

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 567

Representative Deeter

To amend sections 109.71, 3129.01, 3313.5310,	1
3333.28, 3701.69, 3701.92, 3701.921, 3705.01,	2
3705.30, 3707.58, 3721.011, 3728.01, 4503.44,	3
4723.01, 4723.063, 4723.18, 4723.181, 4723.28,	4
4723.34, 4723.35, 4723.36, 4723.43, 4723.431,	5
4723.47, 4723.481, 4723.482, 4723.483, 4723.493,	6
4723.52, 4723.66, 4723.67, 4723.69, 4731.297,	7
and 5122.10 and to repeal sections 3701.923,	8
3701.924, 3701.925, 3701.926, 3701.927, and	9
3701.929 of the Revised Code and to repeal	10
Section 105.40 of H.B. 33 of the 135th General	11
Assembly to modify the laws governing a Board of	12
Nursing advisory body for advanced practice	13
registered nurses and to make various	14
corrections in other laws pertaining to the	15
Board and the professionals it regulates.	16

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

Section 1. That sections 109.71, 3129.01, 3313.5310,	17
3333.28, 3701.69, 3701.92, 3701.921, 3705.01, 3705.30, 3707.58,	18
3721.011, 3728.01, 4503.44, 4723.01, 4723.063, 4723.18,	19
4723.181, 4723.28, 4723.34, 4723.35, 4723.36, 4723.43, 4723.431,	20
4723.47, 4723.481, 4723.482, 4723.483, 4723.493, 4723.52,	21

4723.66, 4723.67, 4723.69, 4731.297, and 5122.10 of the Revised 22
Code be amended to read as follows: 23

Sec. 109.71. There is hereby created in the office of the 24
attorney general the Ohio peace officer training commission. The 25
commission shall consist of ten members appointed by the 26
governor with the advice and consent of the senate and selected 27
as follows: one member representing the public; one member who 28
represents a fraternal organization representing law enforcement 29
officers; two members who are incumbent sheriffs; two members 30
who are incumbent chiefs of police; one member from the bureau 31
of criminal identification and investigation; one member from 32
the state highway patrol; one member who is the special agent in 33
charge of a field office of the federal bureau of investigation 34
in this state; and one member from the department of education 35
and workforce, trade and industrial education services, law 36
enforcement training. 37

This section does not confer any arrest authority or any 38
ability or authority to detain a person, write or issue any 39
citation, or provide any disposition alternative, as granted 40
under Chapter 2935. of the Revised Code. 41

The commission is exempt from the requirements of sections 42
101.82 to 101.87 of the Revised Code. 43

As used in sections 109.71 to 109.801 of the Revised Code: 44

(A) "Peace officer" means: 45

(1) A deputy sheriff, marshal, deputy marshal, member of 46
the organized police department of a township or municipal 47
corporation, member of a township police district or joint 48
police district police force, member of a police force employed 49
by a metropolitan housing authority under division (D) of 50

section 3735.31 of the Revised Code, or township constable, who 51
is commissioned and employed as a peace officer by a political 52
subdivision of this state or by a metropolitan housing 53
authority, and whose primary duties are to preserve the peace, 54
to protect life and property, and to enforce the laws of this 55
state, ordinances of a municipal corporation, resolutions of a 56
township, or regulations of a board of county commissioners or 57
board of township trustees, or any of those laws, ordinances, 58
resolutions, or regulations; 59

(2) A police officer who is employed by a railroad company 60
and appointed and commissioned by the secretary of state 61
pursuant to sections 4973.17 to 4973.22 of the Revised Code; 62

(3) Employees of the department of taxation engaged in the 63
enforcement of Chapter 5743. of the Revised Code and designated 64
by the tax commissioner for peace officer training for purposes 65
of the delegation of investigation powers under section 5743.45 66
of the Revised Code; 67

(4) An undercover drug agent; 68

(5) Enforcement agents of the department of public safety 69
whom the director of public safety designates under section 70
5502.14 of the Revised Code; 71

(6) An employee of the department of natural resources who 72
is a natural resources law enforcement staff officer designated 73
pursuant to section 1501.013, a natural resources officer 74
appointed pursuant to section 1501.24, a forest-fire 75
investigator appointed pursuant to section 1503.09, or a 76
wildlife officer designated pursuant to section 1531.13 of the 77
Revised Code; 78

(7) An employee of a park district who is designated 79

pursuant to section 511.232 or 1545.13 of the Revised Code; 80

(8) An employee of a conservancy district who is 81
designated pursuant to section 6101.75 of the Revised Code; 82

(9) A police officer who is employed by a hospital that 83
employs and maintains its own proprietary police department or 84
security department, and who is appointed and commissioned by 85
the secretary of state pursuant to sections 4973.17 to 4973.22 86
of the Revised Code; 87

(10) Veterans' homes police officers designated under 88
section 5907.02 of the Revised Code; 89

(11) A police officer who is employed by a qualified 90
nonprofit corporation police department pursuant to section 91
1702.80 of the Revised Code; 92

(12) A state university law enforcement officer appointed 93
under section 3345.04 of the Revised Code or a person serving as 94
a state university law enforcement officer on a permanent basis 95
on June 19, 1978, who has been awarded a certificate by the 96
executive director of the Ohio peace officer training commission 97
attesting to the person's satisfactory completion of an approved 98
state, county, municipal, or department of natural resources 99
peace officer basic training program; 100

(13) A special police officer employed by the department 101
of ~~mental behavioral health and addiction services~~ pursuant to 102
section 5119.08 of the Revised Code or the department of 103
developmental disabilities pursuant to section 5123.13 of the 104
Revised Code; 105

(14) A member of a campus police department appointed 106
under section 1713.50 of the Revised Code; 107

(15) A member of a police force employed by a regional 108
transit authority under division (Y) of section 306.35 of the 109
Revised Code; 110

(16) Investigators appointed by the auditor of state 111
pursuant to section 117.091 of the Revised Code and engaged in 112
the enforcement of Chapter 117. of the Revised Code; 113

(17) A special police officer designated by the 114
superintendent of the state highway patrol pursuant to section 115
5503.09 of the Revised Code or a person who was serving as a 116
special police officer pursuant to that section on a permanent 117
basis on October 21, 1997, and who has been awarded a 118
certificate by the executive director of the Ohio peace officer 119
training commission attesting to the person's satisfactory 120
completion of an approved state, county, municipal, or 121
department of natural resources peace officer basic training 122
program; 123

(18) A special police officer employed by a port authority 124
under section 4582.04 or 4582.28 of the Revised Code or a person 125
serving as a special police officer employed by a port authority 126
on a permanent basis on May 17, 2000, who has been awarded a 127
certificate by the executive director of the Ohio peace officer 128
training commission attesting to the person's satisfactory 129
completion of an approved state, county, municipal, or 130
department of natural resources peace officer basic training 131
program; 132

(19) A special police officer employed by a municipal 133
corporation who has been awarded a certificate by the executive 134
director of the Ohio peace officer training commission for 135
satisfactory completion of an approved peace officer basic 136
training program and who is employed on a permanent basis on or 137

after March 19, 2003, at a municipal airport, or other municipal 138
air navigation facility, that has scheduled operations, as 139
defined in section 119.3 of Title 14 of the Code of Federal 140
Regulations, 14 C.F.R. 119.3, as amended, and that is required 141
to be under a security program and is governed by aviation 142
security rules of the transportation security administration of 143
the United States department of transportation as provided in 144
Parts 1542. and 1544. of Title 49 of the Code of Federal 145
Regulations, as amended; 146

(20) A police officer who is employed by an owner or 147
operator of an amusement park that has an average yearly 148
attendance in excess of six hundred thousand guests and that 149
employs and maintains its own proprietary police department or 150
security department, and who is appointed and commissioned by a 151
judge of the appropriate municipal court or county court 152
pursuant to section 4973.17 of the Revised Code; 153

(21) A police officer who is employed by a bank, savings 154
and loan association, savings bank, credit union, or association 155
of banks, savings and loan associations, savings banks, or 156
credit unions, who has been appointed and commissioned by the 157
secretary of state pursuant to sections 4973.17 to 4973.22 of 158
the Revised Code, and who has been awarded a certificate by the 159
executive director of the Ohio peace officer training commission 160
attesting to the person's satisfactory completion of a state, 161
county, municipal, or department of natural resources peace 162
officer basic training program; 163

(22) An investigator, as defined in section 109.541 of the 164
Revised Code, of the bureau of criminal identification and 165
investigation who is commissioned by the superintendent of the 166
bureau as a special agent for the purpose of assisting law 167

enforcement officers or providing emergency assistance to peace 168
officers pursuant to authority granted under that section; 169

(23) A state fire marshal law enforcement officer 170
appointed under section 3737.22 of the Revised Code or a person 171
serving as a state fire marshal law enforcement officer on a 172
permanent basis on or after July 1, 1982, who has been awarded a 173
certificate by the executive director of the Ohio peace officer 174
training commission attesting to the person's satisfactory 175
completion of an approved state, county, municipal, or 176
department of natural resources peace officer basic training 177
program; 178

(24) A gaming agent employed under section 3772.03 of the 179
Revised Code; 180

(25) An employee of the state board of pharmacy designated 181
by the executive director of the board pursuant to section 182
4729.04 of the Revised Code to investigate violations of 183
Chapters 2925., 3715., 3719., 3796., 4729., and 4752. of the 184
Revised Code and rules adopted thereunder. 185

(B) "Undercover drug agent" has the same meaning as in 186
division (B) (2) of section 109.79 of the Revised Code. 187

(C) "Crisis intervention training" means training in the 188
use of interpersonal and communication skills to most 189
effectively and sensitively interview victims of rape. 190

(D) "Missing children" has the same meaning as in section 191
2901.30 of the Revised Code. 192

(E) "Tactical medical professional" means an EMT, ~~EMT-~~ 193
~~basic,~~ AEMT, ~~EMT-I,~~ paramedic, nurse, or physician who is 194
trained and certified in a nationally recognized tactical 195
medical training program that is equivalent to "tactical combat 196

casualty care" (TCCC) and "tactical emergency medical support" 197
(TEMS) and who functions in the tactical or austere environment 198
while attached to a law enforcement agency of either this state 199
or a political subdivision of this state. 200

(F) ~~"EMT-basic," "EMT-I," and "paramedic" have the same~~ 201
~~meanings as in section 4765.01 of the Revised Code and "EMT" and~~ 202
"AEMT" have the same meanings, respectively, as "EMT-basic" and 203
"EMT-I" in section 4765.01 and as recognized in section 4765.011 204
of the Revised Code, and "paramedic" has the same meaning as in 205
section 4765.01 of the Revised Code. 206

(G) "Nurse" means any of the following: 207

(1) Any person who is licensed to practice nursing as a 208
registered nurse by the board of nursing pursuant to Chapter 209
4723. of the Revised Code; 210

(2) Any certified nurse practitioner, clinical nurse 211
specialist, certified registered nurse anesthetist, or certified 212
nurse-midwife ~~who holds a certificate of authority issued by the~~ 213
~~board of nursing under Chapter 4723.,~~ as defined in section 214
4723.01 of the Revised Code; 215

(3) Any person who is licensed to practice nursing as a 216
licensed practical nurse by the board of nursing pursuant to 217
Chapter 4723. of the Revised Code. 218

(H) "Physician" means a person who is licensed pursuant to 219
Chapter 4731. of the Revised Code to practice medicine and 220
surgery or osteopathic medicine and surgery. 221

(I) "County correctional officer" has the same meaning as 222
in section 341.41 of the Revised Code. 223

(J) (1) "Fire investigator" means an employee of a fire 224

department charged with investigating fires and explosions who 225
has been authorized, in accordance with sections 737.27 and 226
3737.24 of the Revised Code, to perform the duties of 227
investigating the origin and cause of fires and explosions using 228
the scientific method to investigate elements of the event 229
including the circumstances, actions, persons, means, and 230
motives that resulted in the fire or explosion or the report of 231
a fire or explosion within this state. 232

(2) "Fire investigator" does not include a person who is 233
acting as a fire investigator on behalf of an insurance company 234
or any other privately owned or operated enterprise. 235

(K) "Fire department" means a fire department of the state 236
or an instrumentality of the state or of a municipal 237
corporation, township, joint fire district, or other political 238
subdivision. 239

(L) "At-risk youth" means an individual who is all of the 240
following: 241

(1) Under twenty-one years of age; 242

(2) One of the following: 243

(a) At risk of becoming an abused, neglected, or dependent 244
child, delinquent or unruly child, or juvenile traffic offender; 245

(b) An abused, neglected, or dependent child, delinquent 246
or unruly child, or juvenile traffic offender. 247

(3) Residing in a state correctional institution, a 248
department of youth services institution, or a residential 249
facility. 250

(M) "Residential facility" has the same meaning as in 251
section 2151.46 of the Revised Code. 252

Sec. 3129.01. As used in this chapter:	253
(A) "Biological sex," "birth sex," and "sex" mean the	254
biological indication of male and female, including sex	255
chromosomes, naturally occurring sex hormones, gonads, and	256
nonambiguous internal and external genitalia present at birth,	257
without regard to an individual's psychological, chosen, or	258
subjective experience of gender.	259
(B) "Cross-sex hormone" means testosterone, estrogen, or	260
progesterone given to a minor individual in an amount greater	261
than would normally be produced endogenously in a healthy	262
individual of the minor individual's age and sex.	263
(C) "Gender reassignment surgery" means any surgery	264
performed for the purpose of assisting an individual with gender	265
transition that seeks to surgically alter or remove healthy	266
physical or anatomical characteristics or features that are	267
typical for the individual's biological sex, in order to instill	268
or create physiological or anatomical characteristics that	269
resemble a sex different from the individual's birth sex,	270
including genital or non-genital gender reassignment surgery.	271
(D) "Gender-related condition" means any condition where	272
an individual feels an incongruence between the individual's	273
gender identity and biological sex. "Gender-related condition"	274
includes gender dysphoria.	275
(E) "Gender transition" means the process in which an	276
individual goes from identifying with and living as a gender	277
that corresponds to his or her biological sex to identifying	278
with and living as a gender different from his or her biological	279
sex, including social, legal, or physical changes.	280
(F) "Gender transition services" means any medical or	281

surgical service (including physician services, inpatient and 282
outpatient hospital services, or prescription drugs or hormones) 283
provided for the purpose of assisting an individual with gender 284
transition that seeks to alter or remove physical or anatomical 285
characteristics or features that are typical for the 286
individual's biological sex, or to instill or create 287
physiological or anatomical characteristics that resemble a sex 288
different from the individual's birth sex, including medical 289
services that provide puberty blocking drugs, cross-sex 290
hormones, or other mechanisms to promote the development of 291
feminizing or masculinizing features in the opposite sex, or 292
genital or non-genital gender reassignment surgery. 293

(G) "Genital gender reassignment surgery" means surgery 294
performed for the purpose of assisting an individual with gender 295
transition and includes both of the following: 296

(1) Surgeries that sterilize, such as castration, 297
vasectomy, hysterectomy, oophorectomy, orchiectomy, and 298
penectomy; 299

(2) Surgeries that artificially construct tissue with the 300
appearance of genitalia that differs from the individual's 301
biological sex, such as metoidioplasty, phalloplasty, and 302
vaginoplasty. 303

(H) "Mental health professional" means all of the 304
following: 305

(1) Either of the following advanced practice registered 306
nurses who holds a current, valid license issued under Chapter 307
4723. of the Revised Code that authorizes the practice of 308
nursing as an advanced practice registered nurse: 309

(a) A clinical nurse specialist who is certified as a 310

psychiatric-mental health CNS, or the equivalent of such title, 311
by the American nurses credentialing center; 312

(b) A certified nurse practitioner who is certified as a 313
psychiatric-mental health NP, or the equivalent of such title, 314
by the American nurses credentialing center or American academy 315
of nurse practitioners certification board. 316

(2) A physician specializing in psychiatry; 317

(3) A psychologist, school psychologist, or independent 318
school psychologist licensed under Chapter 4732. of the Revised 319
Code or under rules adopted in accordance with sections 3301.07 320
and 3319.22 of the Revised Code; 321

(4) An independent social worker, social worker, licensed 322
professional clinical counselor, licensed professional 323
counselor, independent marriage and family therapist, or 324
marriage and family therapist licensed under Chapter 4757. of 325
the Revised Code. 326

(I) "Minor individual" means an individual under eighteen 327
years of age. 328

(J) "Non-genital gender reassignment surgery" means 329
surgery performed for the purpose of assisting an individual 330
with gender transition such as augmentation mammoplasty, facial 331
feminization surgery, liposuction, lipofilling, voice surgery, 332
thyroid cartilage reduction, gluteal augmentation, pectoral 333
implants, or other aesthetic procedures. 334

(K) "Physician" means an individual authorized under 335
Chapter 4731. of the Revised Code to practice medicine and 336
surgery or osteopathic medicine and surgery. 337

(L) "Puberty-blocking drugs" means Gonadotropin-releasing 338

hormone analogs or other synthetic drugs used to stop 339
luteinizing hormone and follicle stimulating hormone secretion, 340
synthetic antiandrogen drugs used to block the androgen 341
receptor, or any drug to delay or suppress normal puberty. 342

Sec. 3313.5310. (A) (1) This section applies to both of the 343
following: 344

(a) Any school operated by a school district board of 345
education; 346

(b) Any chartered or nonchartered nonpublic school that is 347
subject to the rules of an interscholastic conference or an 348
organization that regulates interscholastic conferences or 349
events. 350

(2) As used in this section, "athletic activity" means all 351
of the following: 352

(a) Interscholastic athletics; 353

(b) An athletic contest or competition that is sponsored 354
by or associated with a school that is subject to this section, 355
including cheerleading, club-sponsored sports activities, and 356
sports activities sponsored by school-affiliated organizations; 357

(c) Noncompetitive cheerleading that is sponsored by 358
school-affiliated organizations; 359

(d) Practices, interschool practices, and scrimmages for 360
all of the activities described in divisions (A) (2) (a), (b), and 361
(c) of this section. 362

(B) Prior to the start of each athletic season, a school 363
that is subject to this section shall hold an informational 364
meeting for students, parents, guardians, other persons having 365
care or charge of a student, physicians, pediatric 366

cardiologists, athletic trainers, and any other persons 367
regarding the symptoms and warning signs of sudden cardiac 368
arrest for all ages of students. 369

(C) No student shall participate in an athletic activity 370
until the student has submitted to a designated school official 371
a form signed by the student and the parent, guardian, or other 372
person having care or charge of the student stating that the 373
student and the parent, guardian, or other person having care or 374
charge of the student have received and reviewed a copy of the 375
information jointly developed by the department of health and 376
the department of education and workforce and posted on their 377
respective web sites as required by section 3707.59 of the 378
Revised Code. A completed form shall be submitted each school 379
year, as defined in section 3313.62 of the Revised Code, in 380
which the student participates in an athletic activity. 381

(D) No individual, including coaches and assistant 382
coaches, shall coach an athletic activity unless the individual 383
has completed the sudden cardiac arrest training course approved 384
by the department of health under division (C) of section 385
3707.59 of the Revised Code in accordance with section 3319.303 386
of the Revised Code. 387

(E) (1) A student shall not be allowed to participate in an 388
athletic activity if either of the following is the case: 389

(a) The student's biological parent, biological sibling, 390
or biological child has previously experienced sudden cardiac 391
arrest, and the student has not been evaluated and cleared for 392
participation in an athletic activity by a physician authorized 393
under Chapter 4731. of the Revised Code to practice medicine and 394
surgery or osteopathic medicine and surgery. 395

(b) The student is known to have exhibited syncope or 396
fainting at any time prior to or following an athletic activity 397
and has not been evaluated and cleared for return under division 398
(E) (3) of this section after exhibiting syncope or fainting. 399

(2) A student shall be removed by the student's coach from 400
participation in an athletic activity if the student exhibits 401
syncope or fainting. 402

