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Sub. S. B. No. 259

Senator Hackett

Cosponsors: Senators Tavares, Brown, Burke, Hoagland, Manning, McColley, O'Brien, Schiavoni, Thomas, Yuko Representatives Anielski, Antonio, Blessing, Brown, Craig, Edwards, Galonski, Gavarone, Ginter, Henne, Householder, Kent, Leland, Miller, Perales, Rogers, Young, Speaker Smith

A BILL

To amend sections 1739.05, 2925.01, 4715.03, 1
4715.09, 4715.10, 4715.11, 4715.13, 4715.22, 2
4715.23, 4715.36, 4715.365, 4715.39, 4715.56, 3
4715.64, 4730.05, 4730.06, 4730.11, 4730.203, 4
4730.21, 4730.38, 4730.39, 4730.41, 4730.42, 5
4730.43, and 4730.44, to enact sections 1751.90, 6
3333.614, 3923.90, 4715.43, 4715.431, 4715.432, 7
4715.433, 4715.434, 4715.435, 4715.436, 8
4715.437, 4730.15, and 5164.951, and to repeal 9
section 4730.40 of the Revised Code to revise 10
the laws regulating physician assistants, 11
dentists, dental hygienists, and expanded 12
function dental auxiliaries. 13

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

Section 1. That sections 1739.05, 2925.01, 4715.03, 14
4715.09, 4715.10, 4715.11, 4715.13, 4715.22, 4715.23, 4715.36, 15
4715.365, 4715.39, 4715.56, 4715.64, 4730.05, 4730.06, 4730.11, 16
4730.203, 4730.21, 4730.38, 4730.39, 4730.41, 4730.42, 4730.43, 17

and 4730.44 be amended and sections 1751.90, 3333.614, 3923.90, 18
4715.43, 4715.431, 4715.432, 4715.433, 4715.434, 4715.435, 19
4715.436, 4715.437, 4730.15, and 5164.951 of the Revised Code be 20
enacted to read as follows: 21

Sec. 1739.05. (A) A multiple employer welfare arrangement 22
that is created pursuant to sections 1739.01 to 1739.22 of the 23
Revised Code and that operates a group self-insurance program 24
may be established only if any of the following applies: 25

(1) The arrangement has and maintains a minimum enrollment 26
of three hundred employees of two or more employers. 27

(2) The arrangement has and maintains a minimum enrollment 28
of three hundred self-employed individuals. 29

(3) The arrangement has and maintains a minimum enrollment 30
of three hundred employees or self-employed individuals in any 31
combination of divisions (A) (1) and (2) of this section. 32

(B) A multiple employer welfare arrangement that is 33
created pursuant to sections 1739.01 to 1739.22 of the Revised 34
Code and that operates a group self-insurance program shall 35
comply with all laws applicable to self-funded programs in this 36
state, including sections 3901.04, 3901.041, 3901.19 to 3901.26, 37
3901.38, 3901.381 to 3901.3814, 3901.40, 3901.45, 3901.46, 38
3901.491, 3902.01 to 3902.14, 3923.041, 3923.24, 3923.282, 39
3923.30, 3923.301, 3923.38, 3923.581, 3923.602, 3923.63, 40
3923.80, 3923.84, 3923.85, 3923.851, 3923.90, 3924.031, 41
3924.032, and 3924.27 of the Revised Code. 42

(C) A multiple employer welfare arrangement created 43
pursuant to sections 1739.01 to 1739.22 of the Revised Code 44
shall solicit enrollments only through agents or solicitors 45
licensed pursuant to Chapter 3905. of the Revised Code to sell 46

or solicit sickness and accident insurance. 47

(D) A multiple employer welfare arrangement created 48
pursuant to sections 1739.01 to 1739.22 of the Revised Code 49
shall provide benefits only to individuals who are members, 50
employees of members, or the dependents of members or employees, 51
or are eligible for continuation of coverage under section 52
1751.53 or 3923.38 of the Revised Code or under Title X of the 53
"Consolidated Omnibus Budget Reconciliation Act of 1985," 100 54
Stat. 227, 29 U.S.C.A. 1161, as amended. 55

(E) A multiple employer welfare arrangement created 56
pursuant to sections 1739.01 to 1739.22 of the Revised Code is 57
subject to, and shall comply with, sections 3903.81 to 3903.93 58
of the Revised Code in the same manner as other life or health 59
insurers, as defined in section 3903.81 of the Revised Code. 60

Sec. 1751.90. (A) As used in this section, "teledentistry" 61
has the same meaning as in section 4715.43 of the Revised Code. 62

(B) No individual or group health insuring corporation 63
policy, contract, or agreement shall deny coverage for the costs 64
of any services provided to an insured through teledentistry if 65
those services would be covered if the services were delivered 66
other than through teledentistry. 67

(C) The coverage that may not be excluded under division 68
(B) of this section is subject to all terms, conditions, 69
restrictions, exclusions, and limitations that apply to other 70
coverage for services performed by participating and 71
nonparticipating providers. 72

Sec. 2925.01. As used in this chapter: 73

(A) "Administer," "controlled substance," "controlled 74
substance analog," "dispense," "distribute," "hypodermic," 75

"manufacturer," "official written order," "person," 76
"pharmacist," "pharmacy," "sale," "schedule I," "schedule II," 77
"schedule III," "schedule IV," "schedule V," and "wholesaler" 78
have the same meanings as in section 3719.01 of the Revised 79
Code. 80

(B) "Drug dependent person" and "drug of abuse" have the 81
same meanings as in section 3719.011 of the Revised Code. 82

(C) "Drug," "dangerous drug," "licensed health 83
professional authorized to prescribe drugs," and "prescription" 84
have the same meanings as in section 4729.01 of the Revised 85
Code. 86

(D) "Bulk amount" of a controlled substance means any of 87
the following: 88

(1) For any compound, mixture, preparation, or substance 89
included in schedule I, schedule II, or schedule III, with the 90
exception of any controlled substance analog, marihuana, 91
cocaine, L.S.D., heroin, any fentanyl-related compound, and 92
hashish and except as provided in division (D) (2), (5), or (6) 93
of this section, whichever of the following is applicable: 94

(a) An amount equal to or exceeding ten grams or twenty- 95
five unit doses of a compound, mixture, preparation, or 96
substance that is or contains any amount of a schedule I opiate 97
or opium derivative; 98

(b) An amount equal to or exceeding ten grams of a 99
compound, mixture, preparation, or substance that is or contains 100
any amount of raw or gum opium; 101

(c) An amount equal to or exceeding thirty grams or ten 102
unit doses of a compound, mixture, preparation, or substance 103
that is or contains any amount of a schedule I hallucinogen 104

other than tetrahydrocannabinol or lysergic acid amide, or a 105
schedule I stimulant or depressant; 106

(d) An amount equal to or exceeding twenty grams or five 107
times the maximum daily dose in the usual dose range specified 108
in a standard pharmaceutical reference manual of a compound, 109
mixture, preparation, or substance that is or contains any 110
amount of a schedule II opiate or opium derivative; 111

(e) An amount equal to or exceeding five grams or ten unit 112
doses of a compound, mixture, preparation, or substance that is 113
or contains any amount of phencyclidine; 114

(f) An amount equal to or exceeding one hundred twenty 115
grams or thirty times the maximum daily dose in the usual dose 116
range specified in a standard pharmaceutical reference manual of 117
a compound, mixture, preparation, or substance that is or 118
contains any amount of a schedule II stimulant that is in a 119
final dosage form manufactured by a person authorized by the 120
"Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 121
U.S.C.A. 301, as amended, and the federal drug abuse control 122
laws, as defined in section 3719.01 of the Revised Code, that is 123
or contains any amount of a schedule II depressant substance or 124
a schedule II hallucinogenic substance; 125

(g) An amount equal to or exceeding three grams of a 126
compound, mixture, preparation, or substance that is or contains 127
any amount of a schedule II stimulant, or any of its salts or 128
isomers, that is not in a final dosage form manufactured by a 129
person authorized by the Federal Food, Drug, and Cosmetic Act 130
and the federal drug abuse control laws. 131

(2) An amount equal to or exceeding one hundred twenty 132
grams or thirty times the maximum daily dose in the usual dose 133

range specified in a standard pharmaceutical reference manual of 134
a compound, mixture, preparation, or substance that is or 135
contains any amount of a schedule III or IV substance other than 136
an anabolic steroid or a schedule III opiate or opium 137
derivative; 138

(3) An amount equal to or exceeding twenty grams or five 139
times the maximum daily dose in the usual dose range specified 140
in a standard pharmaceutical reference manual of a compound, 141
mixture, preparation, or substance that is or contains any 142
amount of a schedule III opiate or opium derivative; 143

(4) An amount equal to or exceeding two hundred fifty 144
milliliters or two hundred fifty grams of a compound, mixture, 145
preparation, or substance that is or contains any amount of a 146
schedule V substance; 147

(5) An amount equal to or exceeding two hundred solid 148
dosage units, sixteen grams, or sixteen milliliters of a 149
compound, mixture, preparation, or substance that is or contains 150
any amount of a schedule III anabolic steroid; 151

(6) For any compound, mixture, preparation, or substance 152
that is a combination of a fentanyl-related compound and any 153
other compound, mixture, preparation, or substance included in 154
schedule III, schedule IV, or schedule V, if the defendant is 155
charged with a violation of section 2925.11 of the Revised Code 156
and the sentencing provisions set forth in divisions (C) (10) (b) 157
and (C) (11) of that section will not apply regarding the 158
defendant and the violation, the bulk amount of the controlled 159
substance for purposes of the violation is the amount specified 160
in division (D) (1), (2), (3), (4), or (5) of this section for 161
the other schedule III, IV, or V controlled substance that is 162
combined with the fentanyl-related compound. 163

(E) "Unit dose" means an amount or unit of a compound, 164
mixture, or preparation containing a controlled substance that 165
is separately identifiable and in a form that indicates that it 166
is the amount or unit by which the controlled substance is 167
separately administered to or taken by an individual. 168

