) (1) Except as provided in division (E) (2) of this section, the superintendent of each county board is responsible for taking all actions regarding certification and registration of employees, other than the position of superintendent, early intervention supervisor, early intervention specialist, or investigative agent. For the position of superintendent, early intervention supervisor, early intervention specialist, or

investigative agent, the director of developmental disabilities 20117
is responsible for taking all such actions. 20118

Actions that may be taken by the superintendent or 20119
director include issuing, renewing, denying, suspending, and 20120
revoking certification and registration. All actions shall be 20121
taken in accordance with the rules adopted under this section. 20122

The superintendent may charge a fee to persons applying 20123
for certification or registration. The superintendent shall 20124
establish the amount of the fee according to the costs the 20125
county board incurs in administering its program for 20126
certification and registration of employees. 20127

A person subject to the denial, suspension, or revocation 20128
of certification or registration may appeal the decision. The 20129
appeal shall be made in accordance with the rules adopted under 20130
this section. 20131

(2) Pursuant to division (C) of section 5126.05 of the 20132
Revised Code, the superintendent may enter into a contract with 20133
any other entity under which the entity is given authority to 20134
carry out all or part of the superintendent's responsibilities 20135
under division (E) (1) of this section. 20136

(F) A person with valid certification or registration 20137
under this section on the effective date of any rules adopted 20138
under this section that increase the standards applicable to the 20139
certification or registration shall have such period as the 20140
rules prescribe, but not less than one year after the effective 20141
date of the rules, to meet the new certification or registration 20142
standards. 20143

(G) A person with valid certification or registration is 20144
qualified to be employed according to that certification or 20145

registration by any county board or entity contracting with a county board. 20146
20147

(H) The director shall monitor county boards to ensure that their employees and the employees of their contracting entities have the applicable certification or registration required under this section and that the employees are performing only those functions they are authorized to perform under the certification or registration. The superintendent of each county board or the superintendent's designee shall maintain in appropriate personnel files evidence acceptable to the director that the employees have met the requirements. On request, representatives of the department of developmental disabilities shall be given access to the evidence. 20148
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(I) The certification and registration requirements of this section and the rules adopted under it do not apply to either of the following: 20159
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(1) A person who holds a valid license issued or certificate issued under Chapter 3319. of the Revised Code and performs no duties other than teaching or supervision of a teaching program; 20162
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(2) A person who holds a valid license or certificate issued under Title XLVII of the Revised Code and performs only those duties governed by the license or certificate. 20166
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(J) The director shall issue a certification or registration in accordance with Chapter 4796. of the Revised Code to a person if either of the following applies: 20169
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(1) The person holds a license, certification, or registration in another state. 20172
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(2) The person has satisfactory work experience, a 20174

government certification, or a private certification as 20175
described in that chapter in a state that does not issue that 20176
license, certification, or registration. 20177

Sec. 5902.02. The duties of the director of veterans 20178
services shall include the following: 20179

(A) Furnishing the veterans service commissions of all 20180
counties of the state copies of the state laws, rules, and 20181
legislation relating to the operation of the commissions and 20182
their offices; 20183

(B) Upon application, assisting the general public in 20184
obtaining records of vital statistics pertaining to veterans or 20185
their dependents; 20186

(C) Adopting rules pursuant to Chapter 119. of the Revised 20187
Code pertaining to minimum qualifications for hiring, 20188
certifying, and accrediting county veterans service officers, 20189
pertaining to their required duties, and pertaining to 20190
revocation of the certification of county veterans service 20191
officers; 20192

(D) Adopting rules pursuant to Chapter 119. of the Revised 20193
Code for the education, training, certification, and duties of 20194
veterans service commissioners and for the revocation of the 20195
certification of a veterans service commissioner; 20196

(E) Developing and monitoring programs and agreements 20197
enhancing employment and training for veterans in single or 20198
multiple county areas; 20199

(F) Developing and monitoring programs and agreements to 20200
enable county veterans service commissions to address 20201
homelessness, indigency, and other veteran-related issues 20202
individually or jointly; 20203