(3) If a student is not allowed to participate in or is 403
removed from participation in an athletic activity under 404
division (E) (1) or (2) of this section, the student shall not be 405
allowed to return to participation until the student is 406
evaluated and cleared for return in writing by any of the 407
following: 408

(a) A physician authorized under Chapter 4731. of the 409
Revised Code to practice medicine and surgery or osteopathic 410
medicine and surgery, including a physician who specializes in 411
cardiology; 412

(b) A certified nurse practitioner, clinical nurse 413
specialist, or certified nurse-midwife ~~who holds a certificate~~ 414
~~of authority issued under Chapter 4723., as defined in section~~ 415
4723.01 of the Revised Code; 416

(c) A physician assistant licensed under Chapter 4730. of 417
the Revised Code; 418

(d) An athletic trainer licensed under Chapter 4755. of 419
the Revised Code. 420

The licensed health care providers specified in divisions 421
(E) (3) (a) to (d) of this section may consult with any other 422
licensed or certified health care providers in order to 423
determine whether a student is ready to return to participation. 424

(F) A school that is subject to this section shall 425
establish penalties for a coach who violates the provisions of 426
division (E) of this section. 427

(G) Nothing in this section shall be construed to abridge 428
or limit any rights provided under a collective bargaining 429
agreement entered into under Chapter 4117. of the Revised Code 430
prior to March 14, 2017. 431

(H) (1) A school district, member of a school district 432
board of education, or school district employee or volunteer, 433
including a coach, is not liable in damages in a civil action 434
for injury, death, or loss to person or property allegedly 435
arising from providing services or performing duties under this 436
section, unless the act or omission constitutes willful or 437
wanton misconduct. 438

This section does not eliminate, limit, or reduce any 439
other immunity or defense that a school district, member of a 440
school district board of education, or school district employee 441
or volunteer, including a coach, may be entitled to under 442
Chapter 2744. or any other provision of the Revised Code or 443
under the common law of this state. 444

(2) A chartered or nonchartered nonpublic school or any 445
officer, director, employee, or volunteer of the school, 446
including a coach, is not liable in damages in a civil action 447
for injury, death, or loss to person or property allegedly 448
arising from providing services or performing duties under this 449
section, unless the act or omission constitutes willful or 450
wanton misconduct. 451

Sec. 3333.28. (A) The chancellor of higher education shall 452
establish the nurse education assistance program, the purpose of 453

which shall be to make loans to students enrolled in 454
prelicensure ~~nurse-nursing~~ education programs ~~at institutions-~~ 455
approved by the board of nursing under section 4723.06 of the 456
Revised Code and postlicensure ~~nurse-nursing~~ education programs 457
approved by the chancellor under section 3333.04 of the Revised 458
Code or offered by an institution holding a certificate of 459
authorization issued under Chapter 1713. of the Revised Code. 460
~~The-~~ 461

The chancellor shall determine the manner in which to 462
distribute loans under the program. The board of nursing shall 463
assist the chancellor in administering the program. 464

(B) There is hereby created in the state treasury the 465
nurse education assistance fund, which shall consist of all 466
money transferred to it pursuant to section 4743.05 of the 467
Revised Code. The fund shall be used by the chancellor for loans 468
made under division (A) of this section and for expenses of 469
administering the loan program. 470

~~(C) Between July 1, 2005, and January 1, 2012, the~~ 471
~~chancellor shall distribute money in the nurse education-~~ 472
~~assistance fund in the following manner:-~~ 473

~~(1)(a) Fifty per cent of available funds shall be awarded-~~ 474
~~as loans to registered nurses enrolled in postlicensure nurse-~~ 475
~~education programs described in division (A) of this section. To~~ 476
~~be eligible for a loan, the applicant shall provide the~~ 477
~~chancellor with a letter of intent to practice as a faculty~~ 478
~~member at a prelicensure or postlicensure program for nursing in~~ 479
~~this state upon completion of the applicant's academic program.-~~ 480

~~(b) If the borrower of a loan under division (C) (1) (a) of-~~ 481
~~this section secures employment as a faculty member of an~~ 482

~~approved nursing education program in this state within six~~ 483
~~months following graduation from an approved nurse education~~ 484
~~program, the chancellor may forgive the principal and interest~~ 485
~~of the student's loans received under division (C) (1) (a) of this~~ 486
~~section at a rate of twenty-five per cent per year, for a~~ 487
~~maximum of four years, for each year in which the borrower is so~~ 488
~~employed. A deferment of the service obligation, and other~~ 489
~~conditions regarding the forgiveness of loans may be granted as~~ 490
~~provided by the rules adopted under division (D) (7) of this~~ 491
~~section.~~ 492

~~(c) Loans awarded under division (C) (1) (a) of this section~~ 493
~~shall be awarded on the basis of the student's expected family~~ 494
~~contribution, with preference given to those applicants with the~~ 495
~~lowest expected family contribution. However, the chancellor may~~ 496
~~consider other factors the chancellor determines relevant in~~ 497
~~ranking the applications.~~ 498

~~(d) Each loan awarded to a student under division (C) (1)~~ 499
~~(a) of this section shall be not less than five thousand dollars~~ 500
~~per year.~~ 501

~~(2) Twenty-five per cent of available funds shall be~~ 502
~~awarded to students enrolled in prelicensure nurse education~~ 503
~~programs for registered nurses, as defined in section 4723.01 of~~ 504
~~the Revised Code.~~ 505

~~(3) Twenty-five per cent of available funds shall be~~ 506
~~awarded to students enrolled in nurse education programs as~~ 507
~~determined by the chancellor, with preference given to programs~~ 508
~~aimed at increasing enrollment in an area of need.~~ 509

~~After January 1, 2012, the chancellor shall determine the~~ 510
~~manner in which to distribute loans under this section.~~ 511

~~(D) Subject to the requirements specified in division (C) of this section, the~~ 512
~~The~~ chancellor shall adopt rules in 513
accordance with Chapter 119. of the Revised Code establishing: 514

(1) Eligibility criteria for receipt of a loan; 515

(2) Loan application procedures; 516

(3) The amounts in which loans may be made and the total 517
amount that may be loaned to an individual; 518

(4) The total amount of loans that can be made each year; 519

(5) The percentage of the money in the fund that must 520
remain in the fund at all times as a fund balance; 521

(6) Interest and principal repayment schedules; 522

(7) Conditions under which a portion of principal and 523
interest obligations incurred by an individual under the program 524
will be forgiven; 525

(8) Conditions under which all or a portion of the 526
principal and interest obligations incurred by an individual who 527
is deployed on active duty outside of the state or who is the 528
spouse of a person deployed on active duty outside of the state 529
may be deferred or forgiven.; 530

(9) Ways that the program may be used to encourage 531
individuals who are members of minority groups to enter the 532
nursing profession; 533

(10) Any other matters incidental to the operation of the 534
program. 535

~~(E)~~ (D) (1) The obligation to repay a portion of the 536
principal and interest on a loan made under this section shall 537
be forgiven if the recipient of the loan meets the ~~criteria~~ 538

~~conditions~~ for forgiveness established ~~by division (C) (1) (b) of~~ 539
~~this section, in the case of loans awarded under division (C) (1)~~ 540
~~(a) of this section, or by the chancellor under the rule adopted~~ 541
under division ~~(D) (7)~~ (C) (7) of this section, ~~in the case of~~ 542
~~other loans awarded under this section.~~ 543

~~(F) (2)~~ The obligation to repay all or a portion of the 544
principal and interest on a loan made under this section may be 545
deferred or forgiven if the recipient of the loan meets the 546
~~criteria~~ conditions for deferment or forgiveness established by 547
the chancellor under the rule adopted under division ~~(D) (8)~~ (C) 548
(8) of this section. 549

~~(G) (E)~~ The receipt of a loan under this section shall not 550
affect a student's eligibility for assistance, or the amount of 551
that assistance, granted under section 3333.122, 3333.22, 552
3333.26, 5910.03, 5910.032, or 5919.34 of the Revised Code, but 553
the rules of the chancellor may provide for taking assistance 554
received under those sections into consideration when 555
determining a student's eligibility for a loan under this 556
section. 557

~~(H) (F)~~ As used in this section, "active duty" means active 558
duty pursuant to an executive order of the president of the 559
United States, an act of the congress of the United States, or 560
section 5919.29 or 5923.21 of the Revised Code. 561

Sec. 3701.69. (A) (1) The department of health shall create 562
a Down syndrome information sheet that includes all of the 563
following: 564

(a) A description of Down syndrome, including its causes, 565
effects on development, and potential complications; 566

(b) Diagnostic tests; 567

(c) Options for treatment and therapy; 568

(d) Contact information for local, state, and national 569
organizations that provide Down syndrome educational and support 570
services and programs. 571

(2) With respect to the medical information included in 572
the information sheet, the department shall include only 573
information that is current and based on medical evidence. 574

(3) The department shall periodically review and update 575
the information sheet and shall make it available on the 576
department's internet web site. 577

(B) If a patient under the care of any of the following 578
health care professionals or facilities receives either a test 579
result indicating Down syndrome or a prenatal or postnatal 580
diagnosis of Down syndrome, the health care professional or 581
facility shall provide to the patient or the patient's 582
representative a copy of the information sheet created under 583
division (A) of this section: 584

(1) A physician authorized under Chapter 4731. of the 585
Revised Code to practice medicine and surgery or osteopathic 586
medicine and surgery; 587

(2) ~~A certified nurse-midwife who holds a certificate of~~ 588
~~authority issued under Chapter 4723., as defined in section~~ 589
4723.01 of the Revised Code; 590

(3) A genetic counselor licensed under Chapter 4778. of 591
the Revised Code; 592

(4) A hospital licensed under Chapter 3722. of the Revised 593
Code that operates a maternity unit or newborn care nursery; 594

(5) A maternity home licensed under Chapter 3711. of the 595

Revised Code; 596

(6) A freestanding birthing center licensed under section 597
3702.30 of the Revised Code. 598

Sec. 3701.92. As used in sections 3701.921 to ~~3701.929~~ 599
3701.928 of the Revised Code: 600

(A) "Advanced practice registered nurse" has the same 601
meaning as in section 4723.01 of the Revised Code. 602

(B) ~~"Patient centered medical home education advisory~~ 603
~~group" means the entity established under section 3701.924 of~~ 604
~~the Revised Code.~~ 605

~~(C)~~ "Patient centered medical home education program" 606
means the program established under section 3701.921 of the 607
Revised Code and any pilot projects operated pursuant to that 608
section. 609

~~(D) "Patient centered medical home education pilot~~ 610
~~project" means the pilot project established under section~~ 611
~~3701.923 of the Revised Code.~~ 612

~~(E)~~ (C) "Physician assistant" means a person who is 613
licensed as a physician assistant under Chapter 4730. of the 614
Revised Code. 615

Sec. 3701.921. There is hereby established the patient 616
centered medical home education program in the department of 617
health. For the purpose of advancing education in the patient 618
centered medical home model of care, the director of health may 619
implement and administer the program pursuant to sections 620
3701.922 to ~~3701.929~~ 3701.928 of the Revised Code. The patient 621
centered medical home model of care is an enhanced model of 622
primary care in which care teams attend to the multifaceted 623

needs of patients, providing whole person comprehensive and 624
coordinate patient centered care. 625

To the extent that funds are available, the program ~~shall~~ 626
~~include the patient centered medical home education pilot~~ 627
~~project and may include any other projects~~ the director 628
establishes pursuant to division (A) (3) of section 3701.922 of 629
the Revised Code. 630

Sec. 3705.01. As used in this chapter: 631

(A) "Live birth" means the complete expulsion or 632
extraction from its mother of a product of human conception that 633
after such expulsion or extraction breathes or shows any other 634
evidence of life such as beating of the heart, pulsation of the 635
umbilical cord, or definite movement of voluntary muscles, 636
whether or not the umbilical cord has been cut or the placenta 637
is attached. 638

(B) (1) "Fetal death" means death prior to the complete 639
expulsion or extraction from its mother of a product of human 640
conception, irrespective of the duration of pregnancy, which 641
after such expulsion or extraction does not breathe or show any 642
other evidence of life such as beating of the heart, pulsation 643
of the umbilical cord, or definite movement of voluntary 644
muscles. 645

(2) "Stillborn" means that an infant of at least twenty 646
weeks of gestation suffered a fetal death. 647

(C) "Dead body" means a human body or part of a human body 648
from the condition of which it reasonably may be concluded that 649
death recently occurred. 650

(D) "Physician" means a person licensed pursuant to 651
Chapter 4731. of the Revised Code to practice medicine or 652

surgery or osteopathic medicine and surgery. 653

(E) "Attending physician," when used in the context of the 654
death of a patient, means the physician in charge of the 655
patient's care for the illness or condition that resulted in 656
death. 657

(F) "Institution" means any establishment, public or 658
private, that provides medical, surgical, or diagnostic care or 659
treatment, or domiciliary care, to two or more unrelated 660
individuals, or to persons committed by law. 661

(G) "Funeral director" has the meaning given in section 662
4717.01 of the Revised Code. 663

(H) "State registrar" means the head of the office of 664
vital statistics in the department of health. 665

(I) "Medical certification" means completion of the 666
medical certification portion of the certificate of death or 667
fetal death as to the cause of death or fetal death. 668

(J) "Final disposition" means the interment, cremation, 669
removal from the state, donation, or other authorized 670
disposition of a dead body or a fetal death. 671

(K) "Interment" means the final disposition of the remains 672
of a dead body by burial or entombment. 673

(L) "Cremation" means the reduction to ashes of a dead 674
body. 675

(M) "Donation" means gift of a dead body to a research 676
institution or medical school. 677

(N) "System of vital statistics" means the registration, 678
collection, preservation, amendment, and certification of vital 679

records, the collection of other reports required by this 680
chapter, and activities related thereto. 681

(O) "Vital records" means certificates or reports of 682
birth, death, fetal death, marriage, divorce, dissolution of 683
marriage, annulment, and data related thereto and other 684
documents maintained as required by statute. 685

(P) "File" means the presentation of vital records for 686
registration by the office of vital statistics. 687

(Q) "Registration" means the acceptance by the office of 688
vital statistics and the incorporation of vital records into its 689
official records. 690

(R) "Birth record" means a birth certificate that has been 691
registered with the office of vital statistics; or, if 692
registered prior to March 16, 1989, with the division of vital 693
statistics; or, if registered prior to the establishment of the 694
division of vital statistics, with the department of health or a 695
local registrar. 696

(S) "Certification of birth" means a document issued by 697
the director of health or state registrar or a local registrar 698
under division (B) of section 3705.23 of the Revised Code. 699

(T) "Certified nurse-midwife," ~~has~~ "clinical nurse 700
specialist," and "certified nurse practitioner" have the same 701
meaning-meanings as in section 4723.01 of the Revised Code. 702

Sec. 3705.30. (A) As used in this section: 703

(1) ~~"Certified nurse-midwife," "clinical nurse-~~ 704
~~specialist," and "certified nurse practitioner" have the same~~ 705
~~meanings as in section 4723.01 of the Revised Code.~~ 706

~~(2)~~ "Freestanding birthing center" has the same meaning as 707

in section 3701.503 of the Revised Code. 708

~~(3)(2) "Hospital" has the same meaning as in section~~ 709
~~3722.01 means an institution or facility licensed under Chapter~~ 710
~~3722. of the Revised Code.~~ 711

~~(4) "Physician" means an individual authorized under~~ 712
~~Chapter 4731. of the Revised Code to practice medicine and~~ 713
~~surgery or osteopathic medicine and surgery.~~ 714

(B) The director of health shall establish and, if funds 715
for this purpose are available, implement a statewide birth 716
defects information system for the collection of information 717
concerning congenital anomalies, stillbirths, and abnormal 718
conditions of newborns. 719

(C) If the system is implemented under division (B) of 720
this section, all of the following apply: 721

(1) The director may require each physician, certified 722
nurse-midwife, clinical nurse specialist, certified nurse 723
practitioner, hospital, and freestanding birthing center to 724
report to the system information concerning all patients under 725
five years of age with a primary diagnosis of a congenital 726
anomaly or abnormal condition. The director shall not require a 727
hospital, freestanding birthing center, physician, certified 728
nurse-midwife, clinical nurse specialist, or certified nurse 729
practitioner to report to the system any information that is 730
reported to the director or department of health under another 731
provision of the Revised Code or Administrative Code. 732

(2) On request, each physician, certified nurse-midwife, 733
clinical nurse specialist, certified nurse practitioner, 734
hospital, and freestanding birthing center shall give the 735
director or authorized employees of the department of health 736

access to the medical records of any patient described in 737
division (C) (1) of this section. The department shall pay the 738
costs of copying any medical records pursuant to this division. 739

(3) The director may review vital statistics records and 740
shall consider expanding the list of congenital anomalies and 741
abnormal conditions of newborns reported on birth certificates 742
pursuant to section 3705.08 of the Revised Code. 743

(D) A physician, certified nurse-midwife, clinical nurse 744
specialist, certified nurse practitioner, hospital, or 745
freestanding birthing center that provides information to the 746
system under division (C) of this section shall not be subject 747
to criminal or civil liability for providing the information. 748

Sec. 3707.58. (A) As used in this section: 749

(1) "Youth athlete" means an individual who wishes to 750
practice for or compete in athletic activities organized by a 751
youth sports organization; 752

(2) "Youth sports organization" has the same meaning as in 753
section 3707.51 of the Revised Code. 754

(B) Prior to the start of each athletic season, a youth 755
sports organization that is subject to this section shall hold 756
an informational meeting for youth athletes, parents, guardians, 757
other persons having care or charge of a youth athlete, 758
physicians, pediatric cardiologists, athletic trainers, and any 759
other persons regarding the symptoms and warning signs of sudden 760
cardiac arrest for all ages of youth athletes. 761

(C) No youth athlete shall participate in an athletic 762
activity organized by a youth sports organization until the 763
youth athlete has submitted to a designated official of the 764
youth sports organization a form signed by the youth athlete and 765

the parent, guardian, or other person having care or charge of 766
the youth athlete stating that the youth athlete and the parent, 767
guardian, or other person having care or charge of the youth 768
athlete have received and reviewed a copy of the information 769
developed by the department of health and the department of 770
education and workforce and posted on their respective internet 771
web sites as required by section 3707.59 of the Revised Code. A 772
completed form shall be submitted each calendar year to each 773
youth sports organization that organizes an athletic activity in 774
which the youth athlete participates. 775

(D) No individual shall coach an athletic activity 776
organized by a youth sports organization unless the individual 777
has completed, on an annual basis, the sudden cardiac arrest 778
training course approved by the department of health under 779
division (C) of section 3707.59 of the Revised Code. 780

(E) (1) A youth athlete shall not be allowed to participate 781
in an athletic activity organized by a youth sports organization 782
if either of the following is the case: 783

(a) The youth athlete's biological parent, biological 784
sibling, or biological child has previously experienced sudden 785
cardiac arrest, and the youth athlete has not been evaluated and 786
cleared for participation in an athletic activity organized by a 787
youth sports organization by a physician authorized under 788
Chapter 4731. of the Revised Code to practice medicine and 789
surgery or osteopathic medicine and surgery. 790

(b) The youth athlete is known to have exhibited syncope 791
or fainting at any time prior to or following an athletic 792
activity and has not been evaluated and cleared for return under 793
division (E) (3) of this section after exhibiting syncope or 794
fainting. 795

(2) A youth athlete shall be removed by the youth 796
athlete's coach from participation in an athletic activity 797
organized by a youth sports organization if the youth athlete 798
exhibits syncope or fainting. 799

(3) If a youth athlete is not allowed to participate in or 800
is removed from participation in an athletic activity organized 801
by a youth sports organization under division (E) (1) or (2) of 802
this section, the youth athlete shall not be allowed to return 803
to participation until the youth athlete is evaluated and 804
cleared for return in writing by any of the following: 805

(a) A physician authorized under Chapter 4731. of the 806
Revised Code to practice medicine and surgery or osteopathic 807
medicine and surgery, including a physician who specializes in 808
cardiology; 809