(F) "Cultivate" includes planting, watering, fertilizing, 169
or tilling. 170

(G) "Drug abuse offense" means any of the following: 171

(1) A violation of division (A) of section 2913.02 that 172
constitutes theft of drugs, or a violation of section 2925.02, 173
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 174
2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 175
or 2925.37 of the Revised Code; 176

(2) A violation of an existing or former law of this or 177
any other state or of the United States that is substantially 178
equivalent to any section listed in division (G) (1) of this 179
section; 180

(3) An offense under an existing or former law of this or 181
any other state, or of the United States, of which planting, 182
cultivating, harvesting, processing, making, manufacturing, 183
producing, shipping, transporting, delivering, acquiring, 184
possessing, storing, distributing, dispensing, selling, inducing 185
another to use, administering to another, using, or otherwise 186
dealing with a controlled substance is an element; 187

(4) A conspiracy to commit, attempt to commit, or 188
complicity in committing or attempting to commit any offense 189
under division (G) (1), (2), or (3) of this section. 190

(H) "Felony drug abuse offense" means any drug abuse 191
offense that would constitute a felony under the laws of this 192

state, any other state, or the United States.	193
(I) "Harmful intoxicant" does not include beer or	194
intoxicating liquor but means any of the following:	195
(1) Any compound, mixture, preparation, or substance the	196
gas, fumes, or vapor of which when inhaled can induce	197
intoxication, excitement, giddiness, irrational behavior,	198
depression, stupefaction, paralysis, unconsciousness,	199
asphyxiation, or other harmful physiological effects, and	200
includes, but is not limited to, any of the following:	201
(a) Any volatile organic solvent, plastic cement, model	202
cement, fingernail polish remover, lacquer thinner, cleaning	203
fluid, gasoline, or other preparation containing a volatile	204
organic solvent;	205
(b) Any aerosol propellant;	206
(c) Any fluorocarbon refrigerant;	207
(d) Any anesthetic gas.	208
(2) Gamma Butyrolactone;	209
(3) 1,4 Butanediol.	210
(J) "Manufacture" means to plant, cultivate, harvest,	211
process, make, prepare, or otherwise engage in any part of the	212
production of a drug, by propagation, extraction, chemical	213
synthesis, or compounding, or any combination of the same, and	214
includes packaging, repackaging, labeling, and other activities	215
incident to production.	216
(K) "Possess" or "possession" means having control over a	217
thing or substance, but may not be inferred solely from mere	218
access to the thing or substance through ownership or occupation	219

of the premises upon which the thing or substance is found.	220
(L) "Sample drug" means a drug or pharmaceutical	221
preparation that would be hazardous to health or safety if used	222
without the supervision of a licensed health professional	223
authorized to prescribe drugs, or a drug of abuse, and that, at	224
one time, had been placed in a container plainly marked as a	225
sample by a manufacturer.	226
(M) "Standard pharmaceutical reference manual" means the	227
current edition, with cumulative changes if any, of references	228
that are approved by the state board of pharmacy.	229
(N) "Juvenile" means a person under eighteen years of age.	230
(O) "Counterfeit controlled substance" means any of the	231
following:	232
(1) Any drug that bears, or whose container or label	233
bears, a trademark, trade name, or other identifying mark used	234
without authorization of the owner of rights to that trademark,	235
trade name, or identifying mark;	236
(2) Any unmarked or unlabeled substance that is	237
represented to be a controlled substance manufactured,	238
processed, packed, or distributed by a person other than the	239
person that manufactured, processed, packed, or distributed it;	240
(3) Any substance that is represented to be a controlled	241
substance but is not a controlled substance or is a different	242
controlled substance;	243
(4) Any substance other than a controlled substance that a	244
reasonable person would believe to be a controlled substance	245
because of its similarity in shape, size, and color, or its	246
markings, labeling, packaging, distribution, or the price for	247

which it is sold or offered for sale. 248

(P) An offense is "committed in the vicinity of a school" 249
if the offender commits the offense on school premises, in a 250
school building, or within one thousand feet of the boundaries 251
of any school premises, regardless of whether the offender knows 252
the offense is being committed on school premises, in a school 253
building, or within one thousand feet of the boundaries of any 254
school premises. 255

(Q) "School" means any school operated by a board of 256
education, any community school established under Chapter 3314. 257
of the Revised Code, or any nonpublic school for which the state 258
board of education prescribes minimum standards under section 259
3301.07 of the Revised Code, whether or not any instruction, 260
extracurricular activities, or training provided by the school 261
is being conducted at the time a criminal offense is committed. 262

(R) "School premises" means either of the following: 263

(1) The parcel of real property on which any school is 264
situated, whether or not any instruction, extracurricular 265
activities, or training provided by the school is being 266
conducted on the premises at the time a criminal offense is 267
committed; 268

(2) Any other parcel of real property that is owned or 269
leased by a board of education of a school, the governing 270
authority of a community school established under Chapter 3314. 271
of the Revised Code, or the governing body of a nonpublic school 272
for which the state board of education prescribes minimum 273
standards under section 3301.07 of the Revised Code and on which 274
some of the instruction, extracurricular activities, or training 275
of the school is conducted, whether or not any instruction, 276

extracurricular activities, or training provided by the school 277
is being conducted on the parcel of real property at the time a 278
criminal offense is committed. 279

(S) "School building" means any building in which any of 280
the instruction, extracurricular activities, or training 281
provided by a school is conducted, whether or not any 282
instruction, extracurricular activities, or training provided by 283
the school is being conducted in the school building at the time 284
a criminal offense is committed. 285

(T) "Disciplinary counsel" means the disciplinary counsel 286
appointed by the board of commissioners on grievances and 287
discipline of the supreme court under the Rules for the 288
Government of the Bar of Ohio. 289

(U) "Certified grievance committee" means a duly 290
constituted and organized committee of the Ohio state bar 291
association or of one or more local bar associations of the 292
state of Ohio that complies with the criteria set forth in Rule 293
V, section 6 of the Rules for the Government of the Bar of Ohio. 294

(V) "Professional license" means any license, permit, 295
certificate, registration, qualification, admission, temporary 296
license, temporary permit, temporary certificate, or temporary 297
registration that is described in divisions (W)(1) to (36) of 298
this section and that qualifies a person as a professionally 299
licensed person. 300

(W) "Professionally licensed person" means any of the 301
following: 302

(1) A person who has obtained a license as a manufacturer 303
of controlled substances or a wholesaler of controlled 304
substances under Chapter 3719. of the Revised Code; 305

(2) A person who has received a certificate or temporary	306
certificate as a certified public accountant or who has	307
registered as a public accountant under Chapter 4701. of the	308
Revised Code and who holds an Ohio permit issued under that	309
chapter;	310
(3) A person who holds a certificate of qualification to	311
practice architecture issued or renewed and registered under	312
Chapter 4703. of the Revised Code;	313
(4) A person who is registered as a landscape architect	314
under Chapter 4703. of the Revised Code or who holds a permit as	315
a landscape architect issued under that chapter;	316
(5) A person licensed under Chapter 4707. of the Revised	317
Code;	318
(6) A person who has been issued a certificate of	319
registration as a registered barber under Chapter 4709. of the	320
Revised Code;	321
(7) A person licensed and regulated to engage in the	322
business of a debt pooling company by a legislative authority,	323
under authority of Chapter 4710. of the Revised Code;	324
(8) A person who has been issued a cosmetologist's	325
license, hair designer's license, manicurist's license,	326
esthetician's license, natural hair stylist's license, advanced	327
cosmetologist's license, advanced hair designer's license,	328
advanced manicurist's license, advanced esthetician's license,	329
advanced natural hair stylist's license, cosmetology	330
instructor's license, hair design instructor's license,	331
manicurist instructor's license, esthetics instructor's license,	332
natural hair style instructor's license, independent	333
contractor's license, or tanning facility permit under Chapter	334

4713. of the Revised Code;	335
(9) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious intravenous sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;	336 337 338 339 340 341
(10) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;	342 343 344 345 346
(11) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;	347 348 349 350
(12) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;	351 352 353
(13) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;	354 355
(14) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;	356 357
(15) A person licensed as a pharmacist, a pharmacy intern, a wholesale distributor of dangerous drugs, or a terminal distributor of dangerous drugs under Chapter 4729. of the Revised Code;	358 359 360 361
(16) A person who is authorized to practice as a physician	362

assistant under Chapter 4730. of the Revised Code;	363
(17) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Chapter 4731. of the Revised Code or has been issued a certificate to practice a limited branch of medicine under that chapter;	364 365 366 367 368
(18) A person licensed as a psychologist or school psychologist under Chapter 4732. of the Revised Code;	369 370
(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;	371 372 373
(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;	374 375
(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;	376 377
(22) A person registered as a registered sanitarian under Chapter 4736. of the Revised Code;	378 379
(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;	380 381
(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;	382 383
(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;	384 385
(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;	386 387 388 389

(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;	390 391 392
(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;	393 394 395
(29) A person licensed and registered to practice as a nursing home administrator under Chapter 4751. of the Revised Code;	396 397 398
(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;	399 400 401
(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;	402 403 404
(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;	405 406 407 408 409 410
(33) A person issued a license to practice dietetics under Chapter 4759. of the Revised Code;	411 412
(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;	413 414 415
(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;	416 417

(36) A person who has been admitted to the bar by order of 418
the supreme court in compliance with its prescribed and 419
published rules. 420

(X) "Cocaine" means any of the following: 421

(1) A cocaine salt, isomer, or derivative, a salt of a 422
cocaine isomer or derivative, or the base form of cocaine; 423

(2) Coca leaves or a salt, compound, derivative, or 424
preparation of coca leaves, including ecgonine, a salt, isomer, 425
or derivative of ecgonine, or a salt of an isomer or derivative 426
of ecgonine; 427

(3) A salt, compound, derivative, or preparation of a 428
substance identified in division (X) (1) or (2) of this section 429
that is chemically equivalent to or identical with any of those 430
substances, except that the substances shall not include 431
decocainized coca leaves or extraction of coca leaves if the 432
extractions do not contain cocaine or ecgonine. 433

(Y) "L.S.D." means lysergic acid diethylamide. 434

(Z) "Hashish" means the resin or a preparation of the 435
resin contained in marihuana, whether in solid form or in a 436
liquid concentrate, liquid extract, or liquid distillate form. 437