(G) Developing and monitoring programs and agreements to 20204
enable state agencies, individually or jointly, that provide 20205
services to veterans, including the veterans' homes operated 20206
under Chapter 5907. of the Revised Code and the director of job 20207
and family services, to address homelessness, indigency, 20208
employment, and other veteran-related issues; 20209

(H) Establishing and providing statistical reporting 20210
formats and procedures for county veterans service commissions; 20211

(I) Publishing electronically a listing of county veterans 20212
service offices and county veterans service commissioners. The 20213
listing shall include the expiration dates of commission 20214
members' terms of office and the organizations they represent; 20215
the names, addresses, and telephone numbers of county veterans 20216
service offices; and the addresses and telephone numbers of the 20217
Ohio offices and headquarters of state and national veterans 20218
service organizations. 20219

(J) Establishing a veterans advisory committee to advise 20220
and assist the department of veterans services in its duties. 20221
Members shall include a member of the national guard association 20222
of the United States who is a resident of this state, a member 20223
of the military officers association of America who is a 20224
resident of this state, a state representative of 20225
congressionally chartered veterans organizations referred to in 20226
section 5901.02 of the Revised Code, a representative of any 20227
other congressionally chartered state veterans organization that 20228
has at least one veterans service commissioner in the state, 20229
three representatives of the Ohio state association of county 20230
veterans service commissioners, who shall have a combined vote 20231
of one, three representatives of the state association of county 20232
veterans service officers, who shall have a combined vote of 20233

one, one representative of the county commissioners association 20234
of Ohio, who shall be a county commissioner not from the same 20235
county as any of the other county representatives, a 20236
representative of the advisory committee on women veterans, a 20237
representative of a labor organization, and a representative of 20238
the office of the attorney general. The department of veterans 20239
services shall submit to the advisory committee proposed rules 20240
for the committee's operation. The committee may review and 20241
revise these proposed rules prior to submitting them to the 20242
joint committee on agency rule review. 20243

(K) Adopting, with the advice and assistance of the 20244
veterans advisory committee, policy and procedural guidelines 20245
that the veterans service commissions shall adhere to in the 20246
development and implementation of rules, policies, procedures, 20247
and guidelines for the administration of Chapter 5901. of the 20248
Revised Code. The department of veterans services shall adopt no 20249
guidelines or rules regulating the purposes, scope, duration, or 20250
amounts of financial assistance provided to applicants pursuant 20251
to sections 5901.01 to 5901.15 of the Revised Code. The director 20252
of veterans services may obtain opinions from the office of the 20253
attorney general regarding rules, policies, procedures, and 20254
guidelines of the veterans service commissions and may enforce 20255
compliance with Chapter 5901. of the Revised Code. 20256

(L) Receiving copies of form DD214 filed in accordance 20257
with the director's guidelines adopted under division (L) of 20258
this section from members of veterans service commissions 20259
appointed under section 5901.02 and from county veterans service 20260
officers employed under section 5901.07 of the Revised Code; 20261

(M) Developing and maintaining and improving a resource, 20262
such as a telephone answering point or a web site, by means of 20263

which veterans and their dependents, through a single portal, 20264
can access multiple sources of information and interaction with 20265
regard to the rights of, and the benefits available to, veterans 20266
and their dependents. The director of veterans services may 20267
enter into agreements with state and federal agencies, with 20268
agencies of political subdivisions, with state and local 20269
instrumentalities, and with private entities as necessary to 20270
make the resource as complete as is possible. 20271

(N) Planning, organizing, advertising, and conducting 20272
outreach efforts, such as conferences and fairs, at which 20273
veterans and their dependents may meet, learn about the 20274
organization and operation of the department of veterans 20275
services and of veterans service commissions, and obtain 20276
information about the rights of, and the benefits and services 20277
available to, veterans and their dependents; 20278

(O) Advertising, in print, on radio and television, and 20279
otherwise, the rights of, and the benefits and services 20280
available to, veterans and their dependents; 20281

(P) Developing and advocating improved benefits and 20282
services for, and improved delivery of benefits and services to, 20283
veterans and their dependents; 20284