(b) A certified nurse practitioner, clinical nurse 810
specialist, or certified nurse-midwife ~~who holds a certificate~~ 811
~~of authority issued under Chapter 4723., as defined in section~~ 812
4723.01 of the Revised Code. 813

The licensed health care providers specified in divisions 814
(E) (3) (a) and (b) of this section may consult with any other 815
licensed or certified health care providers in order to 816
determine whether a youth athlete is ready to return to 817
participation. 818

(F) A youth sports organization that is subject to this 819
section shall establish penalties for a coach who violates the 820
provisions of division (E) of this section. 821

(G) (1) A youth sports organization or official, employee, 822
or volunteer of a youth sports organization, including a coach, 823
is not liable in damages in a civil action for injury, death, or 824

loss to person or property allegedly arising from providing 825
services or performing duties under this section, unless the act 826
or omission constitutes willful or wanton misconduct. 827

(2) This section does not eliminate, limit, or reduce any 828
other immunity or defense that a public entity, public official, 829
or public employee may be entitled to under Chapter 2744. or any 830
other provision of the Revised Code or under the common law of 831
this state. 832

Sec. 3721.011. (A) In addition to providing 833
accommodations, supervision, and personal care services to its 834
residents, a residential care facility may do the following: 835

(1) Provide the following skilled nursing care to its 836
residents: 837

(a) Supervision of special diets; 838

(b) Application of dressings, in accordance with rules 839
adopted under section 3721.04 of the Revised Code; 840

(c) Subject to division (B)(1) of this section, 841
administration of medication. 842

(2) Subject to division (C) of this section, provide other 843
skilled nursing care on a part-time, intermittent basis for not 844
more than a total of one hundred twenty days in a twelve-month 845
period; 846

(3) Provide skilled nursing care for more than one hundred 847
twenty days in a twelve-month period to a resident when the 848
requirements of division (D) of this section are met. 849

A residential care facility may not admit or retain an 850
individual requiring skilled nursing care that is not authorized 851
by this section. A residential care facility may not provide 852

skilled nursing care beyond the limits established by this 853
section. 854

(B) (1) A residential care facility may admit or retain an 855
individual requiring medication, including biologicals, only if 856
the individual's personal physician, certified nurse-midwife if 857
authorized as described in section 4723.438 of the Revised Code, 858
clinical nurse specialist, or certified nurse practitioner has 859
determined in writing that the individual is capable of self- 860
administering the medication or the facility provides for the 861
medication to be administered to the individual by a home health 862
agency certified under Title XVIII of the "Social Security Act," 863
79 Stat. 620 (1965), 42 U.S.C. 1395, as amended; a hospice care 864
program licensed under Chapter 3712. of the Revised Code; or a 865
member of the staff of the residential care facility who is 866
qualified to perform medication administration. Medication may 867
be administered in a residential care facility only by the 868
following persons authorized by law to administer medication: 869

(a) A registered nurse licensed under Chapter 4723. of the 870
Revised Code, including a certified nurse-midwife, clinical 871
nurse specialist, or certified nurse practitioner; 872

(b) A licensed practical nurse licensed under Chapter 873
4723. of the Revised Code ~~who holds proof of successful~~ 874
~~completion of a course in medication administration approved by~~ 875
~~the board of nursing and who~~ administers the medication only at 876
the direction of a registered nurse or a physician authorized 877
under Chapter 4731. of the Revised Code to practice medicine and 878
surgery or osteopathic medicine and surgery; 879

(c) A medication aide certified under Chapter 4723. of the 880
Revised Code; 881

(d) A physician authorized under Chapter 4731. of the 882
Revised Code to practice medicine and surgery or osteopathic 883
medicine and surgery. 884

(2) In assisting a resident with self-administration of 885
medication, any member of the staff of a residential care 886
facility may do the following: 887

(a) Remind a resident when to take medication and watch to 888
ensure that the resident follows the directions on the 889
container; 890

(b) Assist a resident by taking the medication from the 891
locked area where it is stored, in accordance with rules adopted 892
pursuant to section 3721.04 of the Revised Code, and handing it 893
to the resident. If the resident is physically unable to open 894
the container, a staff member may open the container for the 895
resident. 896

(c) Assist a resident who is physically impaired but 897
mentally alert, such as a resident with arthritis, cerebral 898
palsy, or Parkinson's disease, in removing oral or topical 899
medication from containers and in consuming or applying the 900
medication, upon request by or with the consent of the resident. 901
If a resident is physically unable to place a dose of medicine 902
to the resident's mouth without spilling it, a staff member may 903
place the dose in a container and place the container to the 904
mouth of the resident. 905

(C) Except as provided in division (D) of this section, a 906
residential care facility may admit or retain individuals who 907
require skilled nursing care beyond the supervision of special 908
diets, application of dressings, or administration of 909
medication, only if the care will be provided on a part-time, 910

intermittent basis for not more than a total of one hundred 911
twenty days in any twelve-month period. In accordance with 912
Chapter 119. of the Revised Code, the director of health shall 913
adopt rules specifying what constitutes the need for skilled 914
nursing care on a part-time, intermittent basis. The director 915
shall adopt rules that are consistent with rules pertaining to 916
home health care adopted by the medicaid director for the 917
medicaid program. Skilled nursing care provided pursuant to this 918
division may be provided by a home health agency certified for 919
participation in the medicare program, a hospice care program 920
licensed under Chapter 3712. of the Revised Code, or a member of 921
the staff of a residential care facility who is qualified to 922
perform skilled nursing care. 923

A residential care facility that provides skilled nursing 924
care pursuant to this division shall do both of the following: 925

(1) Evaluate each resident receiving the skilled nursing 926
care at least once every seven days to determine whether the 927
resident should be transferred to a nursing home; 928

(2) Meet the skilled nursing care needs of each resident 929
receiving the care. 930

(D) (1) A residential care facility may admit or retain an 931
individual who requires skilled nursing care for more than one 932
hundred twenty days in any twelve-month period only if the 933
facility has entered into a written agreement with each of the 934
following: 935

(a) The individual or individual's sponsor; 936

(b) The individual's personal physician, certified nurse- 937
midwife if authorized as described in section 4723.438 of the 938
Revised Code, clinical nurse specialist, or certified nurse 939

practitioner; 940

(c) Unless the individual's personal physician, certified 941
nurse-midwife, clinical nurse specialist, or certified nurse 942
practitioner oversees the skilled nursing care, the provider of 943
the skilled nursing care; 944

(d) If the individual is a hospice patient as defined in 945
section 3712.01 of the Revised Code, a hospice care program 946
licensed under Chapter 3712. of the Revised Code. 947

(2) The agreement required by division (D)(1) of this 948
section shall include all of the following provisions: 949

(a) That the individual will be provided skilled nursing 950
care in the facility only if a determination has been made that 951
the individual's needs can be met at the facility; 952

(b) That the individual will be retained in the facility 953
only if periodic redeterminations are made that the individual's 954
needs are being met at the facility; 955

(c) That the redeterminations will be made according to a 956
schedule specified in the agreement; 957

(d) If the individual is a hospice patient, that the 958
individual has been given an opportunity to choose the hospice 959
care program that best meets the individual's needs; 960

(e) Unless the individual is a hospice patient, that the 961
individual's personal physician, certified nurse-midwife, 962
clinical nurse specialist, or certified nurse practitioner has 963
determined that the skilled nursing care the individual needs is 964
routine. 965

(E) Notwithstanding any other provision of this chapter, a 966
residential care facility in which residents receive skilled 967

nursing care pursuant to this section is not a nursing home. 968

Sec. 3728.01. As used in this chapter: 969

(A) "Administer epinephrine" means to inject an individual 970
with epinephrine using an autoinjector in a manufactured dosage 971
form. 972

(B) "Peace officer" has the same meaning as in section 973
109.71 of the Revised Code and also includes a sheriff. 974

(C) "Prescriber" means an individual who is authorized by 975
law to prescribe drugs or dangerous drugs or drug therapy 976
related devices in the course of the individual's professional 977
practice, including only the following: 978

(1) A clinical nurse specialist, certified nurse-midwife, 979
or certified nurse practitioner ~~who holds a certificate to~~ 980
~~prescribe issued under section 4723.48 of the Revised Code;~~ 981

(2) A physician authorized under Chapter 4731. of the 982
Revised Code to practice medicine and surgery, osteopathic 983
medicine and surgery, or podiatric medicine and surgery; 984

(3) A physician assistant who is licensed under Chapter 985
4730. of the Revised Code, holds a valid prescriber number 986
issued by the state medical board, and has been granted 987
physician-delegated prescriptive authority. 988

(D) "Qualified entity" means either of the following: 989

(1) Any public or private entity that is associated with a 990
location where allergens capable of causing anaphylaxis may be 991
present, including child care centers, colleges and 992
universities, places of employment, restaurants, amusement 993
parks, recreation camps, sports playing fields and arenas, and 994
other similar locations, except that "qualified entity" does not 995

include either of the following: 996

(a) A chartered or nonchartered nonpublic school; 997
community school; science, technology, engineering, and 998
mathematics school; college-preparatory boarding school; or a 999
school operated by the board of education of a city, local, 1000
exempted village, or joint vocational school district, as those 1001
entities are otherwise authorized to procure epinephrine 1002
autoinjectors pursuant to sections 3313.7110, 3313.7111, 1003
3314.143, 3326.28, or 3328.29 of the Revised Code; 1004

(b) A camp described in section 5180.26 of the Revised 1005
Code that is authorized to procure epinephrine autoinjectors 1006
pursuant to that section; 1007

(2) Either of the following served by a peace officer: a 1008
law enforcement agency or other entity described in division (A) 1009
of section 109.71 of the Revised Code. 1010

Sec. 4503.44. (A) As used in this section and in section 1011
4511.69 of the Revised Code: 1012

(1) "Person with a disability that limits or impairs the 1013
ability to walk" means any person who, as determined by a health 1014
care provider, meets any of the following criteria: 1015

(a) Cannot walk two hundred feet without stopping to rest; 1016

(b) Cannot walk without the use of, or assistance from, a 1017
brace, cane, crutch, another person, prosthetic device, 1018
wheelchair, or other assistive device; 1019

(c) Is restricted by a lung disease to such an extent that 1020
the person's forced (respiratory) expiratory volume for one 1021
second, when measured by spirometry, is less than one liter, or 1022
the arterial oxygen tension is less than sixty millimeters of 1023

mercury on room air at rest; 1024

(d) Uses portable oxygen; 1025

(e) Has a cardiac condition to the extent that the 1026
person's functional limitations are classified in severity as 1027
class III or class IV according to standards set by the American 1028
heart association; 1029

(f) Is severely limited in the ability to walk due to an 1030
arthritic, neurological, or orthopedic condition; 1031

(g) Is blind, legally blind, or severely visually 1032
impaired. 1033

(2) "Organization" means any private organization or 1034
corporation, or any governmental board, agency, department, 1035
division, or office, that, as part of its business or program, 1036
transports persons with disabilities that limit or impair the 1037
ability to walk on a regular basis in a motor vehicle that has 1038
not been altered for the purpose of providing it with accessible 1039
equipment for use by persons with disabilities. This definition 1040
does not apply to division (I) of this section. 1041

(3) "Health care provider" means a physician, physician 1042
assistant, advanced practice registered nurse, optometrist, or 1043
chiropractor as defined in this section except that an 1044
optometrist shall only make determinations as to division (A) (1) 1045
(g) of this section. 1046

(4) "Physician" means a person licensed to practice 1047
medicine or surgery or osteopathic medicine and surgery under 1048
Chapter 4731. of the Revised Code. 1049

(5) "Chiropractor" means a person licensed to practice 1050
chiropractic under Chapter 4734. of the Revised Code. 1051

(6) "Advanced practice registered nurse" ~~means a certified~~ 1052
~~nurse practitioner, clinical nurse specialist, certified~~ 1053
~~registered nurse anesthetist, or certified nurse-midwife who~~ 1054
~~holds a certificate of authority issued by the board of nursing~~ 1055
~~under Chapter 4723.~~ has the same meaning as in section 4723.01 1056
of the Revised Code. 1057

(7) "Physician assistant" means a person who is licensed 1058
as a physician assistant under Chapter 4730. of the Revised 1059
Code. 1060

(8) "Optometrist" means a person licensed to engage in the 1061
practice of optometry under Chapter 4725. of the Revised Code. 1062

(9) "Removable windshield placard" includes a standard 1063
removable windshield placard, a temporary removable windshield 1064
placard, or a permanent removable windshield placard, unless 1065
otherwise specified. 1066

(B) (1) An organization, or a person with a disability that 1067
limits or impairs the ability to walk, may apply for the 1068
registration of any motor vehicle the organization or person 1069
owns or leases. When an adaptive mobility vehicle is owned or 1070
leased by someone other than a person with a disability that 1071
limits or impairs the ability to walk, the owner or lessee may 1072
apply to the registrar of motor vehicles or a deputy registrar 1073
for registration under this section. The application for 1074
registration of a motor vehicle owned or leased by a person with 1075
a disability that limits or impairs the ability to walk shall be 1076
accompanied by a signed statement from the applicant's health 1077
care provider certifying that the applicant meets at least one 1078
of the criteria contained in division (A) (1) of this section and 1079
that the disability is expected to continue for more than six 1080
consecutive months. The application for registration of an 1081

adaptive mobility vehicle that is owned by someone other than a 1082
person with a disability that limits or impairs the ability to 1083
walk shall be accompanied by such documentary evidence of 1084
vehicle specifications or alterations as the registrar may 1085
require by rule. 1086

(2) When an organization, a person with a disability that 1087
limits or impairs the ability to walk, or a person who does not 1088
have a disability that limits or impairs the ability to walk but 1089
owns a motor vehicle that has been altered for the purpose of 1090
providing it with accessible equipment for a person with a 1091
disability that limits or impairs the ability to walk first 1092
submits an application for registration of a motor vehicle under 1093
this section and every fifth year thereafter, the organization 1094
or person shall submit a signed statement from the applicant's 1095
health care provider, a completed application, and any required 1096
documentary evidence of vehicle specifications or alterations as 1097
provided in division (B)(1) of this section, and also a power of 1098
attorney from the owner of the motor vehicle if the applicant 1099
leases the vehicle. Upon submission of these items, the 1100
registrar or deputy registrar shall issue to the applicant 1101
appropriate vehicle registration and a set of license plates and 1102
validation stickers, or validation stickers alone when required 1103
by section 4503.191 of the Revised Code. In addition to the 1104
letters and numbers ordinarily inscribed thereon, the license 1105
plates shall be imprinted with the international symbol of 1106
access. The license plates and validation stickers shall be 1107
issued upon payment of the regular license fee as prescribed 1108
under section 4503.04 of the Revised Code and any motor vehicle 1109
tax levied under Chapter 4504. of the Revised Code, and the 1110
payment of a service fee equal to the amount established under 1111
section 4503.038 of the Revised Code. 1112

(C) (1) A person with a disability that limits or impairs the ability to walk may apply to the registrar for a removable windshield placard by completing and signing an application provided by the registrar.

(2) The person shall include with the application a prescription from the person's health care provider prescribing such a placard for the person based upon a determination that the person meets at least one of the criteria contained in division (A) (1) of this section. The health care provider shall state on the prescription the length of time the health care provider expects the applicant to have the disability that limits or impairs the person's ability to walk. If the length of time the applicant is expected to have the disability is six consecutive months or less, the applicant shall submit an application for a temporary removable windshield placard. If the length of time the applicant is expected to have the disability is permanent, the applicant shall submit an application for a permanent removable windshield placard. All other applicants shall submit an application for a standard removable windshield placard.

(3) In addition to one placard or one or more sets of license plates, a person with a disability that limits or impairs the ability to walk is entitled to one additional placard, but only if the person applies separately for the additional placard, states the reasons why the additional placard is needed, and the registrar, in the registrar's discretion determines that good and justifiable cause exists to approve the request for the additional placard.

(4) An organization may apply to the registrar of motor vehicles for a standard removable windshield placard by

completing and signing an application provided by the registrar. 1143
The organization shall comply with any procedures the registrar 1144
establishes by rule. The organization shall include with the 1145
application documentary evidence that the registrar requires by 1146
rule showing that the organization regularly transports persons 1147
with disabilities that limit or impair the ability to walk. 1148

(5) The registrar or deputy registrar shall issue to an 1149
applicant a standard removable windshield placard, a temporary 1150
removable windshield placard, or a permanent removable 1151
windshield placard, as applicable, upon receipt of all of the 1152
following: 1153

(a) A completed and signed application for a removable 1154
windshield placard; 1155

(b) The accompanying documents required under division (C) 1156
(2) or (4) of this section; 1157

(c) Payment of a service fee equal to the amount 1158
established under section 4503.038 of the Revised Code for a 1159
standard removable windshield placard or a temporary removable 1160
windshield placard, or payment of fifteen dollars for a 1161
permanent removable windshield placard. 1162

(6) The removable windshield placard shall display the 1163
date of expiration on both sides of the placard, or the word 1164
"permanent" if the placard is a permanent removable windshield 1165
placard, and shall be valid until expired, revoked, or 1166
surrendered. Except for a permanent removable windshield 1167
placard, which has no expiration, a removable windshield placard 1168
expires on the earliest of the following two dates: 1169

(a) The date that the person issued the placard is 1170
expected to no longer have the disability that limits or impairs 1171

the ability to walk, as indicated on the prescription submitted 1172
with the application for the placard; 1173

(b) Ten years after the date of issuance on the placard. 1174

In no case shall a removable windshield placard be valid 1175
for a period of less than sixty days. 1176

(7) Standard removable windshield placards shall be 1177
renewable upon application and upon payment of a service fee 1178
equal to the amount established under section 4503.038 of the 1179
Revised Code. The registrar shall provide the application form 1180
and shall determine the information to be included thereon. 1181

(8) The registrar shall determine the form and size of 1182
each type of the removable windshield placard, the material of 1183
which it is to be made, any differences in color between each 1184
type of placard to make them readily identifiable, and any other 1185
information to be included thereon, and shall adopt rules 1186
relating to the issuance, expiration, revocation, surrender, and 1187
proper display of such placards. A temporary removable 1188
windshield placard shall display the word "temporary" in letters 1189
of such size as the registrar shall prescribe. Any placard 1190
issued after October 14, 1999, shall be manufactured in a manner 1191
that allows the expiration date of the placard to be indicated 1192
on it through the punching, drilling, boring, or creation by any 1193
other means of holes in the placard. 1194

(9) At the time a removable windshield placard is issued 1195
to a person with a disability that limits or impairs the ability 1196
to walk, the registrar or deputy registrar shall enter into the 1197
records of the bureau of motor vehicles the last date on which 1198
the person will have that disability, as indicated on the 1199
accompanying prescription. For a standard removable windshield 1200

placard, not less than thirty days prior to that date and any 1201
renewal dates, the bureau shall send a renewal notice to that 1202
person at the person's last known address as shown in the 1203
records of the bureau, informing the person that the person's 1204
removable windshield placard will expire on the indicated date, 1205
and that the person is required to renew the placard by 1206
submitting to the registrar or a deputy registrar another 1207
prescription, and by complying with the renewal provisions. If 1208
such a prescription is not received by the registrar or a deputy 1209
registrar by that date, the placard issued to that person 1210
expires and no longer is valid, and this fact shall be recorded 1211
in the records of the bureau. 1212

(10) At least once every year, on a date determined by the 1213
registrar, the bureau shall examine the records of the office of 1214
vital statistics, located within the department of health, that 1215
pertain to deceased persons, and also the bureau's records of 1216
all persons who have been issued removable windshield placards. 1217
If the records of the office of vital statistics indicate that a 1218
person to whom a removable windshield placard has been issued is 1219
deceased, the bureau shall cancel that placard, and note the 1220
cancellation in its records. 1221

The office of vital statistics shall make available to the 1222
bureau all information necessary to enable the bureau to comply 1223
with division (C) (10) of this section. 1224