(AA) "Marihuana" has the same meaning as in section 438
3719.01 of the Revised Code, except that it does not include 439
hashish. 440

(BB) An offense is "committed in the vicinity of a 441
juvenile" if the offender commits the offense within one hundred 442
feet of a juvenile or within the view of a juvenile, regardless 443
of whether the offender knows the age of the juvenile, whether 444
the offender knows the offense is being committed within one 445

hundred feet of or within view of the juvenile, or whether the 446
juvenile actually views the commission of the offense. 447

(CC) "Presumption for a prison term" or "presumption that 448
a prison term shall be imposed" means a presumption, as 449
described in division (D) of section 2929.13 of the Revised 450
Code, that a prison term is a necessary sanction for a felony in 451
order to comply with the purposes and principles of sentencing 452
under section 2929.11 of the Revised Code. 453

(DD) "Major drug offender" has the same meaning as in 454
section 2929.01 of the Revised Code. 455

(EE) "Minor drug possession offense" means either of the 456
following: 457

(1) A violation of section 2925.11 of the Revised Code as 458
it existed prior to July 1, 1996; 459

(2) A violation of section 2925.11 of the Revised Code as 460
it exists on and after July 1, 1996, that is a misdemeanor or a 461
felony of the fifth degree. 462

(FF) "Mandatory prison term" has the same meaning as in 463
section 2929.01 of the Revised Code. 464

(GG) "Adulterate" means to cause a drug to be adulterated 465
as described in section 3715.63 of the Revised Code. 466

(HH) "Public premises" means any hotel, restaurant, 467
tavern, store, arena, hall, or other place of public 468
accommodation, business, amusement, or resort. 469

(II) "Methamphetamine" means methamphetamine, any salt, 470
isomer, or salt of an isomer of methamphetamine, or any 471
compound, mixture, preparation, or substance containing 472
methamphetamine or any salt, isomer, or salt of an isomer of 473

methamphetamine. 474

(JJ) "Lawful prescription" means a prescription that is 475
issued for a legitimate medical purpose by a licensed health 476
professional authorized to prescribe drugs, that is not altered 477
or forged, and that was not obtained by means of deception or by 478
the commission of any theft offense. 479

(KK) "Deception" and "theft offense" have the same 480
meanings as in section 2913.01 of the Revised Code. 481

(LL) "Fentanyl-related compound" means any of the 482
following: 483

(1) Fentanyl; 484

(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta- 485
phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2- 486
phenylethyl)-4-(N-propanilido) piperidine); 487

(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2- 488
thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide); 489

(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4- 490
piperidinyl]-N-phenylpropanamide); 491

(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2- 492
hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N- 493
phenylpropanamide); 494

(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4- 495
piperidyl]-N- phenylpropanamide); 496

(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]- 497
4-piperidinyl]-N-phenylpropanamide); 498

(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2- 499
phenethyl)-4-piperidinyl]propanamide; 500

(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide;	501
	502
(10) Alfentanil;	503
(11) Carfentanil;	504
(12) Remifentanil;	505
(13) Sufentanil;	506
(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and	507
	508
(15) A schedule I narcotic-opiate that meets the fentanyl pharmacophore requirements specified in division (A) (56) of section 3719.41 of the Revised Code, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl.	509
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<u>Sec. 3333.614. (A) The deans of the Ohio state university college of dentistry and case western reserve university school of dental medicine shall jointly develop a proposal for the creation of a primary care dental student component of the choose Ohio first scholarship program operated under section 3333.61 of the Revised Code. The purpose of the component is to annually award scholarships to dental students who meet the requirements of division (D) of this section.</u>	515
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<u>(B) The deans shall consider including in the proposal provisions that do the following:</u>	523
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<u>(1) Establish a scholarship fund of sufficient size to permit annually not more than eight dental students to receive scholarships;</u>	525
	526
	527

(2) Specify that a scholarship may be provided to a dental student for not more than four years. 528
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(C) The deans shall submit the proposal to the chancellor of higher education not later than January 1, 2020, for the chancellor's review. The chancellor shall decide whether to implement the component as part of the program. 530
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(D) If the component is implemented, a dental student must meet both of the following requirements to be eligible for a scholarship: 534
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(1) Commit to practice dentistry, for not less than four years, in a dental health resource shortage area that has been designated under section 3702.87 of the Revised Code; 537
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539

(2) Accept medicaid recipients as patients, without restriction and, as compared to other patients, in a proportion that is specified in the scholarship. 540
541
542

Sec. 3923.90. (A) As used in this section, "teledentistry" has the same meaning as in section 4715.43 of the Revised Code. 543
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(B) No individual or group policy of sickness and accident insurance or public employee benefit plan shall deny coverage for the costs of any services provided to an insured through teledentistry if those services would be covered if the services were delivered other than through teledentistry. 545
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(C) The coverage that may not be excluded under division (B) of this section is subject to all terms, conditions, restrictions, exclusions, and limitations that apply to any other coverage for services performed by participating and nonparticipating providers. 550
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Sec. 4715.03. (A) The state dental board shall organize by 555

electing from its members a president, secretary, and vice- 556
secretary. The secretary and vice-secretary shall be elected 557
from the members of the board who are dentists. It shall hold 558
meetings monthly at least eight months a year at such times and 559
places as the board designates. A majority of the members of the 560
board shall constitute a quorum. The board shall make such 561
reasonable rules as it determines necessary pursuant to Chapter 562
119. of the Revised Code. 563

(B) A concurrence of a majority of the members of the 564
board shall be required to do any of the following: 565

(1) Grant, refuse, suspend, place on probationary status, 566
revoke, refuse to renew, or refuse to reinstate a license or 567
censure a license holder or take any other action authorized 568
under section 4715.30 of the Revised Code; 569

(2) Seek an injunction under section 4715.05 of the 570
Revised Code; 571

(3) Enter into a consent agreement with a license holder; 572

(4) If the board develops and implements the quality 573
intervention program under section 4715.031 of the Revised Code, 574
refer a license holder to the program; 575

(5) Terminate an investigation conducted under division 576
(D) of this section; 577

(6) Dismiss any complaint filed with the board. 578

(C) (1) The board shall adopt rules in accordance with 579
Chapter 119. of the Revised Code to do both of the following: 580

(a) Establish standards for the safe practice of dentistry 581
and dental hygiene by qualified practitioners and shall, through 582
its policies and activities, promote such practice; 583

(b) Establish universal blood and body fluid precautions that shall be used by each person licensed under this chapter who performs exposure prone invasive procedures.	584 585 586
(2) The rules adopted under division (C) (1) (b) of this section shall define and establish requirements for universal blood and body fluid precautions that include the following:	587 588 589
(a) Appropriate use of hand washing;	590
(b) Disinfection and sterilization of equipment;	591
(c) Handling and disposal of needles and other sharp instruments;	592 593
(d) Wearing and disposal of gloves and other protective garments and devices.	594 595
(D) The board shall administer and enforce the provisions of this chapter. The board shall, in accordance with sections 4715.032 to 4715.035 of the Revised Code, investigate evidence which appears to show that any person has violated any provision of this chapter. Any person may report to the board under oath any information such person may have appearing to show a violation of any provision of this chapter. In the absence of bad faith, any person who reports such information or who testifies before the board in any disciplinary proceeding conducted pursuant to Chapter 119. of the Revised Code is not liable for civil damages as a result of making the report or providing testimony. If after investigation and reviewing the recommendation of the supervisory investigative panel issued pursuant to section 4715.034 of the Revised Code the board determines that there are reasonable grounds to believe that a violation of this chapter has occurred, the board shall, except as provided in this chapter, conduct disciplinary proceedings	596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612

pursuant to Chapter 119. of the Revised Code, seek an injunction 613
under section 4715.05 of the Revised Code, enter into a consent 614
agreement with a license holder, or provide for a license holder 615
to participate in the quality intervention program established 616
under section 4715.031 of the Revised Code if the board develops 617
and implements that program. 618

For the purpose of any disciplinary proceeding or any 619
investigation conducted under this division, the board may 620
administer oaths, order the taking of depositions, issue 621
subpoenas in accordance with section 4715.033 of the Revised 622
Code, compel the attendance and testimony of persons at 623
depositions, and compel the production of books, accounts, 624
papers, documents, or other tangible things. The hearings and 625
investigations of the board shall be considered civil actions 626
for the purposes of section 2305.252 of the Revised Code. 627
Notwithstanding section 121.22 of the Revised Code and except as 628
provided in section 4715.036 of the Revised Code, proceedings of 629
the board relative to the investigation of a complaint or the 630
determination whether there are reasonable grounds to believe 631
that a violation of this chapter has occurred are confidential 632
and are not subject to discovery in any civil action. 633

(E) (1) The board shall examine or cause to be examined 634
eligible applicants to practice dental hygiene. The board may 635
distinguish by rule different classes of qualified personnel 636
according to skill levels and require all or only certain of 637
these classes of qualified personnel to be examined and 638
certified by the board. 639

(2) The board shall administer a written jurisprudence 640
examination to each applicant for a license to practice 641
dentistry. The examination shall cover only the statutes and 642

administrative rules governing the practice of dentistry in this state. 643
644

(F) In accordance with Chapter 119. of the Revised Code, 645
the board shall adopt, and may amend or rescind, rules 646
establishing the eligibility criteria, the application and 647
permit renewal procedures, and safety standards applicable to a 648
dentist licensed under this chapter who applies for a permit to 649
employ or use conscious ~~intravenous~~-sedation. These rules shall 650
include all of the following: 651

(1) The eligibility requirements and application 652
procedures for an eligible dentist to obtain a conscious 653
~~intravenous~~-sedation permit; 654

(2) The minimum educational and clinical training 655
standards required of applicants, which shall include 656
satisfactory completion of an advanced cardiac life support 657
course; 658

(3) The facility equipment and inspection requirements; 659

(4) Safety standards; 660

(5) Requirements for reporting adverse occurrences. 661

(G) In accordance with Chapter 119. of the Revised Code, 662
the board shall adopt rules establishing eligibility criteria, 663
application and permit renewal procedures, and safety standards 664
applicable to a dentist licensed under this chapter who applies 665
for a general anesthesia permit. 666