(Q) Searching for, identifying, and reviewing statutory 20285
and administrative policies that relate to veterans and their 20286
dependents and reporting to the general assembly statutory and 20287
administrative policies that should be consolidated in whole or 20288
in part within the organization of the department of veterans 20289
services to unify funding, delivery, and accounting of statutory 20290
and administrative policy expressions that relate particularly 20291
to veterans and their dependents; 20292

(R) Encouraging veterans service commissions to innovate 20293
and otherwise to improve efficiency in delivering benefits and 20294
services to veterans and their dependents and to report 20295
successful innovations and efficiencies to the director of 20296
veterans services; 20297

(S) Publishing and encouraging adoption of successful 20298
innovations and efficiencies veterans service commissions have 20299
achieved in delivering benefits and services to veterans and 20300
their dependents; 20301

(T) Establishing advisory committees, in addition to the 20302
veterans advisory committee established under division (K) of 20303
this section, on veterans issues; 20304

(U) Developing and maintaining a relationship with the 20305
United States department of veterans affairs, seeking optimal 20306
federal benefits and services for Ohio veterans and their 20307
dependents, and encouraging veterans service commissions to 20308
maximize the federal benefits and services to which veterans and 20309
their dependents are entitled; 20310

(V) Developing and maintaining relationships with the 20311
several veterans organizations, encouraging the organizations in 20312
their efforts at assisting veterans and their dependents, and 20313
advocating for adequate state subsidization of the 20314
organizations; 20315

(W) Requiring the several veterans organizations that 20316
receive funding from the state annually, not later than the 20317
thirtieth day of July, to report to the director of veterans 20318
services and prescribing the form and content of the report; 20319

(X) Reviewing the reports submitted to the director under 20320
division (W) of this section within thirty days of receipt and 20321

informing the veterans organization of any deficiencies that 20322
exist in the organization's report and that funding will not be 20323
released until the deficiencies have been corrected and a 20324
satisfactory report submitted; 20325

(Y) Releasing funds and processing payments to veterans 20326
organizations when a report submitted to the director under 20327
division (W) of this section has been reviewed and determined to 20328
be satisfactory; 20329

(Z) Furnishing copies of all reports that the director of 20330
veterans services has determined have been submitted 20331
satisfactorily under division (W) of this section to the 20332
chairperson of the finance committees of the general assembly; 20333

(AA) Investigating complaints against county veterans 20334
services commissioners and county veterans service officers if 20335
the director reasonably believes the investigation to be 20336
appropriate and necessary; 20337

(BB) Developing and maintaining a web site that is 20338
accessible by veterans and their dependents and provides a link 20339
to the web site of each state agency that issues a license, 20340
certificate, or other authorization permitting an individual to 20341
engage in an occupation or occupational activity; 20342

(CC) Encouraging state agencies to conduct outreach 20343
efforts through which veterans and their dependents can learn 20344
about available job and education benefits; 20345

(DD) Informing state agencies about changes in statutes 20346
and rules that affect veterans and their dependents; 20347

(EE) Assisting licensing agencies in adopting rules under 20348
section 5903.03 of the Revised Code; 20349

(FF) Administering the provision of grants from the military injury relief fund under section 5902.05 of the Revised Code; 20350
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(GG) Issuing a county veterans service officer certification or county veterans service commissioner certification in accordance with Chapter 4796. of the Revised Code to an applicant if the applicant holds a license or certification in another state or the applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a county veterans service officer or county veterans service commissioner, or in a position that is the equivalent to county veterans service officer or county veterans service commissioner, in a state that does not issue that license or certification; 20353
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(HH) Taking any other actions required by this chapter. 20364

Sec. 5903.04. Each licensing agency shall adopt rules under Chapter 119. of the Revised Code to establish and implement all of the following: 20365
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(A) A process to obtain from each applicant documentation and additional information necessary to determine if the applicant is a service member or veteran, or the spouse or surviving spouse of a service member or veteran; 20368
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(B) A process to record, track, and monitor applications that have been received from a service member, veteran, or the spouse or surviving spouse of a service member or veteran; and 20372
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(C) A process to prioritize and expedite certification or licensing for each applicant who is a service member, veteran, or the spouse or a surviving spouse of a service member or veteran. 20375
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In establishing these processes, the licensing agency 20379
shall include any special accommodations that may be appropriate 20380
for applicants facing imminent deployment, and for applicants 20381
for a temporary license or certificate under division ~~(D)~~(C) of 20382
section 4743.04 of the Revised Code. 20383