(11) Nothing in this section shall be construed to require 1225
a person or organization to apply for a removable windshield 1226
placard or accessible license plates if the accessible license 1227
plates issued to the person or organization under prior law have 1228
not expired or been surrendered or revoked. 1229

(D) Any active-duty member of the armed forces of the 1230

United States, including the reserve components of the armed 1231
forces and the national guard, who has an illness or injury that 1232
limits or impairs the ability to walk may apply to the registrar 1233
or a deputy registrar for a temporary removable windshield 1234
placard. With the application, the person shall present evidence 1235
of the person's active-duty status and the illness or injury. 1236
Evidence of the illness or injury may include a current 1237
department of defense convalescent leave statement, any 1238
department of defense document indicating that the person 1239
currently has an ill or injured casualty status or has limited 1240
duties, or a prescription from any health care provider 1241
prescribing the placard for the applicant. Upon receipt of the 1242
application and the necessary evidence, the registrar or deputy 1243
registrar shall issue the applicant the temporary removable 1244
windshield placard without the payment of any service fee. 1245

(E) If an applicant for a removable windshield placard is 1246
a veteran of the armed forces of the United States whose 1247
disability, as defined in division (A) (1) of this section, is 1248
service-connected, the registrar or deputy registrar, upon 1249
receipt of the application, presentation of a signed statement 1250
from the applicant's health care provider certifying the 1251
applicant's disability, and presentation of such documentary 1252
evidence from the department of veterans affairs that the 1253
disability of the applicant meets at least one of the criteria 1254
identified in division (A) (1) of this section and is service- 1255
connected as the registrar may require by rule, but without the 1256
payment of any service fee, shall issue the applicant a 1257
removable windshield placard that is valid until expired, 1258
surrendered, or revoked. 1259

(F) (1) Upon a conviction of a violation of division (H) or 1260
(I) of this section, the court shall report the conviction, and 1261

send the placard, if available, to the registrar, who thereupon 1262
shall revoke the privilege of using the placard and send notice 1263
in writing to the placardholder at that holder's last known 1264
address as shown in the records of the bureau, and the 1265
placardholder shall return the placard if not previously 1266
surrendered to the court, to the registrar within ten days 1267
following mailing of the notice. 1268

(2) Whenever a person to whom a removable windshield 1269
placard has been issued moves to another state, the person shall 1270
surrender the placard to the registrar; and whenever an 1271
organization to which a placard has been issued changes its 1272
place of operation to another state, the organization shall 1273
surrender the placard to the registrar. 1274

(3) If a person no longer requires a permanent removable 1275
windshield placard, the person shall notify and surrender the 1276
placard to the registrar or deputy registrar within ten days of 1277
no longer requiring the placard. The person may still apply for 1278
a standard removable windshield placard or temporary removable 1279
windshield placard, if applicable. 1280

(G) Subject to division (F) of section 4511.69 of the 1281
Revised Code, the operator of a motor vehicle displaying a 1282
removable windshield placard or the accessible license plates 1283
authorized by this section is entitled to park the motor vehicle 1284
in any accessible parking location reserved for persons with 1285
disabilities that limit or impair the ability to walk. 1286

(H) No person or organization that is not eligible for the 1287
issuance of license plates or any placard under this section 1288
shall willfully and falsely represent that the person or 1289
organization is so eligible. 1290

No person or organization shall display license plates 1291
issued under this section unless the license plates have been 1292
issued for the vehicle on which they are displayed and are 1293
valid. 1294

(I) No person or organization to which a removable 1295
windshield placard is issued shall do either of the following: 1296

(1) Display or permit the display of the placard on any 1297
motor vehicle when having reasonable cause to believe the motor 1298
vehicle is being used in connection with an activity that does 1299
not include providing transportation for persons with 1300
disabilities that limit or impair the ability to walk; 1301

(2) Refuse to return or surrender the placard, when 1302
required. 1303

(J) If a removable windshield placard or parking card is 1304
lost, destroyed, or mutilated, the placardholder or cardholder 1305
may obtain a duplicate by doing both of the following: 1306

(1) Furnishing suitable proof of the loss, destruction, or 1307
mutilation to the registrar; 1308

(2) Paying a service fee equal to the amount paid when the 1309
placardholder obtained the original placard. 1310

Any placardholder who loses a placard and, after obtaining 1311
a duplicate, finds the original, immediately shall surrender the 1312
original placard to the registrar. 1313

(K) (1) The registrar shall pay all fees received under 1314
this section for the issuance of removable windshield placards 1315
or duplicate removable windshield placards into the state 1316
treasury to the credit of the public safety - highway purposes 1317
fund created in section 4501.06 of the Revised Code. 1318

(2) In addition to the fees collected under this section, 1319
the registrar or deputy registrar shall ask each person applying 1320
for a removable windshield placard or duplicate removable 1321
windshield placard or license plate issued under this section, 1322
whether the person wishes to make a two-dollar voluntary 1323
contribution to support rehabilitation employment services. The 1324
registrar shall transmit the contributions received under this 1325
division to the treasurer of state for deposit into the 1326
rehabilitation employment fund, which is hereby created in the 1327
state treasury. A deputy registrar shall transmit the 1328
contributions received under this division to the registrar in 1329
the time and manner prescribed by the registrar. The 1330
contributions in the fund shall be used by the opportunities for 1331
Ohioans with disabilities agency to purchase services related to 1332
vocational evaluation, work adjustment, personal adjustment, job 1333
placement, job coaching, and community-based assessment from 1334
accredited community rehabilitation program facilities. 1335

(L) For purposes of enforcing this section, every peace 1336
officer is deemed to be an agent of the registrar. Any peace 1337
officer or any authorized employee of the bureau of motor 1338
vehicles who, in the performance of duties authorized by law, 1339
becomes aware of a person whose removable windshield placard or 1340
parking card has been revoked pursuant to this section, may 1341
confiscate that placard or parking card and return it to the 1342
registrar. The registrar shall prescribe any forms used by law 1343
enforcement agencies in administering this section. 1344

No peace officer, law enforcement agency employing a peace 1345
officer, or political subdivision or governmental agency 1346
employing a peace officer, and no employee of the bureau is 1347
liable in a civil action for damages or loss to persons arising 1348
out of the performance of any duty required or authorized by 1349

this section. As used in this division, "peace officer" has the 1350
same meaning as in division (B) of section 2935.01 of the 1351
Revised Code. 1352

(M) All applications for registration of motor vehicles 1353
and removable windshield placards issued under this section, all 1354
renewal notices for such items, and all other publications 1355
issued by the bureau that relate to this section shall set forth 1356
the criminal penalties that may be imposed upon a person who 1357
violates any provision relating to accessible license plates 1358
issued under this section, the parking of vehicles displaying 1359
such license plates, and the issuance, procurement, use, and 1360
display of removable windshield placards issued under this 1361
section. 1362

(N) Whoever violates this section is guilty of a 1363
misdemeanor of the fourth degree. 1364

Sec. 4723.01. As used in this chapter: 1365

(A) "Registered nurse" means an individual who holds a 1366
current, valid license issued under this chapter that authorizes 1367
the practice of nursing as a registered nurse. 1368

(B) "Practice of nursing as a registered nurse" means 1369
providing to individuals and groups nursing care requiring 1370
specialized knowledge, judgment, and skill derived from the 1371
principles of biological, physical, behavioral, social, and 1372
nursing sciences. Such nursing care includes: 1373

(1) Identifying patterns of human responses to actual or 1374
potential health problems amenable to a nursing regimen; 1375

(2) Executing a nursing regimen through the selection, 1376
performance, management, and evaluation of nursing actions; 1377

- (3) Assessing health status for the purpose of providing nursing care; 1378
1379
- (4) Providing health counseling and health teaching; 1380
- (5) Administering medications, treatments, and executing regimens authorized by an individual who is authorized to practice in this state and is acting within the course of the individual's professional practice; 1381
1382
1383
1384
- (6) Teaching, administering, supervising, delegating, and evaluating nursing practice. 1385
1386
- (C) "Nursing regimen" may include preventative, restorative, and health-promotion activities. 1387
1388
- (D) "Assessing health status" means the collection of data through nursing assessment techniques, which may include interviews, observation, and physical evaluations for the purpose of providing nursing care. 1389
1390
1391
1392
- (E) "Licensed practical nurse" means an individual who holds a current, valid license issued under this chapter that authorizes the practice of nursing as a licensed practical nurse. 1393
1394
1395
1396
- (F) "The practice of nursing as a licensed practical nurse" means providing to individuals and groups nursing care requiring the application of basic knowledge of the biological, physical, behavioral, social, and nursing sciences at the direction of a registered nurse or any of the following who is authorized to practice in this state: a physician, physician assistant, dentist, podiatrist, optometrist, or chiropractor. Such nursing care includes: 1397
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1404
- (1) Observation, patient teaching, and care in a diversity 1405

of health care settings; 1406

(2) Contributions to the planning, implementation, and 1407
evaluation of nursing; 1408

(3) Administration of medications and treatments 1409
authorized by an individual who is authorized to practice in 1410
this state and is acting within the course of the individual's 1411
professional practice; 1412

(4) ~~Administration to an adult~~ Performance of intravenous 1413
~~therapy authorized by an individual who is authorized to~~ 1414
~~practice in this state and is acting within the course of the~~ 1415
~~individual's professional practice, on the condition that the~~ 1416
~~licensed practical nurse is authorized under section 4723.18 or~~ 1417
~~4723.181 of the Revised Code to perform intravenous therapy and~~ 1418
~~performs intravenous therapy procedures, but only in accordance~~ 1419
with ~~those~~ sections 4723.18 and 4723.181 of the Revised Code; 1420

(5) Delegation of nursing tasks as directed by a 1421
registered nurse; 1422

(6) Teaching nursing tasks to licensed practical nurses 1423
and individuals to whom the licensed practical nurse is 1424
authorized to delegate nursing tasks as directed by a registered 1425
nurse. 1426

(G) "Certified registered nurse anesthetist" means an 1427
advanced practice registered nurse who holds a current, valid 1428
license issued under this chapter and is designated as a 1429
certified registered nurse anesthetist in accordance with 1430
section 4723.42 of the Revised Code and rules adopted by the 1431
board of nursing. 1432

(H) "Clinical nurse specialist" means an advanced practice 1433
registered nurse who holds a current, valid license issued under 1434

this chapter and is designated as a clinical nurse specialist in 1435
accordance with section 4723.42 of the Revised Code and rules 1436
adopted by the board of nursing. 1437

(I) "Certified nurse-midwife" means an advanced practice 1438
registered nurse who holds a current, valid license issued under 1439
this chapter and is designated as a certified nurse-midwife in 1440
accordance with section 4723.42 of the Revised Code and rules 1441
adopted by the board of nursing. 1442

(J) "Certified nurse practitioner" means an advanced 1443
practice registered nurse who holds a current, valid license 1444
issued under this chapter and is designated as a certified nurse 1445
practitioner in accordance with section 4723.42 of the Revised 1446
Code and rules adopted by the board of nursing. 1447

(K) "Physician" means an individual authorized under 1448
Chapter 4731. of the Revised Code to practice medicine and 1449
surgery or osteopathic medicine and surgery. 1450

(L) "Collaboration" or "collaborating" means the 1451
following: 1452

(1) In the case of a clinical nurse specialist or a 1453
certified nurse practitioner, that one or more podiatrists 1454
acting within the scope of practice of podiatry in accordance 1455
with section 4731.51 of the Revised Code and with whom the nurse 1456
has entered into a standard care arrangement or one or more 1457
physicians with whom the nurse has entered into a standard care 1458
arrangement are continuously available to communicate with the 1459
clinical nurse specialist or certified nurse practitioner either 1460
in person or by electronic communication; 1461

(2) In the case of a certified nurse-midwife, that one or 1462
more physicians with whom the certified nurse-midwife has 1463

entered into a standard care arrangement are continuously 1464
available to communicate with the certified nurse-midwife either 1465
in person or by electronic communication. 1466

(M) "Supervision," as it pertains to a certified 1467
registered nurse anesthetist, means that the certified 1468
registered nurse anesthetist is under the direction of a 1469
podiatrist acting within the podiatrist's scope of practice in 1470
accordance with section 4731.51 of the Revised Code, a dentist 1471
acting within the dentist's scope of practice in accordance with 1472
Chapter 4715. of the Revised Code, or a physician, and, when 1473
administering anesthesia, the certified registered nurse 1474
anesthetist is in the immediate presence of the podiatrist, 1475
dentist, or physician. 1476

(N) "Standard care arrangement" means a written, formal 1477
guide for planning and evaluating a patient's health care that 1478
is developed by one or more collaborating physicians or 1479
podiatrists and a clinical nurse specialist, certified nurse- 1480
midwife, or certified nurse practitioner and meets the 1481
requirements of section 4723.431 of the Revised Code. 1482

(O) "Advanced practice registered nurse" means an 1483
individual who holds a current, valid license issued under this 1484
chapter that authorizes the practice of nursing as an advanced 1485
practice registered nurse and is designated as any of the 1486
following: 1487

- (1) A certified registered nurse anesthetist; 1488
- (2) A clinical nurse specialist; 1489
- (3) A certified nurse-midwife; 1490
- (4) A certified nurse practitioner. 1491

(P) "Practice of nursing as an advanced practice 1492
registered nurse" means providing to individuals and groups 1493
nursing care that requires knowledge and skill obtained from 1494
advanced formal education, training, and clinical experience. 1495
Such nursing care includes the care described in section 4723.43 1496
of the Revised Code. 1497

(Q) "Dialysis care" means the care and procedures that a 1498
dialysis technician or dialysis technician intern is authorized 1499
to provide and perform, as specified in section 4723.72 of the 1500
Revised Code. 1501

(R) "Dialysis technician" means an individual who holds a 1502
current, valid certificate to practice as a dialysis technician 1503
issued under section 4723.75 of the Revised Code. 1504

(S) "Dialysis technician intern" means an individual who 1505
has not passed the dialysis technician certification examination 1506
required by section 4723.751 of the Revised Code, but who has 1507
successfully completed a dialysis training program approved by 1508
the board of nursing under section 4723.74 of the Revised Code 1509
within the previous eighteen months. 1510

(T) "Certified community health worker" means an 1511
individual who holds a current, valid certificate as a community 1512
health worker issued under section 4723.85 of the Revised Code. 1513

(U) "Medication aide" means an individual who holds a 1514
current, valid certificate issued under this chapter that 1515
authorizes the individual to administer medication in accordance 1516
with section 4723.67 of the Revised Code; 1517

(V) "Nursing specialty" means a specialty in practice as a 1518
certified registered nurse anesthetist, clinical nurse 1519
specialist, certified nurse-midwife, or certified nurse 1520

practitioner. 1521

(W) "Physician assistant" means an individual who is 1522
licensed to practice as a physician assistant under Chapter 1523
4730. of the Revised Code. 1524

Sec. 4723.063. (A) As used in this section: 1525

(1) "Health care facility" means: 1526

(a) A hospital ~~as defined in section~~ licensed under 1527
Chapter 3722.01 of the Revised Code; 1528

(b) A nursing home licensed under section 3721.02 of the 1529
Revised Code, or by a political subdivision certified under 1530
section 3721.09 of the Revised Code; 1531

(c) A county home or a county nursing home as defined in 1532
section 5155.31 of the Revised Code that is certified under 1533
Title XVIII or XIX of the "Social Security Act," 49 Stat. 620 1534
(1935), 42 U.S.C. 301, as amended; 1535

(d) A freestanding dialysis center; 1536

(e) A freestanding inpatient rehabilitation facility; 1537

(f) An ambulatory surgical facility; 1538

(g) A freestanding cardiac catheterization facility; 1539

(h) A freestanding birthing center; 1540

(i) A freestanding or mobile diagnostic imaging center; 1541

(j) A freestanding radiation therapy center. 1542

(2) "~~Nurse~~ Nursing education program" means a prelicensure 1543
~~nurse-nursing~~ education program approved by the board of nursing 1544
under section 4723.06 of the Revised Code or a postlicensure 1545
~~nurse-nursing~~ education program approved by the chancellor of 1546

higher education under section 3333.04 of the Revised Code. 1547

(B) The ~~state~~ board of nursing shall establish and 1548
administer the nurse education grant program. Under the program, 1549
the board shall award grants to ~~nurse-nursing~~ education programs 1550
that have partnerships with other education programs, community 1551
health agencies, health care facilities, or patient centered 1552
medical homes. Grant recipients shall use the money to fund 1553
partnerships to increase the nurse education program's 1554
enrollment capacity. Methods of increasing a program's 1555
enrollment capacity may include hiring faculty and preceptors, 1556
purchasing educational equipment and materials, and other 1557
actions acceptable to the board. Grant money shall not be used 1558
to construct or renovate buildings. Partnerships may be 1559
developed between one or more ~~nurse-nursing~~ education programs 1560
and one or more health care facilities. 1561

In awarding grants, the board shall give preference to 1562
partnerships between ~~nurse-nursing~~ education programs and 1563
hospitals, nursing homes, and county homes or county nursing 1564
homes, but may also award grants to fund partnerships between 1565
~~nurse-nursing~~ education programs and other health care 1566
facilities and between ~~nurse-nursing~~ education programs and 1567
patient centered medical homes. 1568

(C) The board shall adopt rules in accordance with Chapter 1569
119. of the Revised Code establishing the following: 1570

(1) Eligibility requirements for receipt of a grant; 1571

(2) Grant application forms and procedures; 1572

(3) The amounts in which grants may be made and the total 1573
amount that may be awarded to a ~~nurse-nursing~~ education program 1574
that has a partnership with other education programs, a 1575

community health agency, a health care facility, or a patient 1576
centered medical home; 1577

(4) A method whereby the board may evaluate the 1578
effectiveness of a partnership between joint recipients in 1579
increasing the ~~nurse~~nursing education program's enrollment 1580
capacity; 1581

(5) The percentage of the money in the fund that must 1582
remain in the fund at all times to maintain a fiscally 1583
responsible fund balance; 1584

(6) The percentage of available grants to be awarded to 1585
licensed practical nurse education programs, registered nurse 1586
education programs, and graduate programs; 1587

(7) Any other matters incidental to the operation of the 1588
program. 1589

(D) Until December 31, 2033, ten dollars of each nursing 1590
license renewal fee collected under section 4723.08 of the 1591
Revised Code shall be dedicated to the nurse education grant 1592
program fund, which is hereby created in the state treasury. The 1593
board shall use money in the fund for grants awarded under 1594
division ~~(A)~~(B) of this section and for expenses of 1595
administering the grant program. The amount used for 1596
administrative expenses in any year shall not exceed ten per 1597
cent of the amount transferred to the fund in that year. 1598

(E) Each quarter, for the purposes of transferring funds 1599
to the nurse education grant program, the board of nursing shall 1600
certify to the director of budget and management the number of 1601
licenses renewed under this chapter during the preceding quarter 1602
and the amount equal to that number times ten dollars. 1603

(F) Notwithstanding the requirements of section 4743.05 of 1604

the Revised Code, from January 1, 2004, until December 31, 2033, 1605
at the end of each quarter, the director of budget and 1606
management shall transfer from the occupational licensing and 1607
regulatory fund to the nurse education grant program fund the 1608
amount certified under division (E) of this section. 1609

Sec. 4723.18. (A) Except ~~as provided in the case of an~~ 1610
intravenous therapy procedure that may be performed under 1611
section 4723.181 of the Revised Code ~~and subject to the~~ 1612
~~restrictions in division (C) of this section,~~ a licensed 1613
practical nurse may perform intravenous therapy on an adult 1614
patient, subject to the restrictions in division (C) of this 1615
section, only at the direction of one of the following: 1616

(1) A registered nurse in accordance with division (B) of 1617
this section; 1618

(2) A physician, physician assistant, dentist, 1619
optometrist, or podiatrist who is authorized to practice in this 1620
state and, except as provided in division (B) (2) of this 1621
section, is present and readily available at the facility where 1622
the intravenous therapy procedure is performed. 1623

~~(2) A registered nurse in accordance with division (B) of~~ 1624
~~this section.~~ 1625