Sec. 4715.09. (A) No person shall practice dentistry 667
without a current license from the state dental board. No person 668
shall practice dentistry while the person's license is under 669
suspension by the state dental board. 670

(B) No dentist shall use the services of any person not 671
licensed to practice dentistry in this state, or the services of 672
any partnership, corporation, or association, to construct, 673
alter, repair, or duplicate any denture, plate, bridge, splint, 674
or orthodontic or prosthetic appliance, without first furnishing 675
the unlicensed person, partnership, corporation, or association 676
with a written work authorization on forms prescribed by the 677
state dental board. 678

The unlicensed person, partnership, corporation, or 679
association shall retain the original work authorization, and 680
the dentist shall retain a duplicate copy of the work 681
authorization, for two years from its date. Work authorizations 682
required by this section shall be open for inspection during the 683
two-year period by the state dental board, its authorized agent, 684
or the prosecuting attorney of a county or the director of law 685
of a municipal corporation wherein the work authorizations are 686
located. 687

(C) If the person, partnership, association, or 688
corporation receiving a written authorization from a licensed 689
dentist engages another person, firm, or corporation, referred 690
to in this division as "subcontractor," to perform some of the 691
services relative to the work authorization, ~~he or it~~ the person 692
shall furnish a written sub-work authorization with respect 693
thereto on forms prescribed by the state dental board. 694

The subcontractor shall retain the sub-work authorization 695
and the issuer thereof shall retain a duplicate copy, attached 696
to the work authorization received from the licensed dentist, 697
for inspection by the state dental board or its duly authorized 698
agents, for a period of two years in both cases. 699

(D) No unlicensed person, partnership, association, or 700

corporation shall perform any service described in division (B) 701
of this section without a written work authorization from a 702
licensed dentist. Provided, that if a written work authorization 703
is demanded from a licensed dentist who fails or refuses to 704
furnish it for any reason, the unlicensed person, partnership, 705
association, or corporation shall not, in such event, be subject 706
to the enforcement provisions of section 4715.05 or the penal 707
provisions of section 4715.99 of the Revised Code. 708

(E) No dentist shall employ or use conscious ~~intravenous~~ 709
sedation unless the dentist possesses a valid permit issued by 710
the state dental board authorizing ~~him~~ the dentist to do so. 711

(F) No dentist shall employ or use general anesthesia 712
unless the dentist possesses a valid permit issued by the state 713
dental board authorizing the dentist to do so. 714

Sec. 4715.10. (A) As used in this section, "accredited 715
dental college" means a dental college accredited by the 716
commission on dental accreditation or a dental college that has 717
educational standards recognized by the commission on dental 718
accreditation and is approved by the state dental board. 719

(B) Each person who desires to practice dentistry in this 720
state shall file a written application for a license with the 721
secretary of the state dental board. The application shall be on 722
a form prescribed by the board and verified by oath. Each 723
applicant shall furnish satisfactory proof to the board that the 724
applicant has met the requirements of divisions (C) and (D) of 725
this section, and if the applicant is a graduate of an 726
unaccredited dental college located outside the United States, 727
division (E) of this section. 728

(C) To be granted a license to practice dentistry, an 729

applicant must meet all of the following requirements:	730
(1) Be at least eighteen years of age;	731
(2) Be of good moral character;	732
(3) Be a graduate of an accredited dental college or of a dental college located outside the United States who meets the standards adopted under section 4715.11 of the Revised Code;	733 734 735
(4) Have passed parts I and II of the examination given by the national board of dental examiners;	736 737
(5) Have passed a written jurisprudence examination administered by the state dental board under division (E) (2) of section 4715.03 of the Revised Code;	738 739 740
(6) Pay the fee required by division (A) (1) of section 4715.13 of the Revised Code.	741 742
(D) To be granted a license to practice dentistry, an applicant must meet any one of the following requirements:	743 744
(1) Have taken an examination administered by any of the following regional testing agencies and received on each component of the examination a passing score as specified in division (A) of section 4715.11 of the Revised Code <u>on the examination as determined by the administering agency</u> : the central regional dental testing service, inc., northeast regional board of dental examiners, inc., <u>the commission on dental competency assessments</u> , the southern regional dental testing agency, inc., <u>the council of interstate testing agencies, inc.</u> , or the western regional examining board;	745 746 747 748 749 750 751 752 753 754
(2) Have taken an examination administered by the state dental board and received a passing score as established by the board;	755 756 757

(3) Possess a license in good standing from another state 758
and have actively engaged in the legal and reputable practice of 759
dentistry in another state or in the armed forces of the United 760
States, the United States public health service, or the United 761
States department of veterans' affairs for five years 762
immediately preceding application; 763

(4) Have completed a dental residency program accredited 764
or approved by the commission on dental accreditation and 765
administered by an accredited dental college or hospital. 766

(E) To be granted a license to practice dentistry, a 767
graduate of an unaccredited dental college located outside the 768
United States must meet both of the following requirements: 769

(1) Have taken a basic science and laboratory examination 770
consistent with rules adopted under section 4715.11 of the 771
Revised Code and received a passing score as established by the 772
board; 773

(2) Have had sufficient clinical training in an accredited 774
institution to reasonably assure a level of competency equal to 775
that of graduates of accredited dental colleges, as determined 776
by the board. 777

Sec. 4715.11. In the state dental board's implementation 778
of section 4715.10 of the Revised Code, all of the following 779
apply: 780

~~(A) For purposes of division (D)(1) of section 4715.10 of~~ 781
~~the Revised Code, a passing score on a component of an~~ 782
~~examination administered by a regional testing agency is the~~ 783
~~score established by the agency as a passing score for the~~ 784
~~component or, if the agency has not established a passing score~~ 785
~~for the component, the score established by the board as a~~ 786

~~passing score for the component. The board shall adopt rules— 787
establishing passing scores for examination components as— 788
necessary to implement this division. 789~~

~~(B)~~ The board shall adopt rules establishing standards 790
that must be met by graduates of unaccredited dental colleges 791
located outside the United States. The standards must reasonably 792
assure that the graduates have received a level of education and 793
training equal to that provided by accredited dental colleges. 794

~~(C)~~ (B) The board shall adopt rules governing the basic 795
sciences and laboratory examination required by division (E) (1) 796
of section 4715.10 of the Revised Code. 797

Sec. 4715.13. (A) Applicants for licenses to practice 798
dentistry or for a general anesthesia permit or a conscious 799
~~intravenous~~ sedation permit shall pay to the secretary of the 800
state dental board the following fees: 801

(1) For license to practice dentistry, two hundred sixty- 802
seven dollars if issued in an odd-numbered year or four hundred 803
fifty-four dollars if issued in an even-numbered year; 804

(2) For duplicate license, to be granted upon proof of 805
loss of the original, twenty dollars; 806

(3) For a general anesthesia permit, one hundred twenty- 807
seven dollars; 808

(4) For a conscious ~~intravenous~~ sedation permit, one 809
hundred twenty-seven dollars. 810

(B) Forty dollars of each fee collected under division (A) 811
(1) of this section for a license issued in an even-numbered 812
year and twenty dollars of each fee collected under division (A) 813
(1) of this section in an odd-numbered year shall be paid to the 814

dentist loan repayment fund established under section 3702.95 of 815
the Revised Code. 816

(C) In the case of a person who applies for a license to 817
practice dentistry by taking an examination administered by the 818
state dental board, both of the following apply: 819

(1) The fee in division (A) (1) of this section may be 820
refunded to an applicant who is unavoidably prevented from 821
attending the examination, or the applicant may be examined at 822
the next regular or special meeting of the board without an 823
additional fee. 824

(2) An applicant who fails the first examination may be 825
re-examined at the next regular or special meeting of the board 826
without an additional fee. 827

Sec. 4715.22. (A) (1) This section applies only when a 828
licensed dental hygienist is not practicing ~~under a~~ in 829
accordance with either of the following: 830

(a) A permit issued pursuant to section 4715.363 of the 831
Revised Code authorizing practice under the oral health access 832
supervision of a dentist; 833

(b) Section 4715.431 of the Revised Code. 834

(2) As used in this section, "health care facility" means 835
either of the following: 836

(a) A hospital registered under section 3701.07 of the 837
Revised Code; 838

(b) A "home" as defined in section 3721.01 of the Revised 839
Code. 840

(B) A licensed dental hygienist shall practice under the 841

supervision, order, control, and full responsibility of a 842
dentist licensed under this chapter. A dental hygienist may 843
practice in a dental office, public or private school, health 844
care facility, dispensary, or public institution. Except as 845
provided in divisions (C) to (E) of this section, a dental 846
hygienist may not provide dental hygiene services to a patient 847
when the supervising dentist is not physically present at the 848
location where the dental hygienist is practicing. 849

(C) A dental hygienist may provide, for not more than 850
fifteen consecutive business days, dental hygiene services to a 851
patient when the supervising dentist is not physically present 852
at the location where the services are provided if all of the 853
following requirements are met: 854

(1) The dental hygienist has at least one year and a 855
minimum of one thousand five hundred hours of experience in the 856
practice of dental hygiene. 857

(2) The dental hygienist has successfully completed a 858
course approved by the state dental board in the identification 859
and prevention of potential medical emergencies. 860

~~(3) The dental hygienist complies with written protocols 861
the supervising dentist establishes for emergencies. 862~~

~~(4) The dental hygienist does not perform, while the 863
supervising dentist is absent from the location, procedures 864
while the patient is anesthetized, definitive root planing, 865
definitive subgingival curettage, or other procedures identified 866
in rules the state dental board adopts. 867~~

~~(5)~~ (4) The supervising dentist has evaluated the dental 868
hygienist's skills. 869

~~(6)~~ (5) The supervising dentist examined the patient not 870

more than one year prior to the date the dental hygienist 871
provides the dental hygiene services to the patient. 872

~~(7)~~ (6) The dental hygienist complies with written 873
protocols or written standing orders that the supervising 874
dentist establishes, including those established for 875
emergencies. 876