Sec. 6109.04. (A) The director of environmental protection 20384
shall administer and enforce this chapter and rules adopted 20385
under it. 20386

(B) The director shall adopt, amend, and rescind such 20387
rules in accordance with Chapter 119. of the Revised Code as may 20388
be necessary or desirable to do both of the following: 20389

(1) Govern public water systems in order to protect the 20390
public health; 20391

(2) Govern public water systems to protect the public 20392
welfare, including rules governing contaminants in water that 20393
may adversely affect the suitability of the water for its 20394
intended uses or that may otherwise adversely affect the public 20395
health or welfare. 20396

(C) The director may do any or all of the following: 20397

(1) Adopt, amend, and rescind such rules in accordance 20398
with Chapter 119. of the Revised Code as may be necessary or 20399
desirable to do any or all of the following: 20400

(a) Govern the granting of variances and exemptions from 20401
rules adopted under this chapter, subject to requirements of the 20402
Safe Drinking Water Act; 20403

(b) Govern the certification of operators of public water 20404
systems, including establishment of qualifications according to 20405
a classification of public water systems and of provisions for 20406

examination, grounds for revocation, reciprocity with other	20407
states, renewal of certification, and other provisions necessary	20408
or desirable for assurance of proper operation of water systems;	20409
(c) Carry out the powers and duties of the director under	20410
this chapter.	20411
(2) Provide a program for the general supervision of	20412
operation and maintenance of public water systems;	20413
(3) Maintain an inventory of public water systems;	20414
(4) Adopt and implement a program for conducting sanitary	20415
surveys of public water systems;	20416
(5) Establish and maintain a system of record keeping and	20417
reporting of activities of the environmental protection agency	20418
under this chapter;	20419
(6) Establish and maintain a program for the certification	20420
of laboratories conducting analyses of drinking water;	20421
(7) Issue, modify, and revoke orders as necessary to carry	20422
out the director's powers and duties under this chapter and	20423
primary enforcement responsibility for public water systems	20424
under the "Safe Drinking Water Act." Orders issued under this	20425
chapter are subject to Chapter 119. of the Revised Code.	20426
(D) Before adopting, amending, or rescinding a rule	20427
authorized by this chapter, the director shall do all of the	20428
following:	20429
(1) Mail notice to each statewide organization that the	20430
director determines represents persons who would be affected by	20431
the proposed rule, amendment, or rescission at least thirty-five	20432
days before any public hearing thereon;	20433

(2) Mail a copy of each proposed rule, amendment, or
rescission to any person who requests a copy, within five days
after receipt of the request;

(3) Consult with appropriate state and local government
agencies or their representatives, including statewide
organizations of local government officials, industrial
representatives, and other interested persons.

Although the director is expected to discharge these
duties diligently, failure to mail any such notice or copy or to
consult with any person does not invalidate any proceeding or
action of the director.

(E) The director shall issue a certification as an
operator of a public water system in accordance with Chapter
4796. of the Revised Code to an applicant if either of the
following applies:

(1) The applicant holds a certification or license in
another state.

(2) The applicant has satisfactory work experience, a
government certification, or a private certification as
described in that chapter as an operator of a public water
system in a state that does not issue that certification or
license.