(B) (1) Except as provided in division (B) (2) of this 1626
section ~~and section 4723.181 of the Revised Code,~~ when a 1627
licensed practical nurse performs an intravenous therapy 1628
procedure under this section at the direction of a registered 1629
nurse, the registered nurse or another registered nurse shall be 1630
readily available at the site where the intravenous therapy is 1631
performed, and before the licensed practical nurse initiates the 1632
intravenous therapy, the registered nurse shall personally 1633

perform an on-site assessment of the adult patient who is to 1634
receive the intravenous therapy. 1635

(2) When a licensed practical nurse performs an 1636
intravenous therapy procedure in a home as defined in section 1637
3721.10 of the Revised Code, or in an intermediate care facility 1638
for individuals with intellectual disabilities as defined in 1639
section 5124.01 of the Revised Code, at the direction of a 1640
registered nurse or ~~licensed~~ at the direction of a physician, 1641
physician assistant, dentist, optometrist, or podiatrist who is 1642
authorized to practice in this state, a registered nurse shall 1643
be on the premises of the home or facility or accessible by some 1644
form of telecommunication. 1645

(C) No licensed practical nurse shall perform any of the 1646
following intravenous therapy procedures: 1647

(1) Initiating or maintaining any of the following: 1648

- (a) Blood or blood components; 1649
- (b) Solutions for total parenteral nutrition; 1650
- (c) Any cancer therapeutic medication including, but not 1651
limited to, cancer chemotherapy or an anti-neoplastic agent; 1652
- (d) Solutions administered through any central venous line 1653
or arterial line or any other line that does not terminate in a 1654
peripheral vein, except that a licensed practical nurse may 1655
maintain the solutions specified in division (C) (6) (a) of this 1656
section that are being administered through a central venous 1657
line or peripherally inserted central catheter; 1658
- (e) Any investigational or experimental medication. 1659

(2) Initiating intravenous therapy in any vein, except 1660
that a licensed practical nurse may initiate intravenous therapy 1661

in accordance with this section in a vein of the hand, forearm, 1662
or antecubital fossa; 1663

(3) Discontinuing a central venous, arterial, or any other 1664
line that does not terminate in a peripheral vein; 1665

(4) Initiating or discontinuing a peripherally inserted 1666
central catheter; 1667

(5) Mixing, preparing, or reconstituting any medication 1668
for intravenous therapy, except that a licensed practical nurse 1669
may prepare or reconstitute an antibiotic additive; 1670

(6) Administering medication via the intravenous route, 1671
including all of the following activities: 1672

(a) Adding medication to an intravenous solution or to an 1673
existing infusion, except that a licensed practical nurse may do 1674
any of the following: 1675

(i) Initiate an intravenous infusion containing one or 1676
more of the following elements: dextrose 5%, normal saline, 1677
lactated ringers, sodium chloride.45%, sodium chloride 0.2%, 1678
sterile water; 1679

(ii) Hang subsequent containers of the intravenous 1680
solutions specified in division (C) (6) (a) (i) of this section 1681
that contain vitamins or electrolytes, if a registered nurse 1682
initiated the infusion of that same intravenous solution; 1683

(iii) Initiate or maintain an intravenous infusion 1684
containing an antibiotic additive. 1685

(b) Injecting medication via a direct intravenous route, 1686
except that a licensed practical nurse may inject heparin or 1687
normal saline to flush an intermittent infusion device or 1688
heparin lock including, but not limited to, bolus or push. 1689

(7) Changing tubing on any line including, but not limited 1690
to, an arterial line or a central venous line, except that a 1691
licensed practical nurse may change tubing on an intravenous 1692
line that terminates in a peripheral vein; 1693

(8) Programming or setting any function of a patient 1694
controlled infusion pump. 1695

(D) Notwithstanding divisions (B) and (C) of this section, 1696
at the direction of a registered nurse or at the direction of a 1697
~~physician or a registered nurse~~, a licensed practical nurse may 1698
perform the following activities for the purpose of performing 1699
dialysis: 1700

(1) The routine administration and regulation of saline 1701
solution for the purpose of maintaining an established fluid 1702
plan; 1703

(2) The administration of a heparin dose intravenously; 1704

(3) The administration of a heparin dose peripherally via 1705
a fistula needle; 1706

(4) The loading and activation of a constant infusion 1707
pump; 1708

(5) The intermittent injection of a dose of medication 1709
that is administered via the hemodialysis blood circuit and 1710
through the patient's venous access. 1711

Sec. 4723.181. (A) A licensed practical nurse may perform 1712
on any person, whether an adult or pediatric patient, any of the 1713
intravenous therapy procedures specified in division (B) of this 1714
section if both of the following apply: 1715

(1) The licensed practical nurse acts at the direction of 1716
a registered nurse or at the direction of a physician, physician 1717

assistant, dentist, optometrist, or podiatrist who is authorized 1718
to practice in this state and the registered nurse, physician, 1719
physician assistant, dentist, optometrist, or podiatrist is on 1720
the premises where the procedure is to be performed or 1721
accessible by some form of telecommunication. 1722

(2) The licensed practical nurse can demonstrate the 1723
knowledge, skills, and ability to perform the procedure safely. 1724

(B) The intravenous therapy procedures that a licensed 1725
practical nurse may perform pursuant to division (A) of this 1726
section are limited to the following: 1727

(1) Verification of the type of peripheral intravenous 1728
solution being administered; 1729

(2) Examination of a peripheral infusion site and the 1730
extremity for possible infiltration; 1731

(3) Regulation of a peripheral intravenous infusion 1732
according to the prescribed flow rate; 1733

(4) Discontinuation of a peripheral intravenous device at 1734
the appropriate time; 1735

(5) Performance of routine dressing changes at the 1736
insertion site of a peripheral venous or arterial infusion, 1737
peripherally inserted central catheter infusion, or central 1738
venous pressure subclavian infusion. 1739

Sec. 4723.28. ~~(A)~~—The board of nursing, by a vote of a 1740
quorum, may impose one or more of the following sanctions 1741
pursuant to divisions (A) and (B) of this section: deny, revoke, 1742
suspend, or place restrictions on any nursing license or 1743
dialysis technician certificate issued by the board; reprimand 1744
or otherwise discipline a holder of a nursing license or 1745

dialysis technician certificate; or impose a fine of not more 1746
than five hundred dollars per violation. 1747

(A) One or more of the sanctions authorized by this 1748
section may be imposed by the board if it finds that either of 1749
the following: 1750

(1) That a person committed fraud in passing an 1751
examination required to obtain a license or dialysis technician 1752
certificate issued by the board ~~or to have;~~ 1753

(2) That a person committed fraud, misrepresentation, or 1754
deception in applying for or securing any nursing license or 1755
dialysis technician certificate issued by the board: ~~deny,~~ 1756
~~revoke, suspend, or place restrictions on any nursing license or~~ 1757
~~dialysis technician certificate issued by the board; reprimand~~ 1758
~~or otherwise discipline a holder of a nursing license or~~ 1759
~~dialysis technician certificate; or impose a fine of not more~~ 1760
~~than five hundred dollars per violation.~~ 1761

(B) Except as provided in section 4723.092 of the Revised 1762
Code, ~~the board of nursing, by a vote of a quorum, may impose~~ 1763
one or more of the ~~following sanctions: deny, revoke, suspend,~~ 1764
~~or place restrictions on any nursing license or dialysis~~ 1765
~~technician certificate issued by the board; reprimand or~~ 1766
~~otherwise discipline a holder of a nursing license or dialysis~~ 1767
~~technician certificate; or impose a fine of not more than five~~ 1768
~~hundred dollars per violation. The sanctions authorized by this~~ 1769
section may be imposed by the board for any of the following: 1770

(1) Denial, revocation, suspension, or restriction of 1771
authority to engage in a licensed profession or practice a 1772
health care occupation, including nursing or practice as a 1773
dialysis technician, for any reason other than a failure to 1774

renew, in Ohio or another state or jurisdiction; 1775

(2) Engaging in the practice of nursing or engaging in 1776
practice as a dialysis technician, having failed to renew a 1777
nursing license or dialysis technician certificate issued under 1778
this chapter, or while a nursing license or dialysis technician 1779
certificate is under suspension; 1780

(3) Conviction of, a plea of guilty to, a judicial finding 1781
of guilt of, a judicial finding of guilt resulting from a plea 1782
of no contest to, or a judicial finding of eligibility for a 1783
pretrial diversion or similar program or for intervention in 1784
lieu of conviction for, a misdemeanor committed in the course of 1785
practice; 1786

(4) Conviction of, a plea of guilty to, a judicial finding 1787
of guilt of, a judicial finding of guilt resulting from a plea 1788
of no contest to, or a judicial finding of eligibility for a 1789
pretrial diversion or similar program or for intervention in 1790
lieu of conviction for, any felony or of any crime involving 1791
gross immorality or moral turpitude; 1792

(5) Selling, giving away, or administering drugs or 1793
therapeutic devices for other than legal and legitimate 1794
therapeutic purposes; or conviction of, a plea of guilty to, a 1795
judicial finding of guilt of, a judicial finding of guilt 1796
resulting from a plea of no contest to, or a judicial finding of 1797
eligibility for a pretrial diversion or similar program or for 1798
intervention in lieu of conviction for, violating any municipal, 1799
state, county, or federal drug law; 1800

(6) Conviction of, a plea of guilty to, a judicial finding 1801
of guilt of, a judicial finding of guilt resulting from a plea 1802
of no contest to, or a judicial finding of eligibility for a 1803

pretrial diversion or similar program or for intervention in 1804
lieu of conviction for, an act in another jurisdiction that 1805
would constitute a felony or a crime of moral turpitude in Ohio; 1806

(7) Conviction of, a plea of guilty to, a judicial finding 1807
of guilt of, a judicial finding of guilt resulting from a plea 1808
of no contest to, or a judicial finding of eligibility for a 1809
pretrial diversion or similar program or for intervention in 1810
lieu of conviction for, an act in the course of practice in 1811
another jurisdiction that would constitute a misdemeanor in 1812
Ohio; 1813

(8) Self-administering or otherwise taking into the body 1814
any dangerous drug, as defined in section 4729.01 of the Revised 1815
Code, in any way that is not in accordance with a legal, valid 1816
prescription issued for that individual, or self-administering 1817
or otherwise taking into the body any drug that is a schedule I 1818
controlled substance; 1819

(9) Habitual or excessive use of controlled substances, 1820
other habit-forming drugs, or alcohol or other chemical 1821
substances to an extent that impairs the individual's ability to 1822
provide safe nursing care or safe dialysis care; 1823

(10) Impairment of the ability to practice according to 1824
acceptable and prevailing standards of safe nursing care or safe 1825
dialysis care because of the use of drugs, alcohol, or other 1826
chemical substances; 1827

(11) Impairment of the ability to practice according to 1828
acceptable and prevailing standards of safe nursing care or safe 1829
dialysis care because of a physical or mental disability; 1830

(12) Assaulting or causing harm to a patient or depriving 1831
a patient of the means to summon assistance; 1832

(13) Misappropriation or attempted misappropriation of	1833
money or anything of value in the course of practice;	1834
(14) Adjudication by a probate court of being mentally ill	1835
or mentally incompetent. The board may reinstate the person's	1836
nursing license or dialysis technician certificate upon	1837
adjudication by a probate court of the person's restoration to	1838
competency or upon submission to the board of other proof of	1839
competency.	1840
(15) The suspension or termination of employment by the	1841
United States department of defense or department of veterans	1842
affairs for any act that violates or would violate this chapter;	1843
(16) Violation of this chapter or any rules adopted under	1844
it;	1845
(17) Violation of any restrictions placed by the board on	1846
a nursing license or dialysis technician certificate;	1847
(18) Failure to use universal and standard precautions	1848
established by rules adopted under section 4723.07 of the	1849
Revised Code;	1850
(19) Failure to practice in accordance with acceptable and	1851
prevailing standards of safe nursing care or safe dialysis care;	1852
(20) In the case of a registered nurse, engaging in	1853
activities that exceed the practice of nursing as a registered	1854
nurse;	1855
(21) In the case of a licensed practical nurse, engaging	1856
in activities that exceed the practice of nursing as a licensed	1857
practical nurse;	1858
(22) In the case of a dialysis technician, engaging in	1859
activities that exceed those permitted under section 4723.72 of	1860

the Revised Code; 1861

(23) Aiding and abetting a person in that person's 1862
practice of nursing without a license or practice as a dialysis 1863
technician without a certificate issued under this chapter; 1864

(24) In the case of an advanced practice registered nurse, 1865
except as provided in division (M) of this section, either of 1866
the following: 1867

(a) Waiving the payment of all or any part of a deductible 1868
or copayment that a patient, pursuant to a health insurance or 1869
health care policy, contract, or plan that covers such nursing 1870
services, would otherwise be required to pay if the waiver is 1871
used as an enticement to a patient or group of patients to 1872
receive health care services from that provider; 1873

(b) Advertising that the nurse will waive the payment of 1874
all or any part of a deductible or copayment that a patient, 1875
pursuant to a health insurance or health care policy, contract, 1876
or plan that covers such nursing services, would otherwise be 1877
required to pay. 1878

(25) Failure to comply with the terms and conditions of 1879
participation in the safe haven program conducted under sections 1880
4723.35 and 4723.351 of the Revised Code; 1881

(26) Failure to comply with the terms and conditions 1882
required under the practice intervention and improvement program 1883
established under section 4723.282 of the Revised Code; 1884

(27) In the case of an advanced practice registered nurse: 1885

(a) Engaging in activities that exceed those permitted for 1886
the nurse's nursing specialty under section 4723.43 of the 1887
Revised Code; 1888

(b) Failure to meet the quality assurance standards	1889
established under section 4723.07 of the Revised Code.	1890
(28) In the case of an advanced practice registered nurse	1891
other than a certified registered nurse anesthetist, failure to	1892
maintain a standard care arrangement in accordance with section	1893
4723.431 of the Revised Code or to practice in accordance with	1894
the standard care arrangement;	1895
(29) In the case of an advanced practice registered nurse	1896
who is designated as a clinical nurse specialist, certified	1897
nurse-midwife, or certified nurse practitioner, failure to	1898
prescribe drugs and therapeutic devices in accordance with	1899
section 4723.481 of the Revised Code;	1900
(30) Prescribing any drug or device to perform or induce	1901
an abortion, or otherwise performing or inducing an abortion;	1902
(31) Failure to establish and maintain professional	1903
boundaries with a patient, as specified in rules adopted under	1904
section 4723.07 of the Revised Code;	1905
(32) Regardless of whether the contact or verbal behavior	1906
is consensual, engaging with a patient other than the spouse of	1907
the registered nurse, licensed practical nurse, or dialysis	1908
technician in any of the following:	1909
(a) Sexual contact, as defined in section 2907.01 of the	1910
Revised Code;	1911
(b) Verbal behavior that is sexually demeaning to the	1912
patient or may be reasonably interpreted by the patient as	1913
sexually demeaning.	1914
(33) Assisting suicide, as defined in section 3795.01 of	1915
the Revised Code;	1916

(34) Failure to comply with the requirements in section 1917
3719.061 of the Revised Code before issuing for a minor a 1918
prescription for an opioid analgesic, as defined in section 1919
3719.01 of the Revised Code; 1920

(35) Failure to comply with section 4723.487 of the 1921
Revised Code, unless the state board of pharmacy no longer 1922
maintains a drug database pursuant to section 4729.75 of the 1923
Revised Code; 1924

(36) The revocation, suspension, restriction, reduction, 1925
or termination of clinical privileges by the United States 1926
department of defense or department of veterans affairs or the 1927
termination or suspension of a certificate of registration to 1928
prescribe drugs by the drug enforcement administration of the 1929
United States department of justice; 1930

(37) In the case of an advanced practice registered nurse 1931
who is designated as a clinical nurse specialist, certified 1932
nurse-midwife, or certified nurse practitioner, failure to 1933
comply with the terms of a consult agreement entered into with a 1934
pharmacist pursuant to section 4729.39 of the Revised Code; 1935

(38) Violation of section 4723.93 of the Revised Code; 1936

(39) Failure to cooperate with an investigation conducted 1937
by the board under this chapter, including failure to comply 1938
with a subpoena or order issued by the board or failure to 1939
answer truthfully a question presented by the board in an 1940
investigative interview, in an investigative office conference, 1941
at a deposition, or in written interrogatories, except that 1942
failure to cooperate with an investigation does not constitute 1943
grounds for discipline if a court of competent jurisdiction has 1944
issued an order that either quashes a subpoena or permits the 1945

individual to withhold testimony or evidence at issue. 1946

(C) Disciplinary actions taken by the board under 1947
divisions (A) and (B) of this section shall be taken pursuant to 1948
an adjudication conducted under Chapter 119. of the Revised 1949
Code, except that in lieu of a hearing, the board may enter into 1950
a consent agreement with an individual to resolve an allegation 1951
of a violation of this chapter or any rule adopted under it. A 1952
consent agreement, when ratified by a vote of a quorum, shall 1953
constitute the findings and order of the board with respect to 1954
the matter addressed in the agreement. If the board refuses to 1955
ratify a consent agreement, the admissions and findings 1956
contained in the agreement shall be of no effect. 1957

(D) The hearings of the board shall be conducted in 1958
accordance with Chapter 119. of the Revised Code, the board may 1959
appoint a hearing examiner, as provided in section 119.09 of the 1960
Revised Code, to conduct any hearing the board is authorized to 1961
hold under Chapter 119. of the Revised Code. 1962

In any instance in which the board is required under 1963
Chapter 119. of the Revised Code to give notice of an 1964
opportunity for a hearing and the applicant, licensee, or 1965
certificate holder does not make a timely request for a hearing 1966
in accordance with section 119.07 of the Revised Code, the board 1967
is not required to hold a hearing, but may adopt, by a vote of a 1968
quorum, a final order that contains the board's findings. In the 1969
final order, the board may order any of the sanctions ~~listed in~~ 1970
~~division (A) or (B) of~~ authorized by this section. 1971

(E) If a criminal action is brought against a registered 1972
nurse, licensed practical nurse, or dialysis technician for an 1973
act or crime described in divisions (B) (3) to (7) of this 1974
section and the action is dismissed by the trial court other 1975

than on the merits, the board shall conduct an adjudication to 1976
determine whether the registered nurse, licensed practical 1977
nurse, or dialysis technician committed the act on which the 1978
action was based. If the board determines on the basis of the 1979
adjudication that the registered nurse, licensed practical 1980
nurse, or dialysis technician committed the act, or if the 1981
registered nurse, licensed practical nurse, or dialysis 1982
technician fails to participate in the adjudication, the board 1983
may take action as though the registered nurse, licensed 1984
practical nurse, or dialysis technician had been convicted of 1985
the act. 1986

If the board takes action on the basis of a conviction, 1987
plea, or a judicial finding as described in divisions (B) (3) to 1988
(7) of this section that is overturned on appeal, the registered 1989
nurse, licensed practical nurse, or dialysis technician may, on 1990
exhaustion of the appeal process, petition the board for 1991
reconsideration of its action. On receipt of the petition and 1992
supporting court documents, the board shall temporarily rescind 1993
its action. If the board determines that the decision on appeal 1994
was a decision on the merits, it shall permanently rescind its 1995
action. If the board determines that the decision on appeal was 1996
not a decision on the merits, it shall conduct an adjudication 1997
to determine whether the registered nurse, licensed practical 1998
nurse, or dialysis technician committed the act on which the 1999
original conviction, plea, or judicial finding was based. If the 2000
board determines on the basis of the adjudication that the 2001
registered nurse, licensed practical nurse, or dialysis 2002
technician committed such act, or if the registered nurse, 2003
licensed practical nurse, or dialysis technician does not 2004
request an adjudication, the board shall reinstate its action; 2005
otherwise, the board shall permanently rescind its action. 2006