~~(8)~~ (7) The supervising dentist completed and evaluated a 877
medical and dental history of the patient not more than one year 878
prior to the date the dental hygienist provides dental hygiene 879
services to the patient and, except when the dental hygiene 880
services are provided in a health care facility, the supervising 881
dentist determines that the patient is in a medically stable 882
condition. 883

~~(9)~~ (8) If the dental hygiene services are provided in a 884
health care facility, a doctor of medicine and surgery or 885
osteopathic medicine and surgery who holds a current certificate 886
issued under Chapter 4731. of the Revised Code or a registered 887
nurse licensed under Chapter 4723. of the Revised Code is 888
present in the health care facility when the services are 889
provided. 890

~~(10)~~ (9) In advance of the appointment for dental hygiene 891
services, the patient is notified that the supervising dentist 892
will be absent from the location and that the dental hygienist 893
cannot diagnose the patient's dental health care status. 894

~~(11)~~ (10) The dental hygienist is employed by, or under 895
contract with, one of the following: 896

(a) The supervising dentist; 897

(b) A dentist licensed under this chapter who is one of 898
the following: 899

(i) The employer of the supervising dentist;	900
(ii) A shareholder in a professional association formed under Chapter 1785. of the Revised Code of which the supervising dentist is a shareholder;	901 902 903
(iii) A member or manager of a limited liability company formed under Chapter 1705. of the Revised Code of which the supervising dentist is a member or manager;	904 905 906
(iv) A shareholder in a corporation formed under division (B) of section 1701.03 of the Revised Code of which the supervising dentist is a shareholder;	907 908 909
(v) A partner or employee of a partnership or a limited liability partnership formed under Chapter 1775. or 1776. of the Revised Code of which the supervising dentist is a partner or employee.	910 911 912 913
(c) A government entity that employs the dental hygienist to provide dental hygiene services in a public school or in connection with other programs the government entity administers.	914 915 916 917
(D) A dental hygienist may provide dental hygiene services to a patient when the supervising dentist is not physically present at the location where the services are provided if the services are provided as part of a dental hygiene program that is approved by the state dental board and all of the following requirements are met:	918 919 920 921 922 923
(1) The program is operated through a school district board of education or the governing board of an educational service center; the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code; a national, state,	924 925 926 927 928

district, or local dental association; or any other public or 929
private entity recognized by the state dental board. 930

(2) The supervising dentist is employed by or a volunteer 931
for, and the patients are referred by, the entity through which 932
the program is operated. 933

(3) (a) Except as provided in division (D) (3) (b) of this 934
section, the services are performed after examination and 935
diagnosis by the dentist and in accordance with the dentist's 936
written treatment plan. 937

(b) The requirement in division (D) (3) (a) of this section 938
does not apply when the only ~~service~~ services to be provided by 939
the dental hygienist ~~is~~ are the placement of pit and fissure 940
sealants and the application of fluoride varnish. 941

(E) A dental hygienist may ~~apply fluoride varnish, apply~~ 942
~~desensitizing agents, and discuss general nonmedical nutrition~~ 943
~~information for the purpose of maintaining good oral health~~ do 944
any of the following when the supervising dentist is not 945
physically present at the location where the services are 946
provided, regardless of whether the dentist has examined the 947
patient, if the dental hygienist is employed by, or under 948
contract with, the supervising dentist or another person or 949
government entity specified in division (C) ~~(11)~~ (10) (b) or (c) of 950
this section: 951

(1) Apply fluoride varnish; 952

(2) Apply desensitizing agents, excluding silver diamine 953
fluoride; 954

(3) Apply disclosing solutions; 955

(4) Apply pit and fissure sealants; 956

<u>(5) Recement temporary crowns or recement crowns with temporary cement;</u>	957
	958
<u>(6) Conduct caries susceptibility testing;</u>	959
<u>(7) Provide instruction on oral hygiene home care, including the use of toothbrushes and dental floss;</u>	960
	961
<u>(8) Discuss general nonmedical nutrition information for the purpose of maintaining good oral health.</u>	962
	963
As used in this <u>division (E) (8) of this section</u> , "general nonmedical nutrition information" means information on the following: principles of good nutrition and food preparation, food to be included in the normal daily diet, the essential nutrients needed by the body, recommended amounts of the essential nutrients, the actions of nutrients on the body, the effects of deficiencies or excesses of nutrients, or food and supplements that are good sources of essential nutrients.	964
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(F) No person shall do either of the following:	972
(1) Practice dental hygiene in a manner that is separate or otherwise independent from the dental practice of a supervising dentist;	973
	974
	975
(2) Establish or maintain an office or practice that is primarily devoted to the provision of dental hygiene services.	976
	977
(G) The state dental board shall adopt rules under division (C) of section 4715.03 of the Revised Code identifying procedures a dental hygienist may not perform when practicing in the absence of the supervising dentist pursuant to division (C) or (D) of this section. The board shall not identify recementation of temporary crowns or recementation of crowns with temporary cement as such procedures.	978
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Sec. 4715.23. The practice of a dental hygienist shall 985
consist of those prophylactic, preventive, and other procedures 986
that licensed dentists are authorized by this chapter and rules 987
of the dental board to assign only to licensed dental hygienists 988
or to qualified personnel under section 4715.39 of the Revised 989
Code. 990

~~Licensed dentists~~ A licensed dentist may assign to a 991
~~hygienists~~ hygienist intraoral tasks that do not require 992
the professional competence or skill of the licensed dentist and 993
that are authorized by board rule. Such performance of intraoral 994
tasks by a dental hygienists ~~hygienist~~ shall be under 995
supervision and full responsibility of the licensed dentist, and 996
at no time shall more than four dental hygienists be practicing 997
clinical hygiene under the supervision of the same dentist. The 998
foregoing shall not be construed as authorizing the assignment 999
of diagnosis, treatment planning and prescription (including 1000
prescriptions for drugs and medicaments or authorizations for 1001
restorative, prosthodontic, or orthodontic appliances); or, 1002
except when done in conjunction with the removal of calcarious 1003
deposits, dental cement, or accretions on the crowns and roots 1004
of teeth, surgical procedures on hard and soft tissues within 1005
the oral cavity or any other intraoral procedure that 1006
contributes to or results in an irremediable alteration of the 1007
oral anatomy; or the making of final impressions from which 1008
casts are made to construct any dental restoration. 1009

A licensed dentist may assign to a dental hygienist the 1010
application of silver diamine flouride if the dentist has 1011
examined the patient and diagnosed the need for such treatment 1012
and the dental hygienist has completed a course approved in 1013
accordance with rules adopted under division (B) of section 1014
4715.436 of the Revised Code. 1015

The state dental board shall issue rules defining the 1016
procedures that may be performed by licensed dental hygienists 1017
engaged in school health activities or employed by public 1018
agencies. 1019

Sec. 4715.36. As used in this section and sections 1020
4715.361 to 4715.374 of the Revised Code: 1021

(A) "Accredited dental hygiene school" means a dental 1022
hygiene school accredited by the American dental association 1023
commission on dental accreditation or a dental hygiene school 1024
whose educational standards are recognized by the American 1025
dental association commission on dental accreditation and 1026
approved by the state dental board. 1027

(B) "Authorizing dentist" means a dentist who authorizes a 1028
dental hygienist to perform dental hygiene services under 1029
section 4715.365 of the Revised Code. 1030

(C) "Clinical evaluation" means a diagnosis and treatment 1031
plan formulated for an individual patient by a dentist. 1032

(D) "Dentist" means an individual licensed under this 1033
chapter to practice dentistry. 1034

(E) "Dental hygienist" means an individual licensed under 1035
this chapter to practice as a dental hygienist. 1036

(F) "Dental hygiene services" means the prophylactic, 1037
preventive, and other procedures that dentists are authorized by 1038
this chapter and rules of the state dental board to assign to 1039
dental hygienists, except for procedures while a patient is 1040
anesthetized, definitive root planing, definitive subgingival 1041
curettage, the administration of local anesthesia, and the 1042
procedures specified in rules adopted by the board as described 1043
in division (C) ~~(4)~~ (3) of section 4715.22 of the Revised Code. 1044

(G) "Facility" means any of the following:	1045
(1) A health care facility, as defined in section 4715.22 of the Revised Code;	1046 1047
(2) A state correctional institution, as defined in section 2967.01 of the Revised Code;	1048 1049
(3) A comprehensive child development program that receives funds distributed under the "Head Start Act," 95 Stat. 499 (1981), 42 U.S.C. 9831, as amended, and is licensed as a child day-care center;	1050 1051 1052 1053
(4) A residential facility licensed under section 5123.19 of the Revised Code;	1054 1055
(5) A public school, as defined in section 3701.93 of the Revised Code, located in an area designated as a dental health resource shortage area pursuant to section 3702.87 of the Revised Code;	1056 1057 1058 1059
(6) A nonpublic school, as defined in section 3701.93 of the Revised Code, located in an area designated as a dental health resource shortage area pursuant to section 3702.87 of the Revised Code;	1060 1061 1062 1063
(7) A federally qualified health center or federally qualified health center look-alike, as defined in section 3701.047 of the Revised Code;	1064 1065 1066
(8) A shelter for victims of domestic violence, as defined in section 3113.33 of the Revised Code;	1067 1068
(9) A facility operated by the department of youth services under Chapter 5139. of the Revised Code;	1069 1070
(10) A foster home, as defined in section 5103.02 of the	1071

Revised Code;	1072
(11) A nonprofit clinic, as defined in section 3715.87 of the Revised Code;	1073 1074
(12) The residence of one or more individuals receiving services provided by a home health agency, as defined in section 3701.881 of the Revised Code;	1075 1076 1077
(13) A dispensary;	1078
(14) A health care facility, such as a clinic or hospital, of the United States department of veterans affairs;	1079 1080
(15) The residence of one or more individuals enrolled in a home and community-based services medicaid waiver component, as defined in section 5166.01 of the Revised Code;	1081 1082 1083
(16) A facility operated by the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code;	1084 1085 1086
(17) A women, infants, and children clinic;	1087
(18) A mobile dental unit located at any location listed in divisions (G) (1) to (17) of this section;	1088 1089
(19) Any other location, as specified by the state dental board in rules adopted under section 4715.372 of the Revised Code, that is in an area designated as a dental health resource shortage area pursuant to section 3702.87 of the Revised Code and provides health care services to individuals who are medicaid recipients and to indigent and uninsured persons, as defined in section 2305.234 of the Revised Code.	1090 1091 1092 1093 1094 1095 1096
Sec. 4715.365. (A) A dentist who holds a current, valid oral health access supervision permit issued under section	1097 1098