Sec. 6111.46. (A) The environmental protection agency
shall exercise general supervision of the treatment and disposal
of sewage and industrial wastes and the operation and
maintenance of works or means installed for the collection,
treatment, and disposal of sewage and industrial wastes. Such
general supervision shall apply to all features of construction,
operation, and maintenance of the works or means that do or may

affect the proper treatment and disposal of sewage and 20463
industrial wastes. 20464

(B) (1) The agency shall investigate the works or means 20465
employed in the collection, treatment, and disposal of sewage 20466
and industrial wastes whenever considered necessary or whenever 20467
requested to do so by local health officials and may issue and 20468
enforce orders and shall adopt rules governing the operation and 20469
maintenance of the works or means of treatment and disposal of 20470
such sewage and industrial wastes. In adopting rules under this 20471
section, the agency shall establish standards governing the 20472
construction, operation, and maintenance of the works or means 20473
of collection, treatment, and disposal of sewage that is 20474
generated at recreational vehicle parks, recreation camps, 20475
combined park-camps, and temporary park-camps that are separate 20476
from such standards relative to manufactured home parks. 20477

(2) As used in division (B) (1) of this section: 20478

(a) "Manufactured home parks" has the same meaning as in 20479
section 4781.01 of the Revised Code. 20480

(b) "Recreational vehicle parks," "recreation camps," 20481
"combined park-camps," and "temporary park-camps" have the same 20482
meanings as in section 3729.01 of the Revised Code. 20483

(C) The agency may require the submission of records and 20484
data of construction, operation, and maintenance, including 20485
plans and descriptions of existing works or means of treatment 20486
and disposal of such sewage and industrial wastes. When the 20487
agency requires the submission of such records or information, 20488
the public officials or person, firm, or corporation having the 20489
works in charge shall comply promptly with that order. 20490

(D) If the agency issues a license pursuant to the 20491

authority granted under this section, the agency shall issue the 20492
license in accordance with Chapter 4796. of the Revised Code to 20493
an applicant if either of the following applies: 20494

(1) The applicant holds a license in another state. 20495

(2) The applicant has satisfactory work experience, a 20496
government certification, or a private certification as 20497
described in that chapter in a state that does not issue that 20498
license. 20499

Section 3. That existing sections 109.73, 109.77, 109.771, 20500
109.78, 109.804, 147.01, 147.63, 169.16, 173.21, 173.391, 20501
173.422, 503.41, 715.27, 903.07, 905.321, 917.09, 917.091, 20502
921.06, 921.11, 921.12, 921.24, 921.26, 926.30, 928.02, 943.09, 20503
956.05, 956.06, 1315.23, 1321.04, 1321.37, 1321.53, 1321.64, 20504
1321.74, 1322.10, 1322.21, 1513.07, 1513.161, 1514.12, 1514.47, 20505
1531.40, 1533.051, 1533.51, 1561.14, 1561.15, 1561.16, 1561.17, 20506
1561.18, 1561.19, 1561.20, 1561.21, 1561.22, 1565.06, 1565.15, 20507
1707.15, 1707.151, 1707.16, 1707.161, 1707.163, 1707.165, 20508
1717.06, 3101.10, 3301.071, 3301.074, 3307.01, 3309.011, 20509
3319.088, 3319.22, 3319.226, 3319.229, 3319.26, 3319.261, 20510
3319.262, 3319.27, 3319.28, 3319.301, 3319.303, 3319.361, 20511
3327.10, 3703.21, 3704.14, 3713.05, 3717.09, 3723.03, 3723.06, 20512
3737.83, 3737.881, 3742.05, 3743.03, 3743.16, 3743.40, 3743.51, 20513
3748.07, 3748.12, 3769.03, 3772.13, 3772.131, 3773.36, 3773.421, 20514
3781.10, 3781.102, 3781.105, 3916.03, 3951.03, 3951.05, 3951.09, 20515
4104.07, 4104.101, 4104.19, 4105.02, 4169.03, 4301.10, 4508.03, 20516
4508.04, 4508.08, 4511.763, 4701.06, 4701.07, 4701.10, 4703.08, 20517
4703.10, 4703.33, 4703.35, 4703.37, 4707.07, 4707.072, 4707.101, 20518
4709.07, 4709.08, 4709.10, 4712.02, 4713.10, 4713.28, 4713.30, 20519
4713.31, 4713.34, 4713.37, 4713.69, 4715.03, 4715.09, 4715.10, 20520
4715.16, 4715.27, 4715.362, 4715.363, 4715.39, 4715.42, 20521