Notwithstanding the provision of division (D) (2) of 2007
section 2953.32 or division (F) (1) of section 2953.39 of the 2008
Revised Code specifying that if records pertaining to a criminal 2009
case are sealed or expunged under that section the proceedings 2010
in the case shall be deemed not to have occurred, sealing or 2011
expungement of the following records on which the board has 2012
based an action under this section shall have no effect on the 2013
board's action or any sanction imposed by the board under this 2014
section: records of any conviction, guilty plea, judicial 2015
finding of guilt resulting from a plea of no contest, or a 2016
judicial finding of eligibility for a pretrial diversion program 2017
or intervention in lieu of conviction. 2018

The board shall not be required to seal, destroy, redact, 2019
or otherwise modify its records to reflect the court's sealing 2020
or expungement of conviction records. 2021

(F) The board may investigate an individual's criminal 2022
background in performing its duties under this section. As part 2023
of such investigation, the board may order the individual to 2024
submit, at the individual's expense, a request to the bureau of 2025
criminal identification and investigation for a criminal records 2026
check and check of federal bureau of investigation records in 2027
accordance with the procedure described in section 4723.091 of 2028
the Revised Code. 2029

(G) During the course of an investigation conducted under 2030
this section, the board may compel any registered nurse, 2031
licensed practical nurse, or dialysis technician or applicant 2032
under this chapter to submit to a mental or physical 2033
examination, or both, as required by the board and at the 2034
expense of the individual, if the board finds reason to believe 2035
that the individual under investigation may have a physical or 2036

mental impairment that may affect the individual's ability to 2037
provide safe nursing or dialysis care. 2038

The board shall not compel an individual who has been 2039
referred to the safe haven program as described in sections 2040
4723.35 and 4723.351 of the Revised Code to submit to a mental 2041
or physical examination. 2042

Failure of any individual to submit to a mental or 2043
physical examination when directed constitutes an admission of 2044
the allegations, unless the failure is due to circumstances 2045
beyond the individual's control, and a default and final order 2046
may be entered without the taking of testimony or presentation 2047
of evidence. 2048

If the board finds that an individual is impaired, the 2049
board shall require the individual to submit to care, 2050
counseling, or treatment approved or designated by the board, as 2051
a condition for initial, continued, reinstated, or renewed 2052
authority to practice. The individual shall be afforded an 2053
opportunity to demonstrate to the board that the individual can 2054
begin or resume the individual's occupation in compliance with 2055
acceptable and prevailing standards of care under the provisions 2056
of the individual's authority to practice. 2057

For purposes of this division, any registered nurse, 2058
licensed practical nurse, or dialysis technician or applicant 2059
under this chapter shall be deemed to have given consent to 2060
submit to a mental or physical examination when directed to do 2061
so in writing by the board, and to have waived all objections to 2062
the admissibility of testimony or examination reports that 2063
constitute a privileged communication. 2064

(H) The board shall investigate evidence that appears to 2065

show that any person has violated any provision of this chapter 2066
or any rule of the board. Any person may report to the board any 2067
information the person may have that appears to show a violation 2068
of any provision of this chapter or rule of the board. In the 2069
absence of bad faith, any person who reports such information or 2070
who testifies before the board in any adjudication conducted 2071
under Chapter 119. of the Revised Code shall not be liable for 2072
civil damages as a result of the report or testimony. 2073

(I) All of the following apply under this chapter with 2074
respect to the confidentiality of information: 2075

(1) Information received by the board pursuant to a 2076
complaint or an investigation is confidential and not subject to 2077
discovery in any civil action, except that the board may 2078
disclose information to law enforcement officers and government 2079
entities for purposes of an investigation of either a licensed 2080
health care professional, including a registered nurse, licensed 2081
practical nurse, or dialysis technician, or a person who may 2082
have engaged in the unauthorized practice of nursing or dialysis 2083
care. No law enforcement officer or government entity with 2084
knowledge of any information disclosed by the board pursuant to 2085
this division shall divulge the information to any other person 2086
or government entity except for the purpose of a government 2087
investigation, a prosecution, or an adjudication by a court or 2088
government entity. 2089

(2) If an investigation requires a review of patient 2090
records, the investigation and proceeding shall be conducted in 2091
such a manner as to protect patient confidentiality. 2092

(3) All adjudications and investigations of the board 2093
shall be considered civil actions for the purposes of section 2094
2305.252 of the Revised Code. 2095

(4) Any board activity that involves continued monitoring 2096
of an individual as part of or following any disciplinary action 2097
taken under this section shall be conducted in a manner that 2098
maintains the individual's confidentiality. Information received 2099
or maintained by the board with respect to the board's 2100
monitoring activities is not subject to discovery in any civil 2101
action and is confidential, except that the board may disclose 2102
information to law enforcement officers and government entities 2103
for purposes of an investigation of a licensee or certificate 2104
holder. 2105

(J) Any action taken by the board under this section 2106
resulting in a suspension from practice shall be accompanied by 2107
a written statement of the conditions under which the person may 2108
be reinstated to practice. 2109

(K) When the board refuses to grant a license or 2110
certificate to an applicant, revokes a license or certificate, 2111
or refuses to reinstate a license or certificate, the board may 2112
specify that its action is permanent. An individual subject to 2113
permanent action taken by the board is forever ineligible to 2114
hold a license or certificate of the type that was refused or 2115
revoked and the board shall not accept from the individual an 2116
application for reinstatement of the license or certificate or 2117
for a new license or certificate. 2118

(L) No unilateral surrender of a nursing license or 2119
dialysis technician certificate issued under this chapter shall 2120
be effective unless accepted by majority vote of the board. No 2121
application for a nursing license or dialysis technician 2122
certificate issued under this chapter may be withdrawn without a 2123
majority vote of the board. The board's jurisdiction to take 2124
disciplinary action under this section is not removed or limited 2125

when an individual has a license or certificate classified as 2126
inactive or fails to renew a license or certificate. 2127

(M) Sanctions shall not be imposed under division (B) (24) 2128
of this section against any licensee who waives deductibles and 2129
copayments as follows: 2130

(1) In compliance with the health benefit plan that 2131
expressly allows such a practice. Waiver of the deductibles or 2132
copayments shall be made only with the full knowledge and 2133
consent of the plan purchaser, payer, and third-party 2134
administrator. Documentation of the consent shall be made 2135
available to the board upon request. 2136

(2) For professional services rendered to any other person 2137
licensed pursuant to this chapter to the extent allowed by this 2138
chapter and the rules of the board. 2139

Sec. 4723.34. (A) A person or governmental entity that 2140
employs, or contracts directly or through another person or 2141
governmental entity for the provision of services by, registered 2142
nurses, licensed practical nurses, nurses holding multistate 2143
licenses to practice registered or licensed practical nursing 2144
issued pursuant to section 4723.11 of the Revised Code, dialysis 2145
technicians, medication aides, or certified community health 2146
workers and that knows or has reason to believe that a current 2147
or former employee or person providing services under a contract 2148
who holds a license or certificate issued under this chapter 2149
engaged in conduct that would be grounds for disciplinary action 2150
by the board of nursing under this chapter or rules adopted 2151
under it shall report to the board of nursing the name of such 2152
current or former employee or person providing services under a 2153
contract. The report shall be made on the person's or 2154
governmental entity's behalf by an individual licensed or 2155

certified by the board who the person or governmental entity has 2156
designated to make such reports. 2157

A prosecutor in a case described in divisions (B) (3) to 2158
(5) of section 4723.28 of the Revised Code, or in a case where 2159
the trial court issued an order of dismissal upon technical or 2160
procedural grounds of a charge of a misdemeanor committed in the 2161
course of practice, a felony charge, or a charge of gross 2162
immorality or moral turpitude, who knows or has reason to 2163
believe that the person charged is licensed under this chapter 2164
to practice nursing as a registered nurse or as a licensed 2165
practical nurse or holds a certificate issued under this chapter 2166
to practice as a dialysis technician shall notify the board of 2167
nursing of the charge. With regard to certified community health 2168
workers and medication aides, the prosecutor in a case involving 2169
a charge of a misdemeanor committed in the course of employment, 2170
a felony charge, or a charge of gross immorality or moral 2171
turpitude, including a case dismissed on technical or procedural 2172
grounds, who knows or has reason to believe that the person 2173
charged holds a community health worker or medication aide 2174
certificate issued under this chapter shall notify the board of 2175
the charge. 2176

Each notification from a prosecutor shall be made on forms 2177
prescribed and provided by the board. The report shall include 2178
the name and address of the license or certificate holder, the 2179
charge, and the certified court documents recording the action. 2180

(B) If any person or governmental entity fails to provide 2181
a report required by this section, the board may seek an order 2182
from a court of competent jurisdiction compelling submission of 2183
the report. 2184

Sec. 4723.35. (A) As used in this section and section 2185

4723.351 of the Revised Code: 2186

(1) "Applicant" means an individual who has applied for a 2187
license or certificate to practice issued under this chapter. 2188

"Applicant" may include an individual who has been granted 2189
~~authority by the board of nursing a license or certificate under~~ 2190
~~this chapter to practice as one type of practitioner, but has~~ 2191
~~applied under this chapter for authority a license or~~ 2192
~~certificate to practice as another type of practitioner.~~ 2193

(2) "Impaired" or "impairment" means either or both of the 2194
following: 2195

(a) Impairment of the ability to practice as described in 2196
division (B) (10) of section 4723.28 of the Revised Code; 2197

(b) Impairment of the ability to practice as described in 2198
division (B) (11) of section 4723.28 of the Revised Code. 2199

(3) "Practitioner" means an individual ~~authorized who~~ 2200
holds a license or certificate issued under this chapter to 2201
practice as a registered nurse, including as an advanced 2202
practice registered nurse, licensed practical nurse, dialysis 2203
technician, community health worker, or medication aide. 2204

(B) The board of nursing shall establish the safe haven 2205
program to monitor applicants and practitioners who are or may 2206
be impaired, but against whom the board has abstained from 2207
taking disciplinary action. The program is to be conducted by 2208
the monitoring organization under contract with the board as 2209
described in section 4723.351 of the Revised Code. 2210

(C) (1) On the establishment of the program, the board may 2211
transfer to the monitoring organization, in whole or in part, 2212
either or both of the following responsibilities: 2213

(a) The monitoring and oversight of ~~licensees~~ 2214
practitioners as part of the substance use disorder program as 2215
that program existed on or before ~~the effective date of this~~ 2216
~~section~~ September 20, 2024; 2217

(b) The monitoring and oversight of ~~licensees~~ 2218
practitioners under terms specified in a board adjudication 2219
order or consent agreement. 2220

(2) If the board transfers the responsibilities described 2221
in division (C) (1) of this section, both of the following apply: 2222

(a) The monitoring organization shall provide to the board 2223
quarterly reports regarding the compliance of transferred 2224
~~licensees~~practitioners. 2225

(b) The monitoring organization shall immediately report 2226
to the board any ~~licensee~~practitioner who is not in compliance 2227
with the terms and conditions of monitoring. 2228

(D) The board shall refer to the monitoring organization 2229
any applicant or practitioner whose health and effectiveness 2230
show signs of impairment or potential impairment, but only if 2231
the applicant or practitioner meets the eligibility conditions 2232
of division (G) of this section. 2233

(E) Determinations regarding an applicant's or 2234
practitioner's eligibility for admission to, continued 2235
participation in, and successful completion of the safe haven 2236
program shall be made by the monitoring organization in 2237
accordance with rules adopted under section 4723.351 of the 2238
Revised Code. 2239

(F) The board shall abstain from taking disciplinary 2240
action under section 4723.28, 4723.652, or 4723.86 of the 2241
Revised Code against an individual whose health and 2242

effectiveness show signs of impairment or potential impairment, 2243
but who is not currently under the terms of a consent agreement 2244
with the board for impairment or an order issued by the board 2245
for impairment if the individual is participating in the safe 2246
haven program. 2247

An applicant's or practitioner's impairment neither 2248
excuses an applicant or practitioner who has committed other 2249
violations of this chapter nor precludes the board from 2250
investigating or taking disciplinary action against an applicant 2251
or practitioner for other violations of this chapter. 2252

(G) An applicant or practitioner is eligible to 2253
participate in the safe haven program if both of the following 2254
conditions are met: 2255

(1) The applicant or practitioner needs assistance with 2256
impairment or potential impairment. 2257

(2) The applicant or practitioner has an unencumbered 2258
license or certificate to practice and is not currently under 2259
the terms of a consent agreement with the board for impairment 2260
or an order issued by the board for impairment. 2261

Sec. 4723.36. (A) A certified nurse-midwife, certified 2262
nurse practitioner, or clinical nurse specialist may determine 2263
and pronounce an individual's death. 2264

~~(B)(1)~~ (B) A registered nurse who is not described in 2265
division (A) of this section may determine and pronounce an 2266
individual's death, but only if the individual's respiratory and 2267
circulatory functions are not being artificially sustained and, 2268
at the time the determination and pronouncement of death is 2269
made, the registered nurse is providing or supervising the 2270
individual's care through a hospice care program licensed under 2271

Chapter 3712. of the Revised Code or any other entity that 2272
provides palliative care. 2273

~~(2)~~ (C) A ~~registered~~ nurse who determines and pronounces an 2274
individual's death under division ~~(B)~~ ~~(1)~~ (A) or (B) of this 2275
section shall comply with both of the following: 2276

(a) The nurse shall not complete any portion of the 2277
individual's death certificate. 2278

(b) The nurse shall notify the individual's attending 2279
physician, ~~certified nurse-midwife, certified nurse-~~ 2280
~~practitioner, or clinical nurse specialist~~ of the determination 2281
and pronouncement of death in order for the physician, ~~certified~~ 2282
~~nurse-midwife, certified nurse practitioner, or clinical nurse-~~ 2283
~~specialist~~ to fulfill the physician's, ~~certified nurse-~~ 2284
~~midwife's, certified nurse practitioner's, or clinical nurse-~~ 2285
~~specialist's~~ duties under section 3705.16 of the Revised Code. 2286
The nurse shall provide the notification within a period of time 2287
that is reasonable but not later than twenty-four hours 2288
following the determination and pronouncement of the 2289
individual's death. 2290

Sec. 4723.43. A certified registered nurse anesthetist, 2291
clinical nurse specialist, certified nurse-midwife, or certified 2292
nurse practitioner may provide to individuals and groups nursing 2293
care that requires knowledge and skill obtained from advanced 2294
formal education and clinical experience. In providing this 2295
~~capacity nursing care~~ as an advanced practice registered nurse, 2296
a certified nurse-midwife is subject to division (A) of this 2297
section, a certified registered nurse anesthetist is subject to 2298
division (B) of this section, a certified nurse practitioner is 2299
subject to division (C) of this section, and a clinical nurse 2300
specialist is subject to division (D) of this section. 2301

(A) A nurse authorized to practice as a certified nurse- 2302
midwife, in collaboration with one or more physicians, may 2303
provide the management of preventive services and those primary 2304
care services necessary to provide health care to women 2305
antepartally, intrapartally, postpartally, and gynecologically, 2306
consistent with the nurse's education and certification, and in 2307
accordance with rules adopted by the board of nursing. 2308

No certified nurse-midwife may perform version, deliver 2309
breech or face presentation, use forceps, do any obstetric 2310
operation, or treat any other abnormal condition, except in 2311
emergencies. ~~Division (A) of this section~~ This division does not 2312
prohibit a certified nurse-midwife from performing episiotomies 2313
or normal vaginal deliveries, or repairing vaginal tears. A 2314
certified nurse-midwife may, in collaboration with one or more 2315
physicians, prescribe drugs and therapeutic devices in 2316
accordance with section 4723.481 of the Revised Code. 2317

(B) A nurse authorized to practice as a certified 2318
registered nurse anesthetist, consistent with the nurse's 2319
education and certification and in accordance with rules adopted 2320
by the board, may do the following: 2321

(1) With supervision and in the immediate presence of a 2322
physician, podiatrist, or dentist, administer anesthesia and 2323
perform anesthesia induction, maintenance, and emergence; 2324

(2) With supervision, obtain informed consent for 2325
anesthesia care and perform preanesthetic preparation and 2326
evaluation, postanesthetic preparation and evaluation, 2327
postanesthesia care, and, subject to section 4723.433 of the 2328
Revised Code, clinical support functions; 2329

(3) With supervision and in accordance with section 2330

4723.434 of the Revised Code, engage in the activities described 2331
in division (A) of that section. 2332

The physician, podiatrist, or dentist supervising a 2333
certified registered nurse anesthetist must be actively engaged 2334
in practice in this state. When a certified registered nurse 2335
anesthetist is supervised by a podiatrist, the nurse's scope of 2336
practice is limited to the anesthesia procedures that the 2337
podiatrist has the authority under section 4731.51 of the 2338
Revised Code to perform. A certified registered nurse 2339
anesthetist may not administer general anesthesia under the 2340
supervision of a podiatrist in a podiatrist's office. When a 2341
certified registered nurse anesthetist is supervised by a 2342
dentist, the nurse's scope of practice is limited to the 2343
anesthesia procedures that the dentist has the authority under 2344
Chapter 4715. of the Revised Code to perform. 2345

(C) A nurse authorized to practice as a certified nurse 2346
practitioner, in collaboration with one or more physicians or 2347
podiatrists, may provide preventive and primary care services, 2348
provide services for acute illnesses, and evaluate and promote 2349
patient wellness within the nurse's nursing specialty, 2350
consistent with the nurse's education and certification, and in 2351
accordance with rules adopted by the board. A certified nurse 2352
practitioner may, in collaboration with one or more physicians 2353
or podiatrists, prescribe drugs and therapeutic devices in 2354
accordance with section 4723.481 of the Revised Code. 2355

When a certified nurse practitioner is collaborating with 2356
a podiatrist, the nurse's scope of practice is limited to the 2357
procedures that the podiatrist has the authority under section 2358
4731.51 of the Revised Code to perform. 2359

(D) A nurse authorized to practice as a clinical nurse 2360

specialist, in collaboration with one or more physicians or 2361
podiatrists, may provide and manage the care of individuals and 2362
groups with complex health problems and provide health care 2363
services that promote, improve, and manage health care within 2364
the nurse's nursing specialty, consistent with the nurse's 2365
education and in accordance with rules adopted by the board. A 2366
clinical nurse specialist may, in collaboration with one or more 2367
physicians or podiatrists, prescribe drugs and therapeutic 2368
devices in accordance with section 4723.481 of the Revised Code. 2369

When a clinical nurse specialist is collaborating with a 2370
podiatrist, the nurse's scope of practice is limited to the 2371
procedures that the podiatrist has the authority under section 2372
4731.51 of the Revised Code to perform. 2373

Sec. 4723.431. (A) (1) An advanced practice registered 2374
nurse who is designated as a clinical nurse specialist, 2375
certified nurse-midwife, or certified nurse practitioner may 2376
practice only in accordance with a standard care arrangement 2377
entered into with each physician or podiatrist with whom the 2378
nurse collaborates. A copy of the standard care arrangement 2379
shall be retained on file by the nurse's employer. Prior 2380
approval of the standard care arrangement by the board of 2381
nursing is not required, but the board may periodically review 2382
it for compliance with this section. 2383

A clinical nurse specialist, certified nurse-midwife, or 2384
certified nurse practitioner may enter into a standard care 2385
arrangement with one or more collaborating physicians or 2386
podiatrists. If a collaborating physician or podiatrist enters 2387
into standard care arrangements with more than five nurses, the 2388
physician or podiatrist shall not collaborate at the same time 2389
with more than five nurses in the prescribing component of their 2390

practices. 2391

Not later than thirty days after first engaging in the 2392
practice of nursing as a clinical nurse specialist, certified 2393
nurse-midwife, or certified nurse practitioner, the nurse shall 2394
submit to the board the name and business address of each 2395
collaborating physician or podiatrist. Thereafter, the nurse 2396
shall notify the board of any additions or deletions to the 2397
nurse's collaborating physicians or podiatrists. Except as 2398
provided in division (D) of this section, the notice must be 2399
provided not later than thirty days after the change takes 2400
effect. 2401