4715.362 of the Revised Code may authorize a dental hygienist 1099
who holds a current, valid permit issued under section 4715.363 1100
of the Revised Code to perform dental hygiene services at a 1101
facility when no dentist is physically present if all of the 1102
following conditions are met: 1103

(1) The authorizing dentist's authorization is in writing 1104
and includes, at a minimum, all of the following: 1105

(a) The authorizing dentist's name and permit number; 1106

(b) The dental hygienist's name and permit number; 1107

(c) The patient's name; 1108

(d) The name and address of the location where the dental 1109
hygiene services are to be provided; 1110

(e) The date of authorization; 1111

(f) A statement, signed by the dental hygienist, that the 1112
hygienist agrees to comply with section 4715.366 of the Revised 1113
Code. 1114

(2) The authorizing dentist has personally evaluated the 1115
dental hygienist's skills prior to authorizing the dental 1116
hygienist to provide the dental hygiene services. 1117

(3) Prior to authorizing the dental hygienist to perform 1118
the dental hygiene services, the patient's medical and dental 1119
history is made available to the authorizing dentist and the 1120
authorizing dentist reviews and evaluates the history and 1121
determines that the patient may safely receive dental hygiene 1122
services. 1123

(4) Immediately prior to the provision of dental hygiene 1124
services, the patient or patient's representative verifies, by 1125

the signature or mark of the patient or representative, that no 1126
medically significant changes to the patient's medical or dental 1127
history have occurred since the authorizing dentist most 1128
recently reviewed and evaluated the history and determined that 1129
the patient could safely receive dental hygiene services. The 1130
signature or mark may be provided through reasonable 1131
accommodation, including the use of assistive technology or 1132
augmentative devices. 1133

(5) Prior to receiving dental hygiene services, the 1134
patient and the operator of the facility where the dental 1135
hygiene services are to be provided are notified that no dentist 1136
will be present at the location and that the dental hygienist is 1137
prohibited from doing either of the following: 1138

(a) Diagnosing the patient's oral health care status; 1139

(b) Providing dental hygiene services to the same patient 1140
on a subsequent occasion until the patient has received a 1141
clinical evaluation performed by a dentist, except in instances 1142
described in division (D) (2) of this section. 1143

(6) The dental hygienist is employed by, or under contract 1144
with, one of the following: 1145

(a) The authorizing dentist; 1146

(b) A dentist who is any of the following: 1147

(i) The authorizing dentist's employer; 1148

(ii) A shareholder in a professional association, formed 1149
under Chapter 1785. of the Revised Code, of which the 1150
authorizing dentist is a shareholder; 1151

(iii) A member or manager of a limited liability company, 1152
formed under Chapter 1705. of the Revised Code, of which the 1153

authorizing dentist is a member or manager; 1154

(iv) A shareholder in a corporation, formed under division 1155
(B) of section 1701.03 of the Revised Code, of which the 1156
authorizing dentist is a shareholder; 1157

(v) A partner or employee of a partnership, formed under 1158
Chapter 1775. of the Revised Code, of which the authorizing 1159
dentist is a partner or employee; 1160

(vi) A partner or employee of a limited liability 1161
partnership, formed under Chapter 1775. of the Revised Code, of 1162
which the authorizing dentist is a partner or employee. 1163

(c) A government entity that employs the dental hygienist 1164
to provide dental hygiene services; 1165

(d) An entity that employs the authorizing dentist so long 1166
as the dentist's practice is not in violation of section 4715.18 1167
of the Revised Code. 1168

(7) If the patient to whom the services are to be provided 1169
previously received dental hygiene services under this section, 1170
there is written evidence that the patient received a clinical 1171
evaluation after the most recent provision of those services. 1172

(B) No dentist shall authorize a dental hygienist to 1173
perform, and no dental hygienist shall perform, dental hygiene 1174
services on a patient under this section unless all of the 1175
conditions in division (A) of this section are met. 1176

(C) If a patient or patient's representative indicates, 1177
under division (A) (4) of this section, that a medically 1178
significant change has occurred in the patient's medical or 1179
dental history since the authorizing dentist's most recent 1180
review and evaluation of the medical and dental history required 1181

by division (A) (3) of this section, no dental hygiene services 1182
shall be provided under this section until the authorizing 1183
dentist completes another review and evaluation of the patient's 1184
medical and dental history. The authorizing dentist may complete 1185
the subsequent review and evaluation of the patient's medical 1186
and dental history by telephone, facsimile, electronic mail, 1187
video, or any other means of electronic communication. 1188

(D) (1) Except as provided in division (D) (2) of this 1189
section, no dentist shall authorize a dental hygienist to 1190
provide, and no dental hygienist shall provide, dental hygiene 1191
services under this section to the same patient on a subsequent 1192
occasion until the patient has received a clinical evaluation 1193
performed by a dentist. 1194

(2) Division (D) (1) of this section does not apply if the 1195
patient requires multiple visits to complete one or more 1196
procedures that could not be completed during the visit in which 1197
dental hygiene services were commenced. If the patient requires 1198
multiple visits to complete the one or more procedures that 1199
could not be completed during the visit in which dental hygiene 1200
services were commenced, the one or more procedures shall be 1201
completed not later than eight weeks after the visit in which 1202
the dental hygiene services were commenced. 1203

(E) No authorizing dentist shall authorize a dental 1204
hygienist to diagnose a patient's oral health care status. No 1205
dental hygienist practicing under a permit issued under section 1206
4715.363 of the Revised Code to practice under the oral health 1207
access supervision of a dentist shall diagnose a patient's oral 1208
health care status. 1209

Sec. 4715.39. (A) The state dental board may define the 1210
duties that may be performed by dental assistants and other 1211

individuals designated by the board as qualified personnel. If 1212
defined, the duties shall be defined in rules adopted in 1213
accordance with Chapter 119. of the Revised Code. The rules may 1214
include training and practice standards for dental assistants 1215
and other qualified personnel. The standards may include 1216
examination and issuance of a certificate. If the board issues a 1217
certificate, the recipient shall display the certificate in a 1218
conspicuous location in any office in which the recipient is 1219
employed to perform the duties authorized by the certificate. 1220

(B) A dental assistant may polish the clinical crowns of 1221
teeth if all of the following requirements are met: 1222

(1) The dental assistant's polishing activities are 1223
limited to the use of a rubber cup attached to a slow-speed 1224
rotary dental hand piece to remove soft deposits that build up 1225
over time on the crowns of teeth. 1226

(2) The polishing is performed only after a dentist has 1227
evaluated the patient and any calculus detected on the teeth to 1228
be polished has been removed by a dentist or dental hygienist. 1229

(3) The dentist supervising the assistant supervises not 1230
more than two dental assistants engaging in polishing activities 1231
at any given time. 1232

(4) The dental assistant is certified by the dental 1233
assisting national board or the Ohio commission on dental 1234
assistant certification. 1235

(5) The dental assistant receives a certificate from the 1236
board authorizing the assistant to engage in the polishing 1237
activities. The board shall issue the certificate if the 1238
individual has successfully completed training in the polishing 1239
of clinical crowns through a program accredited by the American 1240

dental association commission on dental accreditation or 1241
equivalent training approved by the board. The training shall 1242
include courses in basic dental anatomy and infection control, 1243
followed by a course in coronal polishing that includes 1244
didactic, preclinical, and clinical training; any other training 1245
required by the board; and a skills assessment that includes 1246
successful completion of standardized testing. The board shall 1247
adopt rules pursuant to division (A) of this section 1248
establishing standards for approval of this training. 1249

(C) A dental assistant may apply pit and fissure sealants 1250
if all of the following requirements are met: 1251

(1) A dentist evaluates the patient and designates the 1252
teeth and surfaces that will benefit from the application of 1253
sealant on the day the application is to be performed. 1254

(2) The dental assistant is certified by the dental 1255
assisting national board or the Ohio commission on dental 1256
assistant certification. 1257

(3) The dental assistant has successfully completed a 1258
course in the application of sealants consisting of at least two 1259
hours of didactic instruction and six hours of clinical 1260
instruction through a program provided by an institution 1261
accredited by the American dental association commission on 1262
dental accreditation or a program provided by a sponsor of 1263
continuing education approved by the board. 1264

(4) The dentist supervising the assistant has observed the 1265
assistant successfully apply at least six sealants. 1266

(5) Except as provided in division (D) or (E) of this 1267
section, the dentist supervising the assistant checks and 1268
approves the application of all sealants placed by the assistant 1269

before the patient leaves the location where the sealant application procedure is performed. 1270
1271

(D) (1) A dental assistant who is certified by the dental assisting national board or the Ohio commission on dental assistant certification may provide, for not more than fifteen consecutive business days, all of the following services to a patient when the supervising dentist is not physically present at the location where the services are provided if the conditions specified in division (D) (2) of this section have been satisfied: 1272
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(a) Recementation of temporary crowns or recementation of crowns with temporary cement; 1280
1281

(b) Application of fluoride varnish; 1282

(c) Application of disclosing solutions; 1283

(d) Application of desensitizing agents, excluding silver diamine fluoride; 1284
1285

(e) Caries susceptibility testing; 1286

(f) Instruction on oral hygiene home care, including the use of toothbrushes and dental floss. 1287
1288

(2) The conditions that must be satisfied before a dental assistant may provide the services specified in division (D) (1) of this section are all of the following: 1289
1290
1291

(a) The dental assistant has at least ~~two years~~ one year and a minimum of ~~three~~ one thousand five hundred hours of experience practicing as a dental assistant. 1292
1293
1294

(b) The dental assistant has successfully completed a course approved by the state dental board in the identification 1295
1296

and prevention of potential medical emergencies. 1297

(c) The supervising dentist has evaluated the dental 1298
assistant's skills. 1299

~~(d) The supervising dentist examined the patient not more 1300
than one year prior to the date that the dental assistant 1301
provides the services to the patient. 1302~~