4715.421, 4715.53, 4715.62, 4717.05, 4717.051, 4717.07, 4717.10, 20522
4723.08, 4723.09, 4723.26, 4723.32, 4723.41, 4723.651, 4723.75, 20523
4723.76, 4723.85, 4725.13, 4725.18, 4725.26, 4725.48, 4725.52, 20524
4725.57, 4725.591, 4727.03, 4728.03, 4729.09, 4729.11, 4729.15, 20525
4729.901, 4729.921, 4730.10, 4731.151, 4731.19, 4731.293, 20526
4731.294, 4731.295, 4731.297, 4731.299, 4731.52, 4731.572, 20527
4732.10, 4732.12, 4732.22, 4733.18, 4733.19, 4734.23, 4734.27, 20528
4734.283, 4735.023, 4735.07, 4735.08, 4735.09, 4735.10, 4735.27, 20529
4735.28, 4736.10, 4736.14, 4740.05, 4740.06, 4741.12, 4741.13, 20530
4741.14, 4741.15, 4741.19, 4743.04, 4743.041, 4747.04, 4747.05, 20531
4747.10, 4749.12, 4751.01, 4751.15, 4751.20, 4751.201, 4751.202, 20532
4751.21, 4751.32, 4752.05, 4752.12, 4753.07, 4753.071, 4753.072, 20533
4753.073, 4753.08, 4753.09, 4753.12, 4755.08, 4755.09, 4755.411, 20534
4755.44, 4755.441, 4755.45, 4755.451, 4755.48, 4755.482, 20535
4755.62, 4755.65, 4757.18, 4758.25, 4759.05, 4759.06, 4760.03, 20536
4760.031, 4761.04, 4761.05, 4762.03, 4763.05, 4764.10, 4765.10, 20537
4765.11, 4765.30, 4765.55, 4767.031, 4771.08, 4773.03, 4774.03, 20538
4775.07, 4778.03, 4778.08, 4778.09, 4779.17, 4779.18, 4781.07, 20539
4781.08, 4781.17, 4783.04, 5123.161, 5123.45, 5126.25, 5902.02, 20540
5903.04, 6109.04, and 6111.46 of the Revised Code are hereby 20541
repealed. 20542

Section 4. That sections 921.08, 1322.24, 4707.12, 20543
4740.08, and 4757.25 of the Revised Code are hereby repealed. 20544

Section 5. Sections 1, 2, 3, and 4 of this act, except for 20545
the enactment of section 4796.30 of the Revised Code in Section 20546
1 of this act and the amendment of section 4707.101 of the 20547
Revised Code in Section 2 of this act, take effect two hundred 20548
seventy days after the effective date of this section. 20549

Section 6. The amendment of sections 4709.08 and 4713.34 20550
of the Revised Code by Section 2 of this act supersedes the 20551

amendments made to those sections by H.B. 542 of the 134th	20552
General Assembly.	20553
Section 7. The General Assembly, applying the principle	20554
stated in division (B) of section 1.52 of the Revised Code that	20555
amendments are to be harmonized if reasonably capable of	20556
simultaneous operation, finds that the the following sections,	20557
presented in this act as composites of the sections as amended	20558
by the acts indicated, are the resulting versions of the section	20559
in effect prior to the effective date of the sections as	20560
presented in this act:	20561
Section 109.73 of the Revised Code as amended by both H.B.	20562
24 and S.B. 68 of the 133rd General Assembly.	20563
Section 4701.06 of the Revised Code as amended by both	20564
H.B. 263 and H.B. 442 of the 133rd General Assembly.	20565
Section 4715.09 of the Revised Code as amended by both	20566
H.B. 541 and S.B. 259 of the 132nd General Assembly.	20567
Section 4731.19 of the Revised Code as amended by both	20568
H.B. 263 and H.B. 442 of the 133rd General Assembly.	20569
Section 4779.18 of the Revised Code as amended by both	20570
H.B. 263 and S.B. 68 of the 133rd General Assembly.	20571
Section 5123.45 of the Revised Code as amended by both	20572
H.B. 158 and H.B. 483 of the 131st General Assembly.	20573