(2) All of the following conditions apply with respect to 2402
the practice of a collaborating physician or podiatrist with 2403
whom a clinical nurse specialist, certified nurse-midwife, or 2404
certified nurse practitioner may enter into a standard care 2405
arrangement: 2406

(a) The physician or podiatrist must be authorized to 2407
practice in this state. 2408

(b) Except as provided in division (A) (2) (c) of this 2409
section, the physician or podiatrist must be practicing in a 2410
specialty that is the same as or similar to the nurse's nursing 2411
specialty. 2412

(c) If the nurse is a clinical nurse specialist who is 2413
certified as a psychiatric-mental health CNS or the equivalent 2414
of such title by the American nurses credentialing center or a 2415
certified nurse practitioner who is certified as a psychiatric- 2416
mental health NP or the equivalent of such title by the American 2417
nurses credentialing center or American academy of nurse 2418
practitioners certification board, the nurse may enter into a 2419

standard care arrangement with a physician but not a podiatrist 2420
and the collaborating physician must be practicing in one of the 2421
following specialties: 2422

 (i) Psychiatry; 2423

 (ii) Pediatrics; 2424

 (iii) Primary care or family practice. 2425

 (B) A standard care arrangement shall be in writing and 2426
shall contain all of the following: 2427

 (1) Criteria for referral of a patient by the clinical 2428
nurse specialist, certified nurse-midwife, or certified nurse 2429
practitioner to a collaborating physician or podiatrist or 2430
another physician or podiatrist; 2431

 (2) A process for the clinical nurse specialist, certified 2432
nurse-midwife, or certified nurse practitioner to obtain a 2433
consultation with a collaborating physician or podiatrist or 2434
another physician or podiatrist; 2435

 (3) A plan for coverage in instances of emergency or 2436
planned absences of either the clinical nurse specialist, 2437
certified nurse-midwife, or certified nurse practitioner or a 2438
collaborating physician or podiatrist that provides the means 2439
whereby a physician or podiatrist is available for emergency 2440
care; 2441

 (4) The process for resolution of disagreements regarding 2442
matters of patient management between the clinical nurse 2443
specialist, certified nurse-midwife, or certified nurse 2444
practitioner and a collaborating physician or podiatrist; 2445

 (5) An agreement that, if the nurse determines and 2446
pronounces death as provided in section 4723.36 of the Revised 2447

Code, the collaborating physician shall complete and sign the 2448
medical certificate of death pursuant to section 3705.16 of the 2449
Revised Code; 2450

(6) Any other criteria required by rule of the board 2451
adopted pursuant to section 4723.07 or 4723.50 of the Revised 2452
Code. 2453

(C) A standard care arrangement entered into pursuant to 2454
this section may permit a clinical nurse specialist, certified 2455
nurse-midwife, or certified nurse practitioner to do any of the 2456
following: 2457

(1) Supervise services provided by a home health agency as 2458
defined in section 3740.01 of the Revised Code; 2459

(2) Admit a patient to a hospital in accordance with 2460
section 3727.06 of the Revised Code; 2461

(3) Sign any document relating to the admission, 2462
treatment, or discharge of an inpatient receiving psychiatric or 2463
other behavioral health care services, but only if the 2464
conditions of section 4723.436 of the Revised Code have been 2465
met. 2466

(D) (1) Except as provided in division (D) (2) of this 2467
section, if a physician or podiatrist terminates the 2468
collaboration between the physician or podiatrist and a 2469
certified nurse-midwife, certified nurse practitioner, or 2470
clinical nurse specialist before their standard care arrangement 2471
expires, all of the following apply: 2472

(a) The physician or podiatrist must give the nurse 2473
written or electronic notice of the termination. 2474

(b) Once the nurse receives the termination notice, the 2475

nurse must notify the board of nursing of the termination as 2476
soon as practicable by submitting to the board a copy of the 2477
physician's or podiatrist's termination notice. 2478

(c) Notwithstanding the requirement of section 4723.43 of 2479
the Revised Code that the nurse practice in collaboration with a 2480
physician or podiatrist, the nurse may continue to practice 2481
under the existing standard care arrangement without a 2482
collaborating physician or podiatrist for not more than one 2483
hundred twenty days after submitting to the board a copy of the 2484
termination notice. 2485

(2) In the event that the collaboration between a 2486
physician or podiatrist and a certified nurse-midwife, certified 2487
nurse practitioner, or clinical nurse specialist terminates 2488
because of the physician's or podiatrist's death, the nurse must 2489
notify the board of the death as soon as practicable. The nurse 2490
may continue to practice under the existing standard care 2491
arrangement without a collaborating physician or podiatrist for 2492
not more than one hundred twenty days after notifying the board 2493
of the physician's or podiatrist's death. 2494

(E) (1) Nothing in this section prohibits a hospital from 2495
hiring a clinical nurse specialist, certified nurse-midwife, or 2496
certified nurse practitioner as an employee and negotiating 2497
standard care arrangements on behalf of the employee as 2498
necessary to meet the requirements of this section. A standard 2499
care arrangement between the hospital's employee and the 2500
employee's collaborating physician is subject to approval by the 2501
medical staff and governing body of the hospital prior to 2502
implementation of the arrangement at the hospital. 2503

(2) Nothing in this section prohibits a standard care 2504
arrangement from specifying actions that a clinical nurse 2505

specialist, certified nurse-midwife, or certified nurse 2506
practitioner is authorized to take, or is prohibited from 2507
taking, as part of the nurse's practice in collaboration with a 2508
physician or podiatrist. In specifying such actions, the 2509
standard care arrangement shall not authorize the nurse to take 2510
any action that is otherwise prohibited by the Revised Code or 2511
rule of the board. 2512

Sec. 4723.47. If an advanced practice registered nurse's 2513
license to practice nursing as a registered nurse lapses for 2514
failure to renew under section 4723.24 of the Revised Code, the 2515
nurse's license to practice nursing as an advanced practice 2516
registered nurse is lapsed until the license to practice nursing 2517
as a registered nurse is reinstated. If an advanced practice 2518
registered nurse's license to practice nursing as a registered 2519
nurse is classified as inactive under section 4723.24 of the 2520
Revised Code, the nurse's license to practice nursing as an 2521
advanced practice registered nurse is automatically classified 2522
as inactive while the license to practice nursing as a 2523
registered nurse remains inactive. If either license held by an 2524
advanced practice registered nurse is revoked under section 2525
4723.28 or 4723.281 of the Revised Code, the other license is 2526
automatically revoked. If either license is suspended under 2527
section 4723.28 or 4728.281 of the Revised Code, the other 2528
license is automatically suspended while the suspension remains 2529
in effect. 2530

Sec. 4723.481. This section establishes standards and 2531
conditions regarding the authority of an advanced practice 2532
registered nurse who is designated as a clinical nurse 2533
specialist, certified nurse-midwife, or certified nurse 2534
practitioner to prescribe and personally furnish drugs and 2535
therapeutic devices under a license issued under section 4723.42 2536

of the Revised Code. 2537

(A) A clinical nurse specialist, certified nurse-midwife, 2538
or certified nurse practitioner shall not prescribe or furnish 2539
any drug or therapeutic device that is listed on the 2540
exclusionary formulary established in rules adopted under 2541
section 4723.50 of the Revised Code. 2542

(B) The prescriptive authority of a clinical nurse 2543
specialist, certified nurse-midwife, or certified nurse 2544
practitioner shall not exceed the prescriptive authority of the 2545
collaborating physician or podiatrist, including the 2546
collaborating physician's authority to treat chronic pain with 2547
controlled substances~~and~~, including products containing 2548
tramadol, as that authority is described in section 4731.052 of 2549
the Revised Code. 2550

(C) (1) Except as provided in division (C) (2) or (3) of 2551
this section, a clinical nurse specialist, certified nurse- 2552
midwife, or certified nurse practitioner may prescribe to a 2553
patient a schedule II controlled substance only if all of the 2554
following are the case: 2555

(a) The patient has a terminal condition, as defined in 2556
section 2133.01 of the Revised Code. 2557

(b) A physician initially prescribed the substance for the 2558
patient. 2559

(c) The prescription is for an amount that does not exceed 2560
the amount necessary for the patient's use in a single, seventy- 2561
two-hour period. 2562

(2) The restrictions on prescriptive authority in division 2563
(C) (1) of this section do not apply if a clinical nurse 2564
specialist, certified nurse-midwife, or certified nurse 2565

practitioner issues the prescription to the patient from any of 2566
the following entities: 2567

(a) A hospital ~~as defined in section 3722.01~~ licensed 2568
under Chapter 3722. of the Revised Code; 2569

(b) An entity owned or controlled, in whole or in part, by 2570
a hospital or by an entity that owns or controls, in whole or in 2571
part, one or more hospitals; 2572

(c) A health care facility operated by the department of 2573
~~mental behavioral health and addiction services~~ or the 2574
department of developmental disabilities; 2575

(d) A nursing home licensed under section 3721.02 of the 2576
Revised Code or by a political subdivision certified under 2577
section 3721.09 of the Revised Code; 2578

(e) A county home or district home operated under Chapter 2579
5155. of the Revised Code that is certified under the medicare 2580
or medicaid program; 2581

(f) A hospice care program, ~~as defined in section 3712.01~~ 2582
licensed under Chapter 3712. of the Revised Code; 2583

(g) A community mental health services provider, as 2584
defined in section ~~5122.01~~ 5119.01 of the Revised Code; 2585

(h) An ambulatory surgical facility, ~~as defined in~~ 2586
licensed under section 3702.30 of the Revised Code; 2587

(i) A freestanding birthing center, as defined in section 2588
3701.503 of the Revised Code; 2589

(j) A federally qualified health center, as defined in 2590
section 3701.047 of the Revised Code; 2591

(k) A federally qualified health center look-alike, as 2592

defined in section 3701.047 of the Revised Code; 2593

(l) A health care office or facility operated by the board 2594
of health of a city or general health district or the authority 2595
having the duties of a board of health under section 3709.05 of 2596
the Revised Code; 2597

(m) A site where a medical practice is operated, but only 2598
if the practice is comprised of one or more physicians who also 2599
are owners of the practice; the practice is organized to provide 2600
direct patient care; and the clinical nurse specialist, 2601
certified nurse-midwife, or certified nurse practitioner 2602
providing services at the site has a standard care arrangement 2603
and collaborates with at least one of the physician owners who 2604
practices primarily at that site; 2605

(n) A site where a behavioral health practice is operated 2606
that does not qualify as a location otherwise described in 2607
division (C) (2) of this section, but only if the practice is 2608
organized to provide outpatient services for the treatment of 2609
mental health conditions, substance use disorders, or both, and 2610
the clinical nurse specialist, certified nurse-midwife, or 2611
certified nurse practitioner providing services at the site of 2612
the practice has a standard care arrangement and collaborates 2613
with at least one physician who is employed by that practice; 2614

(o) A residential care facility, ~~as defined in section~~ 2615
~~3721.01~~ licensed under Chapter 3721. of the Revised Code. 2616

(3) A clinical nurse specialist, certified nurse-midwife, 2617
or certified nurse practitioner shall not issue to a patient a 2618
prescription for a schedule II controlled substance from a 2619
convenience care clinic even if the clinic is owned or operated 2620
by an entity specified in division (C) (2) of this section. 2621

(D) A pharmacist who acts in good faith reliance on a 2622
prescription issued by a clinical nurse specialist, certified 2623
nurse-midwife, or certified nurse practitioner under division 2624
(C) (2) of this section is not liable for or subject to any of 2625
the following for relying on the prescription: damages in any 2626
civil action, prosecution in any criminal proceeding, or 2627
professional disciplinary action by the state board of pharmacy 2628
under Chapter 4729. of the Revised Code. 2629

(E) A clinical nurse specialist, certified nurse-midwife, 2630
or certified nurse practitioner shall comply with section 2631
3719.061 of the Revised Code if the nurse prescribes for a 2632
minor, as defined in that section, an opioid analgesic, as 2633
defined in section 3719.01 of the Revised Code. 2634

Sec. 4723.482. (A) Except as provided in divisions (C) and 2635
(D) of this section, an applicant for a license to practice 2636
nursing as an advanced practice registered nurse who seeks 2637
designation as a clinical nurse specialist, certified nurse- 2638
midwife, or certified nurse practitioner shall include with the 2639
application submitted under section 4723.41 of the Revised Code 2640
evidence of successfully completing the course of study in 2641
advanced pharmacology and related topics in accordance with the 2642
requirements specified in division (B) of this section. 2643

(B) With respect to the course of study in advanced 2644
pharmacology and related topics, all of the following 2645
requirements apply: 2646

(1) The course of study shall be completed not longer than 2647
five years before the application is filed. 2648

(2) The course of study shall be not less than forty-five 2649
contact hours. 2650

(3) The course of study shall meet the requirements to be 2651
approved by the board of nursing in accordance with standards 2652
established in rules adopted under section 4723.50 of the 2653
Revised Code. 2654

(4) The content of the course of study shall be specific 2655
to the applicant's nursing specialty. 2656

(5) The instruction provided in the course of study shall 2657
include all of the following: 2658

(a) A minimum of thirty-six contact hours of instruction 2659
in advanced pharmacology that includes pharmacokinetic 2660
principles and clinical application and the use of drugs and 2661
therapeutic devices in the prevention of illness and maintenance 2662
of health; 2663

(b) Instruction in the fiscal and ethical implications of 2664
prescribing drugs and therapeutic devices; 2665

(c) Instruction in the state and federal laws that apply 2666
to the authority to prescribe; 2667

(d) Instruction that is specific to schedule II controlled 2668
substances, including instruction in all of the following: 2669

(i) Indications for the use of schedule II controlled 2670
substances in drug therapies; 2671

(ii) The most recent guidelines for pain management 2672
therapies, as established by state and national organizations 2673
such as the Ohio pain initiative and the American pain society; 2674

(iii) Fiscal and ethical implications of prescribing 2675
schedule II controlled substances; 2676

(iv) State and federal laws that apply to the authority to 2677

prescribe schedule II controlled substances; 2678

(v) Prevention of abuse and diversion of schedule II 2679
controlled substances, including identification of the risk of 2680
abuse and diversion, recognition of abuse and diversion, types 2681
of assistance available for prevention of abuse and diversion, 2682
and methods of establishing safeguards against abuse and 2683
diversion. 2684

(C) An applicant who practiced or is practicing as a 2685
clinical nurse specialist, certified nurse-midwife, or certified 2686
nurse practitioner in another jurisdiction or as an employee of 2687
the United States government shall include with the application 2688
submitted under section 4723.41 of the Revised Code all of the 2689
following: 2690

(1) Evidence of having completed a two-hour course of 2691
instruction approved by the board in the laws of this state that 2692
govern drugs and prescriptive authority; 2693

(2) Either of the following: 2694

(a) Evidence of having held, for a continuous period of at 2695
least one year during the three years immediately preceding the 2696
date of application, valid authority issued by another 2697
jurisdiction to prescribe therapeutic devices and drugs, 2698
including at least some controlled substances; 2699

(b) Evidence of having been employed by the United States 2700
government and authorized, for a continuous period of at least 2701
one year during the three years immediately preceding the date 2702
of application, to prescribe therapeutic devices and drugs, 2703
including at least some controlled substances, in conjunction 2704
with that employment. 2705

(D) In lieu of including with an application submitted 2706

under section 4723.41 of the Revised Code the evidence described 2707
in division (A) of this section, an applicant described in 2708
division (C) or (D) of section 4723.41 of the Revised Code may 2709
include evidence of all of the following: 2710

(1) Successfully completing the course of study in 2711
advanced pharmacology and related topics more than five years 2712
before the date the application is filed; 2713

(2) Holding, for a continuous period of at least one year 2714
during the three years immediately preceding the date of 2715
application, valid authority in any jurisdiction to prescribe 2716
therapeutic devices and drugs, including at least some 2717
controlled substances; 2718

(3) Exercising the prescriptive authority described in 2719
division (D) (2) of this section for the minimum one-year period. 2720

Sec. 4723.483. (A) (1) Subject to division (A) (2) of this 2721
section, and notwithstanding any provision of this chapter or 2722
rule adopted by the board of nursing, a clinical nurse 2723
specialist, certified nurse-midwife, or certified nurse 2724
practitioner ~~who holds a certificate to prescribe issued under~~ 2725
~~section 4723.48 of the Revised Code~~ may do either of the 2726
following without having examined an individual to whom 2727
epinephrine may be administered: 2728

(a) Personally furnish a supply of epinephrine 2729
autoinjectors for use in accordance with sections 3313.7110, 2730
3313.7111, 3314.143, 3326.28, 3328.29, 3728.03 to 3728.05, and 2731
5180.26 of the Revised Code; 2732

(b) Issue a prescription for epinephrine autoinjectors for 2733
use in accordance with sections 3313.7110, 3313.7111, 3314.143, 2734
3326.28, 3328.29, 3728.03 to 3728.05, and 5180.26 of the Revised 2735

Code. 2736

(2) An epinephrine autoinjector personally furnished or 2737
prescribed under division (A)(1) of this section must be 2738
furnished or prescribed in such a manner that it may be 2739
administered only in a manufactured dosage form. 2740

(B) A nurse who acts in good faith in accordance with this 2741
section is not liable for or subject to any of the following for 2742
any action or omission of an entity to which an epinephrine 2743
autoinjector is furnished or a prescription is issued: damages 2744
in any civil action, prosecution in any criminal proceeding, or 2745
professional disciplinary action. 2746

Sec. 4723.493. (A) There is ~~hereby created~~ within the 2747
board of nursing the advisory ~~committee group~~ on advanced 2748
practice registered nursing. ~~The committee shall consist of~~ The 2749
advisory group shall advise the board regarding the practice and 2750
regulation of advanced practice registered nurses. 2751

(B) The board shall appoint the following as members ~~and~~ 2752
~~any other members the board appoints under division (B) of this~~ 2753
~~section~~ of the advisory group: 2754

(1) Four advanced practice registered nurses, each 2755
actively engaged in the practice of advanced practice registered 2756
nursing in a clinical setting in this state, at least one of 2757
whom is actively engaged in providing primary care, at least one 2758
of whom is actively engaged in practice as a certified 2759
registered nurse anesthetist, and at least one of whom is 2760
actively engaged in practice as a certified nurse-midwife; 2761

(2) Two advanced practice registered nurses, each serving 2762
as a faculty member of an approved program of nursing education 2763
that prepares students for licensure as advanced practice 2764

registered nurses; 2765

(3) A member of the board of nursing who is an advanced 2766
practice registered nurse; 2767

(4) A representative of an entity employing ten or more 2768
advanced practice registered nurses actively engaged in practice 2769
in this state. 2770

~~(B) The board of nursing shall appoint the members~~ 2771
~~described in division (A) of this section. (C) Recommendations~~ 2772
~~for initial appointments and for filling any vacancies regarding~~ 2773
~~individuals to serve as members under division (B) of this~~ 2774
section may be submitted to the board by organizations 2775
representing advanced practice registered nurses practicing in 2776
this state and by schools of advanced practice registered 2777
nursing. The board shall appoint ~~initial~~ members and fill 2778
vacancies according to the recommendations it receives. If it 2779
does not receive any recommendations or receives an insufficient 2780
number of recommendations, the board shall appoint members and 2781
fill vacancies on its own advice. 2782

(D) The members who serve under division (B) of this 2783
section may recommend to the board that an individual with 2784
expertise in a specialized area of advanced practice registered 2785
nursing be appointed as an additional member of the advisory 2786
group. If the board receives such a recommendation, the board 2787
may appoint the additional member. 2788

~~Initial appointments to the committee shall be made not~~ 2789
~~later than sixty days after April 6, 2017. Of the initial~~ 2790
~~appointments described in division (A)(1) of this section, two~~ 2791
~~shall be for terms of one year and two shall be for terms of two~~ 2792
~~years. Of the initial appointments described in division (A)(2)~~ 2793

~~of this section, one shall be for a term of one year and one~~ 2794
~~shall be for a term of two years. Of the initial appointments~~ 2795
~~described in divisions (A) (3) and (4) of this section, each~~ 2796
~~shall be for a term of two years. Thereafter, terms~~ 2797