~~(e)~~ The supervising dentist has established written 1303
protocols or written standing orders for the dental assistant to 1304
follow during and in the absence of an emergency. 1305

~~(f)~~ (e) The supervising dentist completed and evaluated a 1306
medical and dental history of the patient not more than one year 1307
prior to the date that the dental assistant provides services to 1308
the patient, and the supervising dentist determines that the 1309
patient is in a medically stable condition. 1310

~~(g)~~ (f) The patient is notified, in advance of the 1311
appointment for services, that the supervising dentist will be 1312
absent from the location and that the dental assistant cannot 1313
diagnose the patient's dental health care status. 1314

~~(h)~~ (g) The dental assistant is employed by, or under 1315
contract with, the supervising dentist, a dentist licensed under 1316
this chapter who meets one of the criteria specified in division 1317
(C) ~~(11)~~ (10) (b) of section 4715.22 of the Revised Code, or a 1318
government entity that employs the dental assistant to provide 1319
services in a public school or in connection with other programs 1320
the government entity administers. 1321

(3) A dental assistant who is certified by the dental 1322
assisting national board or the Ohio commission on dental 1323
assistant certification may apply, for not more than fifteen 1324
business days, pit and fissure sealants when the supervising 1325

dentist is not physically present at the location where the 1326
sealants are to be applied if the dental assistant meets the 1327
requirements in divisions (C) (3) and (4) of this section and all 1328
of the conditions specified in division (D) (2) of this section 1329
have been satisfied. 1330

(E) A dental assistant who is certified by the dental 1331
assisting national board or the Ohio commission on dental 1332
assistant certification may apply pit and fissure sealants prior 1333
to a dentist examining the patient and rendering a diagnosis, 1334
and when a dentist is not physically present at the location 1335
where the service is provided, if all of the following are the 1336
case: 1337

(1) The dental assistant meets the requirements in 1338
divisions (C) (3) and (4) of this section. 1339

(2) ~~All of the~~ The conditions specified in ~~division~~ 1340
divisions (D) (2) (a), (b), (c), (d), (f), and (g) of this section 1341
have been satisfied. 1342

(3) The dental assistant is providing the service as part 1343
of a program operated through any of the following: a school 1344
district board of education or the governing board of an 1345
educational service center; the board of health of a city or 1346
general health district or the authority having the duties of a 1347
board of health under section 3709.05 of the Revised Code; a 1348
national, state, district, or local dental association; or any 1349
other public or private entity recognized by the state dental 1350
board. 1351

(4) A supervising dentist for the program described in 1352
division (E) (3) of this section meets both of the following 1353
conditions: 1354

(a) Is employed by or a volunteer for, and the patients 1355
are referred by, the entity through which the program is 1356
operated; 1357

(b) Is available for consultation by telephone, 1358
videoconferencing, or other means of electronic communication. 1359

(5) The application of pit and fissure sealants is limited 1360
to erupted permanent posterior teeth without suspicion of 1361
dentinal cavitation. 1362

(6) If the patient is a minor, a parent, guardian, or 1363
other person responsible for the patient has been notified that 1364
a dentist will not be present at the location and that the 1365
dental assistant is not trained to diagnose or treat other 1366
serious dental concerns that could exist. 1367

(F) Subject to this section and the applicable rules of 1368
the board, licensed dentists may assign to dental assistants and 1369
other qualified personnel dental procedures that do not require 1370
the professional competence or skill of the licensed dentist, a 1371
dental hygienist, or an expanded function dental auxiliary as 1372
this section or the board by rule authorizes dental assistants 1373
and other qualified personnel to perform. Except as provided in 1374
division (D) or (E) of this section, the performance of dental 1375
procedures by dental assistants and other qualified personnel 1376
shall be under direct supervision and full responsibility of the 1377
licensed dentist. 1378

(G) Nothing in this section shall be construed by rule of 1379
the state dental board or otherwise to do the following: 1380

(1) Authorize dental assistants or other qualified 1381
personnel to engage in the practice of dental hygiene as defined 1382
by sections 4715.22 and 4715.23 of the Revised Code or to 1383

perform the duties of a dental hygienist, including the removal 1384
of calcarious deposits, dental cement, or accretions on the 1385
crowns and roots of teeth other than as authorized pursuant to 1386
this section; 1387

(2) Authorize dental assistants or other qualified 1388
personnel to engage in the practice of an expanded function 1389
dental auxiliary as specified in section 4715.64 of the Revised 1390
Code or to perform the duties of an expanded function dental 1391
auxiliary other than as authorized pursuant to this section. 1392

(3) Authorize the assignment of any of the following: 1393

(a) Diagnosis; 1394

(b) Treatment planning and prescription, including 1395
prescription for drugs and medicaments or authorization for 1396
restorative, prosthodontic, or orthodontic appliances; 1397

(c) Surgical procedures on hard or soft tissue of the oral 1398
cavity, or any other intraoral procedure that contributes to or 1399
results in an irremediable alteration of the oral anatomy; 1400

(d) The making of final impressions from which casts are 1401
made to construct any dental restoration. 1402

(H) No dentist shall assign any dental assistant or other 1403
individual acting in the capacity of qualified personnel to 1404
perform any dental procedure that the assistant or other 1405
individual is not authorized by this section or by board rule to 1406
perform. No dental assistant or other individual acting in the 1407
capacity of qualified personnel shall perform any dental 1408
procedure other than in accordance with this section and any 1409
applicable board rule or any dental procedure that the assistant 1410
or other individual is not authorized by this section or by 1411
board rule to perform. 1412

Sec. 4715.43. (A) As used in this section and in sections 1413
4715.431 to 4715.437 of the Revised Code: 1414

(1) "Authorizing dentist" means the holder of a current, 1415
valid teledentistry permit issued under this section who 1416
authorizes a dental hygienist or expanded function dental 1417
auxiliary to perform services under section 4715.431 of the 1418
Revised Code. 1419

(2) "Dental hygiene services" means the prophylactic, 1420
preventive, and other procedures that dentists are authorized by 1421
this chapter and rules of the state dental board to assign to 1422
dental hygienists, except for procedures while a patient is 1423
anesthetized, definitive root planing, definitive subgingival 1424
curettage, the administration of local anesthesia, and the 1425
procedures specified in rules adopted by the board as described 1426
in division (C) (3) of section 4715.22 of the Revised Code. 1427

(3) "Interim therapeutic restoration" means a direct 1428
provisional restoration placed to stabilize a tooth until a 1429
licensed dentist can assess the need for further treatment. 1430
"Interim therapeutic restoration" includes the removal of 1431
debris, other than carious or noncarious tooth structure, from 1432
the carious lesion using air or water irrigation. 1433

(4) "Synchronous, real-time communication" means a live, 1434
two-way interaction between a patient and a dentist conducted 1435
through audiovisual technology. 1436

(5) "Teledentistry" means the delivery of dental services 1437
through the use of synchronous, real-time communication and the 1438
delivery of services of a dental hygienist or expanded function 1439
dental auxiliary pursuant to a dentist's authorization. 1440

(B) A dentist who desires to provide dental services 1441

through teledentistry shall apply to the state dental board for 1442
a teledentistry permit. The application must be made under oath 1443
on a form prescribed by the board and be accompanied by a 1444
twenty-dollar application fee. To be eligible for the permit, 1445
the dentist must meet the requirements established by the board 1446
in rules adopted under section 4715.436 of the Revised Code. 1447

The state dental board shall issue a teledentistry permit 1448
to a dentist who is in good standing with the board and 1449
satisfies all of the requirements of this section. 1450

Sec. 4715.431. (A) If all of the conditions in division 1451
(B) of this section are met, an authorizing dentist may do 1452
either of the following under a teledentistry permit without 1453
examining a patient in person: 1454

(1) Authorize a dental hygienist or expanded function 1455
dental auxiliary to perform services as set forth in division 1456
(E) or (F) of this section, as applicable, at a location where 1457
no dentist is physically present; 1458

(2) Prescribe a drug that is not a controlled substance 1459
for a patient who is at a location where no dentist is 1460
physically present. 1461

(B) The conditions that must be met under division (A) of 1462
this section are the following: 1463

(1) The authorizing dentist must prepare a written 1464
authorization that includes all of the following: 1465

(a) The authorizing dentist's name and permit number; 1466

(b) The name of the dental hygienist or expanded function 1467
dental auxiliary; 1468

(c) The patient's name; 1469

- (d) The name and address of the location where the services are to be provided; 1470
1471
- (e) The date of the authorization; 1472
- (f) A statement signed by the dental hygienist or expanded function dental auxiliary agreeing to comply with the written protocols or written standing orders the authorizing dentist establishes, including those for dealing with emergencies; 1473
1474
1475
1476
- (g) Any other information the dentist considers appropriate. 1477
1478
- (2) Before any dental services are provided all of the following must occur: 1479
1480
- (a) The patient is notified that an authorizing dentist will perform a clinical evaluation through teledentistry. 1481
1482
- (b) The patient is given an explanation of alternatives to, and the capabilities and limitations of, teledentistry. 1483
1484
- (c) (i) Subject to division (B) (2) (c) (ii) of this section, the patient consents to the provision of services through teledentistry and the consent is documented in the patient's record. 1485
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- (ii) If the services to be provided are the placement of interim therapeutic restorations or the application of silver diamine fluoride, the requirements for informed consent in rules adopted under division (C) of section 4715.436 of the Revised Code have been met. 1489
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- (3) The authorizing dentist establishes the patient's identity and physical location through synchronous, real-time communication. 1494
1495
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- (4) The authorizing dentist provides dental services through teledentistry only as is appropriate for the patient and in accordance with appropriate standards of care. 1497
1498
1499
- (5) The authorizing dentist establishes a diagnosis and treatment plan and documents it in the patient's record. 1500
1501
- (6) The authorizing dentist specifies the services the dental hygienist or expanded function dental auxiliary is authorized to provide to the patient. 1502
1503
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- (7) The dental hygienist or expanded function dental auxiliary is employed by, or under contract with, one of the following: 1505
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- (a) The authorizing dentist; 1508
- (b) A dentist who is any of the following: 1509
- (i) The authorizing dentist's employer; 1510
- (ii) A shareholder in a professional association formed under Chapter 1785. of the Revised Code of which the authorizing dentist is a shareholder; 1511
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- (iii) A member or manager of a limited liability company formed under Chapter 1705. of the Revised Code of which the authorizing dentist is a member or manager; 1514
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- (iv) A shareholder in a corporation formed under division (B) of section 1701.03 of the Revised Code of which the authorizing dentist is a shareholder; 1517
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- (v) A partner or employee of a partnership, formed under Chapter 1775. of the Revised Code, of which the authorizing dentist is a partner or employee; 1520
1521
1522
- (vi) A partner or employee of a limited liability 1523

partnership, formed under Chapter 1775. of the Revised Code, of 1524
which the authorizing dentist is a partner or employee. 1525