(E) Terms for all members shall be for two years, with 2798
each term ending on the same day of the same month as did the 2799
term that it succeeds. Vacancies shall be filled in the same 2800
manner as appointments. 2801

When the term of any member expires, a successor shall be 2802
appointed in the same manner as the initial original 2803
appointment. Any member appointed to fill a vacancy occurring 2804
prior to the expiration of the term for which the member's 2805
predecessor was appointed shall hold office for the remainder of 2806
that term. A member shall continue in office subsequent to the 2807
expiration date of the member's term until the member's 2808
successor takes office or until a period of sixty days has 2809
elapsed, whichever occurs first. A member may be reappointed for 2810
one additional term only. 2811

~~(C) The committee shall organize by selecting a~~ 2812
~~chairperson from among its members. The committee may select a~~ 2813
~~new chairperson at any time~~ (F) The member of the board appointed 2814
under division (B) (3) of this section shall serve as the 2815
advisory group's chairperson. Five members constitute a quorum 2816
for the transaction of official business. ~~Members~~ 2817

Members shall serve without compensation but receive 2818
payment for their actual and necessary expenses incurred in the 2819
performance of their official duties. The expenses shall be paid 2820
by the board ~~of nursing~~. 2821

~~(D) The committee shall advise the board regarding the~~ 2822

~~practice and regulation of advanced practice registered nurses.~~ 2823
~~The committee may also recommend to the board that an individual~~ 2824
~~with expertise in an advanced practice registered nursing~~ 2825
~~specialty be appointed under division (B) of this section as an~~ 2826
~~additional member of the committee.~~ 2827

Sec. 4723.52. (A) As used in this section:— 2828

~~(1) "Community addiction services provider" has the same~~ 2829
~~meaning as in section 5119.01 of the Revised Code.~~ 2830

~~(2) "Medication-assisted, "medication-assisted treatment"~~ 2831
has the same meaning as in section 340.01 of the Revised Code. 2832

(B) An advanced practice registered nurse shall comply 2833
with section 3719.064 of the Revised Code and rules adopted 2834
under section 4723.51 of the Revised Code when treating a 2835
patient for addiction with medication-assisted treatment or 2836
proposing to initiate such treatment. 2837

Sec. 4723.66. (A) A person or government entity seeking 2838
approval to provide a medication aide training program shall 2839
apply to the board of nursing on a form prescribed and provided 2840
by the board. The application shall be accompanied by a fee of 2841
fifty dollars. 2842

(B) Except as provided in division ~~(C)~~ (D) of this section, 2843
the board shall approve the applicant to provide a medication 2844
aide training program if the content of the course of 2845
instruction to be provided by the program includes all of the 2846
following: 2847

(1) Thirty clock-hours of instruction in medication 2848
administration, including both classroom instruction and at 2849
least sixteen clock-hours of supervised clinical practice; 2850

(2) A mechanism for evaluating whether an individual's
reading, writing, and mathematical skills are sufficient for the
individual to be able to administer prescription medications
safely;

(3) An examination that tests the ability to administer
prescription medications safely. The examination may be
administered by the program that provides the instruction
required by division (B) (1) of this section.

(C) Approval of a training program is valid for two years,
unless earlier suspended or revoked. The approval of a training
program may be renewed.

(D) The board shall deny ~~the~~ an application for initial
approval or renewal of approval if ~~an~~ the applicant submits or
causes to be submitted to the board false, misleading, or
deceptive statements, information, or documentation in the
process of applying for approval of the program.

~~(D)~~ The board may deny an application for initial approval
or renewal of approval, or suspend, or revoke the approval
granted to a medication aide training program, for failure to
meet any of the standards specified in division (B) of this
section.

~~(E)~~ All actions taken by the board to deny, suspend, or
revoke the approval of a training program shall be taken in
accordance with Chapter 119. of the Revised Code.

Sec. 4723.67. (A) In accordance with this section, a
medication aide who holds a current, valid medication aide
certificate issued under this chapter may administer
prescription medications to the residents of nursing homes and
residential care facilities, but only pursuant to the

supervision of a registered nurse or a licensed practical nurse 2880
acting at the direction of a registered nurse. 2881

(B) In exercising the authority to administer prescription 2882
medications pursuant to nursing supervision, all of the 2883
following apply to a medication aide: 2884

(1) Subject to division (B) (4) of this section, a 2885
medication aide may administer prescription medications by any 2886
of the following methods: 2887

(a) Giving medications to be taken orally; 2888

(b) Topical application; 2889

(c) Application as drops to the eye, ear, or nose; 2890

(d) Rectal insertion and vaginal insertion. 2891

(2) A medication aide may administer medications 2892
prescribed with a designation authorizing or requiring 2893
administration on an as-needed basis, regardless of whether the 2894
supervising nurse is present at the home or facility. 2895

(3) A medication aide may administer initial doses of 2896
prescription medications. 2897

(4) A medication aide may administer medications 2898
containing a schedule II controlled substance, as defined in 2899
section 3719.01 of the Revised Code, but only by the methods 2900
described in divisions (B) (1) (a) and (b) of this section. 2901

(C) All of the following limitations apply to the 2902
authority of a medication aide to administer prescription 2903
medication: 2904

(1) A medication aide shall not administer prescription 2905
medications requiring dosage calculations. 2906

(2) A medication aide shall not administer prescription 2907
medications by ~~any~~ either of the following methods: 2908

(a) Injection, except for insulin as provided in division 2909
(D) of this section; 2910

(b) Intravenous therapy procedures~~+~~. 2911

(3) A medication aide shall not split pills for purposes 2912
of changing the dose being given. 2913

(D) A medication aide may administer insulin to a resident 2914
by injection, but only if both of the following are satisfied: 2915

(1) The medication aide satisfies training and competency 2916
requirements established by the aide's employer. 2917

(2) The insulin is injected using an insulin pen device 2918
that contains a dosage indicator. 2919

Sec. 4723.69. (A) The board of nursing may adopt rules to 2920
implement sections 4723.63 to 4723.68 of the Revised Code. All 2921
rules adopted under this section shall be adopted in accordance 2922
with Chapter 119. of the Revised Code. 2923

(B) If the board adopts rules under this section 2924
establishing standards governing approval of and participation 2925
in medication aide training programs, both of the following 2926
apply: 2927

(1) With respect to supervised clinical practice 2928
components of training programs, when such training is provided 2929
in a nursing home or residential care facility and the home or 2930
facility has been notified by the department of health of real 2931
and present danger related to its administration of medications 2932
or provision of any other type of skilled nursing care, the 2933
board shall prohibit the home or facility from commencing any 2934

further supervised clinical practice components until either of 2935
the following occurs: 2936

(a) A plan of correction is approved. 2937

(b) The home or facility resolves the danger. 2938

The board shall allow a training program to continue any 2939
supervised clinical practice components that commenced prior to 2940
the department of health notifying the home or facility. 2941

(2) If the rules establish a minimum or maximum number of 2942
days for participating in or completing a training program, the 2943
board shall base that number on calendar days rather than 2944
business days. 2945

Sec. 4731.297. (A) As used in this section: 2946

(1) "Academic medical center" means a medical school and 2947
its affiliated teaching hospitals and clinics partnering to do 2948
all of the following: 2949

(a) Provide the highest quality of patient care from 2950
expert physicians; 2951

(b) Conduct groundbreaking research leading to medical 2952
advancements for current and future patients; 2953

(c) Provide medical education and graduate medical 2954
education to educate and train physicians. 2955

(2) "Affiliated physician group practice" means a medical 2956
practice that consists of one or more physicians authorized 2957
under this chapter to practice medicine and surgery or 2958
osteopathic medicine and surgery and that is affiliated with an 2959
academic medical center to further the objectives described in 2960
divisions (A) (1) (a) to (c) of this section. 2961

(B) The state medical board shall issue, without 2962
examination, to an applicant who meets the requirements of this 2963
section a certificate of conceded eminence authorizing the 2964
practice of medicine and surgery or osteopathic medicine and 2965
surgery as part of the applicant's employment with an academic 2966
medical center in this state or affiliated physician group 2967
practice in this state. 2968

(C) To be eligible for a certificate of conceded eminence, 2969
an applicant shall provide to the board all of the following: 2970

(1) Evidence satisfactory to the board of all of the 2971
following: 2972

(a) That the applicant is an international medical 2973
graduate who holds a medical degree from an educational 2974
institution listed in the international medical education 2975
directory; 2976

(b) That the applicant has been appointed to serve in this 2977
state as a full-time faculty member of a medical school 2978
accredited by the liaison committee on medical education or an 2979
osteopathic medical school accredited by the American 2980
osteopathic association; 2981

(c) That the applicant has accepted an offer of employment 2982
with an academic medical center in this state or affiliated 2983
physician group practice in this state; 2984

(d) That the applicant holds a license in good standing in 2985
another state or country authorizing the practice of medicine 2986
and surgery or osteopathic medicine and surgery; 2987

(e) That the applicant has unique talents and 2988
extraordinary abilities not generally found within the 2989
applicant's specialty, as demonstrated by satisfying at least 2990

four of the following: 2991

(i) The applicant has achieved educational qualifications 2992
beyond those that are required for entry into the applicant's 2993
specialty, including advanced degrees, special certifications, 2994
or other academic credentials. 2995

(ii) The applicant has written multiple articles in 2996
journals listed in the index medicus or an equivalent scholarly 2997
publication acceptable to the board. 2998

(iii) The applicant has a sustained record of excellence 2999
in original research, at least some of which involves serving as 3000
the principal investigator or co-principal investigator for a 3001
research project. 3002

(iv) The applicant has received nationally or 3003
internationally recognized prizes or awards for excellence. 3004

(v) The applicant has participated in peer review in a 3005
field of specialization that is the same as or similar to the 3006
applicant's specialty. 3007

(vi) The applicant has developed new procedures or 3008
treatments for complex medical problems that are recognized by 3009
peers as a significant advancement in the applicable field of 3010
medicine. 3011

(vii) The applicant has held previous academic 3012
appointments with or been employed by a health care organization 3013
that has a distinguished national or international reputation. 3014

(viii) The applicant has been the recipient of a national 3015
institutes of health or other competitive grant award. 3016

(f) That the applicant has received staff membership or 3017
professional privileges from the academic medical center 3018

pursuant to standards adopted under section 3701.351 of the Revised Code on a basis that requires the applicant's medical education and graduate medical education to be at least equivalent to that of a physician educated and trained in the United States;

(g) That the applicant has sufficient written and oral English skills to communicate effectively and reliably with patients, their families, and other medical professionals;

(h) That the applicant will have professional liability insurance through the applicant's employment with the academic medical center or affiliated physician group practice.

(2) An attestation that the applicant agrees to practice only within the clinical setting of the academic medical center or for the affiliated physician group practice;

(3) Three letters of reference from distinguished experts in the applicant's specialty attesting to the unique capabilities of the applicant, at least one of which must be from outside the academic medical center or affiliated physician group practice;

(4) An affidavit from the dean of the medical school where the applicant has been appointed to serve as a faculty member stating that the applicant meets all of the requirements of division (C)(1) of this section and that the letters of reference submitted under division (C)(3) of this section are from distinguished experts in the applicant's specialty, and documentation to support the affidavit;

(5) A fee of one thousand dollars for the certificate.

(D)(1) The holder of a certificate of conceded eminence may practice medicine and surgery or osteopathic medicine and

surgery only within the clinical setting of the academic medical center with which the certificate holder is employed or for the affiliated physician group practice with which the certificate holder is employed.

(2) A certificate holder may supervise medical students, physicians participating in graduate medical education, advanced practice registered nurses, and physician assistants when performing clinical services in the certificate holder's area of specialty.

(E) The board may revoke a certificate issued under this section 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.

(F) A certificate of conceded eminence is valid for the shorter of two years or the duration of the certificate holder's employment with the academic medical center or affiliated physician group practice. The certificate ceases to be valid if the holder resigns or is otherwise terminated from the academic medical center or affiliated physician group practice.

(G) A certificate of conceded eminence may be renewed for an additional two-year period. There is no limit on the number of times a certificate may be renewed. A person seeking renewal of a certificate shall apply to the board and is eligible for renewal if the applicant does all of the following:

(1) Pays the renewal fee of one thousand dollars;

(2) Provides to the board an affidavit and supporting documentation from the academic medical center or affiliated

physician group practice of all of the following: 3077

(a) That the applicant's initial appointment to the 3078
medical faculty is still valid or has been renewed; 3079

(b) That the applicant's clinical practice is consistent 3080
with the established standards in the field; 3081

(c) That the applicant has demonstrated continued 3082
scholarly achievement; 3083

(d) That the applicant has demonstrated continued 3084
professional achievement consistent with the academic medical 3085
center's requirements, established pursuant to standards adopted 3086
under section 3701.351 of the Revised Code, for physicians with 3087
staff membership or professional privileges with the academic 3088
medical center. 3089

(3) Satisfies the same continuing medical education 3090
requirements set forth in section 4731.282 of the Revised Code 3091
that apply to a person who holds a certificate to practice 3092
medicine and surgery or osteopathic medicine and surgery issued 3093
under this chapter. 3094

(4) Complies with any other requirements established by 3095
the board. 3096

(H) The board shall not require a person to obtain a 3097
certificate under Chapter 4796. of the Revised Code to practice 3098
medicine and surgery or osteopathic medicine and surgery if the 3099
person holds a certificate of conceded eminence issued under 3100
this section. 3101

(I) The board may adopt any rules it considers necessary 3102
to implement this section. The rules shall be adopted in 3103
accordance with Chapter 119. of the Revised Code. 3104

Sec. 5122.10. (A) (1) Any of the following who has reason 3105
to believe that a person is a person with a mental illness 3106
subject to court order and represents a substantial risk of 3107
physical harm to self or others if allowed to remain at liberty 3108
pending examination may take the person into custody and may 3109
immediately transport the person to a hospital or, 3110
notwithstanding section 5119.33 of the Revised Code, to a 3111
general hospital not licensed by the department of behavioral 3112
health where the person may be held for the period prescribed in 3113
this section: 3114

(a) A psychiatrist; 3115

(b) A licensed physician; 3116

(c) A licensed clinical psychologist; 3117

(d) A clinical nurse specialist who is certified as a 3118
psychiatric-mental health CNS, or the equivalent of such title, 3119
by the American nurses credentialing center; 3120

(e) A certified nurse practitioner who is certified as a 3121
psychiatric-mental health NP, or the equivalent of such title, 3122
by the American nurses credentialing center or American academy 3123
of nurse practitioners certification board; 3124

(f) A health officer; 3125

(g) A parole officer; 3126

(h) A police officer; 3127

(i) A sheriff. 3128

(2) If the chief of the adult parole authority or a parole 3129
or probation officer with the approval of the chief of the 3130
authority has reason to believe that a parolee, an offender 3131

under a community control sanction or post-release control 3132
sanction, or an offender under transitional control is a person 3133
with a mental illness subject to court order and represents a 3134
substantial risk of physical harm to self or others if allowed 3135
to remain at liberty pending examination, the chief or officer 3136
may take the parolee or offender into custody and may 3137
immediately transport the parolee or offender to a hospital or, 3138
notwithstanding section 5119.33 of the Revised Code, to a 3139
general hospital not licensed by the department of behavioral 3140
health where the parolee or offender may be held for the period 3141
prescribed in this section. 3142

(B) A written statement shall be given to the hospital by 3143
the individual authorized under division (A)(1) or (2) of this 3144
section to transport the person. The statement shall specify the 3145
circumstances under which such person was taken into custody and 3146
the reasons for the belief that the person is a person with a 3147
mental illness subject to court order and represents a 3148
substantial risk of physical harm to self or others if allowed 3149
to remain at liberty pending examination. This statement shall 3150
be made available to the respondent or the respondent's attorney 3151
upon request of either. 3152

(C) Every reasonable and appropriate effort shall be made 3153
to take persons into custody in the least conspicuous manner 3154
possible. A person taking the respondent into custody pursuant 3155
to this section shall explain to the respondent: the name and 3156
professional designation and affiliation of the person taking 3157
the respondent into custody; that the custody-taking is not a 3158
criminal arrest; and that the person is being taken for 3159
examination by mental health professionals at a specified mental 3160
health facility identified by name. 3161

(D) If a person taken into custody under this section is 3162
transported to a general hospital, the general hospital may 3163
admit the person, or provide care and treatment for the person, 3164
or both, notwithstanding section 5119.33 of the Revised Code, 3165
but by the end of twenty-four hours after arrival at the general 3166
hospital, the person shall be transferred to a hospital as 3167
defined in section 5122.01 of the Revised Code. 3168

(E) A person transported or transferred to a hospital or 3169
community mental health services provider under this section 3170
shall be examined by the staff of the hospital or services 3171
provider within twenty-four hours after arrival at the hospital 3172
or services provider. If to conduct the examination requires 3173
that the person remain overnight, the hospital or services 3174
provider shall admit the person in an unclassified status until 3175
making a disposition under this section. After the examination, 3176
if the chief clinical officer of the hospital or services 3177
provider believes that the person is not a person with a mental 3178
illness subject to court order, the chief clinical officer shall 3179
release or discharge the person immediately unless a court has 3180
issued a temporary order of detention applicable to the person 3181
under section 5122.11 of the Revised Code. After the 3182
examination, if the chief clinical officer believes that the 3183
person is a person with a mental illness subject to court order, 3184
the chief clinical officer may detain the person for not more 3185
than three court days following the day of the examination and 3186
during such period admit the person as a voluntary patient under 3187
section 5122.02 of the Revised Code or file an affidavit under 3188
section 5122.11 of the Revised Code. If neither action is taken 3189
and a court has not otherwise issued a temporary order of 3190
detention applicable to the person under section 5122.11 of the 3191
Revised Code, the chief clinical officer shall discharge the 3192

person at the end of the three-day period unless the person has 3193
been sentenced to the department of rehabilitation and 3194
correction and has not been released from the person's sentence, 3195
in which case the person shall be returned to that department. 3196

Section 2. That existing sections 109.71, 3129.01, 3197
3313.5310, 3333.28, 3701.69, 3701.92, 3701.921, 3705.01, 3198
3705.30, 3707.58, 3721.011, 3728.01, 4503.44, 4723.01, 4723.063, 3199
4723.18, 4723.181, 4723.28, 4723.34, 4723.35, 4723.36, 4723.43, 3200
4723.431, 4723.47, 4723.481, 4723.482, 4723.483, 4723.493, 3201
4723.52, 4723.66, 4723.67, 4723.69, 4731.297, and 5122.10 of the 3202
Revised Code are hereby repealed. 3203

Section 3. That sections 3701.923, 3701.924, 3701.925, 3204
3701.926, 3701.927, and 3701.929 of the Revised Code are hereby 3205
repealed. 3206

Section 4. That Section 105.40 of H.B. 33 of the 135th 3207
General Assembly is hereby repealed. 3208

Section 5. The amendment by this act of section 4723.063 3209
of the Revised Code does not supersede the repeal of that 3210
section on December 31, 2033, as prescribed by Section 610.110 3211
of H.B. 33 of the 135th General Assembly. 3212

Section 6. The General Assembly, applying the principle 3213
stated in division (B) of section 1.52 of the Revised Code that 3214
amendments are to be harmonized if reasonably capable of 3215
simultaneous operation, finds that the following sections, 3216
presented in this act as composites of the sections as amended 3217
by the acts indicated, are the resulting versions of the 3218
sections in effect prior to the effective date of the sections 3219
as presented in this act: 3220

Section 4503.44 of the Revised Code as amended by both 3221

H.B. 33 and H.B. 195 of the 135th General Assembly.	3222
Section 4723.431 of the Revised Code as amended by both	3223
H.B. 497 and S.B. 196 of the 135th General Assembly.	3224
Section 4723.481 of the Revised Code as amended by H.B. 33	3225
of the 135th General Assembly and by H.B. 110 and H.B. 509 of	3226
the 134th General Assembly.	3227