(C) A dentist retains responsibility for ensuring the 1526
safety and quality of services provided to patients through 1527
teledentistry. Services delivered through teledentistry must be 1528
consistent with in-person services. Persons involved with 1529
providing services through teledentistry must abide by laws 1530
addressing the privacy and security of the patient's dental and 1531
medical information. 1532

(D) An authorizing dentist may not have more than a total 1533
of three dental hygienists and expanded dental function 1534
auxiliaries working under the dentist's authorization pursuant 1535
to this section at any time. 1536

(E) (1) If authorized to do so by an authorizing dentist in 1537
accordance with this section, a dental hygienist may provide 1538
dental hygiene services at a location where no dentist is 1539
physically present if all of the following requirements are met: 1540

(a) The dental hygienist has at least one year and a 1541
minimum of one thousand five hundred hours of experience in the 1542
practice of dental hygiene. 1543

(b) The dental hygienist has completed a course described 1544
in division (C) (2) of section 4715.22 of the Revised Code on the 1545
identification and prevention of potential medical emergencies. 1546

(c) The authorizing dentist has evaluated the dental 1547
hygienist's skills. 1548

(d) The dental hygienist complies with written protocols 1549
or written standing orders established by the authorizing 1550
dentist, including written protocols established for 1551
emergencies. 1552

(2) If authorized to do so by an authorizing dentist in 1553
accordance with this section, a dental hygienist may place 1554
interim therapeutic restorations when a dentist is not 1555
physically present at the location where the dental hygienist is 1556
practicing if the requirements of division (E)(1) of this 1557
section are met and the dental hygienist has successfully 1558
completed a state dental board-approved course in the proper 1559
placement of interim therapeutic restorations. 1560

(3) If authorized to do so by an authorizing dentist in 1561
accordance with this section, a dental hygienist may apply 1562
silver diamine fluoride when a dentist is not physically present 1563
at the location where the dental hygienist is practicing if the 1564
requirements of division (E)(1) of this section are met and the 1565
dental hygienist has successfully completed a state dental 1566
board-approved course in the application of silver diamine 1567
fluoride. 1568

(F)(1) If authorized to do so by an authorizing dentist in 1569
accordance with this section, an expanded function dental 1570
auxiliary may provide the services listed in divisions (A)(2) to 1571
(10) of section 4715.64 of the Revised Code, and any additional 1572
procedures authorized pursuant to division (A)(11) of that 1573
section, when a dentist is not physically present at the 1574
location where the expanded function dental auxiliary is 1575
practicing if all of the following requirements are met: 1576

(a) The expanded function dental auxiliary has at least 1577
one year and a minimum of one thousand five hundred hours of 1578
experience practicing as an expanded function dental auxiliary. 1579

(b) The expanded function dental auxiliary has completed a 1580
course described in division (C)(2) of section 4715.64 of the 1581
Revised Code on the identification and prevention of potential 1582

medical emergencies. 1583

(c) The authorizing dentist has evaluated the expanded 1584
function dental auxiliary's skills. 1585

(d) The expanded function dental auxiliary complies with 1586
written protocols or written standing orders established by the 1587
authorizing dentist, including written protocols for 1588
emergencies. 1589

(2) If authorized to do so by an authorizing dentist in 1590
accordance with this section, an expanded function dental 1591
auxiliary who meets the requirements of division (F)(1) of this 1592
section and has successfully completed a state dental board- 1593
approved course in the proper placement of interim therapeutic 1594
restorations may place interim therapeutic restorations when a 1595
dentist is not physically present at the location where the 1596
expanded function dental auxiliary is practicing. 1597

(3) If authorized to do so by an authorizing dentist in 1598
accordance with this section, an expanded function dental 1599
auxiliary who meets the requirements of division (F)(1) of this 1600
section and has successfully completed a state dental board- 1601
approved course in the application of silver diamine fluoride 1602
may apply silver diamine fluoride when a dentist is not 1603
physically present at the location where the expanded function 1604
dental auxiliary is practicing. 1605

(4) If authorized to do so by an authorizing dentist in 1606
accordance with this section, an expanded function dental 1607
auxiliary who meets the requirements of division (F)(1) of this 1608
section and holds a current, valid dental x-ray machine operator 1609
certificate issued by the board pursuant to section 4715.53 of 1610
the Revised Code may perform, for the purpose of contributing to 1611

the provision of dental care to a dental patient, standard, 1612
diagnostic radiologic procedures when a dentist is not 1613
physically present at the location where the expanded function 1614
dental auxiliary is practicing. 1615

Sec. 4715.432. A teledentistry permit issued under section 1616
4715.43 of the Revised Code expires on the thirty-first day of 1617
December of the first odd-numbered year occurring after the 1618
permit's issuance. A dentist who desires to renew a permit shall 1619
apply, under oath, to the state dental board on a form 1620
prescribed by the board and pay a renewal fee of twenty dollars. 1621

The board shall renew a teledentistry permit for a two- 1622
year period if the dentist is in good standing with the board 1623
and meets all of the following conditions: 1624

(A) Submits a complete application; 1625

(B) Pays the renewal fee; 1626

(C) Verifies with the board the locations where dental 1627
hygienists and expanded function dental auxiliaries have 1628
provided services pursuant to the dentist's authorization since 1629
the teledentistry permit was most recently issued or renewed. 1630

Sec. 4715.433. The state dental board may, in accordance 1631
with Chapter 119. of the Revised Code, suspend or revoke a 1632
permit issued under section 4715.43 of the Revised Code if the 1633
permit holder fails to comply with sections 4715.431 to 4715.437 1634
of the Revised Code, including any rules adopted by the board 1635
under section 4715.346 of the Revised Code. 1636

Sec. 4715.434. At the request of the state dental board, 1637
an authorizing dentist, or a dental hygienist or expanded 1638
function dental auxiliary who has been authorized to perform 1639
services in accordance with section 4715.431 of the Revised 1640

Code, shall make available to the board a list of all locations 1641
where the dental hygienist or expanded function dental auxiliary 1642
provided services, the locations where the hygienist or 1643
auxiliary is expected to provide services in the future, or 1644
both, as specified in the board's request. 1645

Sec. 4715.435. (A) No person shall provide services under 1646
section 4715.431 of the Revised Code unless one of the following 1647
applies: 1648

(1) The person is a dentist who holds a current, valid 1649
teledentistry permit issued under section 4715.43 of the Revised 1650
Code. 1651

(2) The person is providing services in accordance with 1652
section 4715.431 of the Revised Code and is either a dental 1653
hygienist or an expanded function dental auxiliary. 1654

(B) No person shall authorize a dental hygienist or 1655
expanded function dental auxiliary to provide services under 1656
section 4715.431 of the Revised Code unless the person is a 1657
dentist who holds a current, valid teledentistry permit issued 1658
under section 4715.43 of the Revised Code and the dental 1659
hygienist or expanded function dental hygienist will provide the 1660
services in accordance with division (E) or (F) of section 1661
4715.431 of the Revised Code, as appropriate. 1662

(C) No authorizing dentist shall authorize a dental 1663
hygienist or expanded function dental auxiliary to diagnose a 1664
patient's oral health care status. 1665

No dental hygienist or expanded function dental auxiliary 1666
shall diagnose a patient's oral health care status as part of 1667
services provided under section 4715.431 of the Revised Code. 1668

Sec. 4715.436. The state dental board shall adopt rules in 1669

accordance with Chapter 119. of the Revised Code as it considers 1670
necessary to implement sections 4715.43 to 4715.435 of the 1671
Revised Code. The rules shall include all of the following: 1672

(A) Requirements that must be met for issuance of a 1673
teledentistry permit under section 4715.43 of the Revised Code; 1674

(B) Approval of courses on the proper placement of interim 1675
therapeutic restorations and the application of silver diamine 1676
fluoride, as authorized under section 4715.431 of the Revised 1677
Code. 1678

(C) Requirements for obtaining informed consent for the 1679
placement of interim therapeutic restorations or the application 1680
of silver diamine fluoride when the patient is not examined in 1681
person by a dentist and the services are provided under a 1682
teledentistry permit, as described in section 4715.431 of the 1683
Revised Code. 1684

The rules may specify procedures a dental hygienist is not 1685
permitted to perform when practicing in the absence of the 1686
authorizing dentist pursuant to section 4715.431 of the Revised 1687
Code. 1688

Sec. 4715.437. Nothing in sections 4715.43 to 4715.436 of 1689
the Revised Code authorizes any activity prohibited by division 1690
(F) of section 4715.22 of the Revised Code, prohibited or not 1691
authorized by section 4715.23 of the Revised Code, or prohibited 1692
by this chapter or a rule adopted by the state dental board 1693
under this chapter. 1694

Sec. 4715.56. (A) Except as provided in division (B) of 1695
this section, a dental x-ray machine operator may perform 1696
radiologic procedures only if a dentist is providing direct 1697
supervision. Direct supervision does not require the dentist to 1698

observe each radiologic procedure performed by the operator, but 1699
does require that the dentist be present at the location where 1700
the operator is performing radiologic procedures for purposes of 1701
consulting with and directing the operator while performing the 1702
procedures. 1703

(B) A dental x-ray machine operator may perform radiologic 1704
procedures for a patient when the supervising dentist is not 1705
physically present at the location where the radiologic 1706
procedures are performed if either of the following applies: 1707

(1) The supervising dentist examined the patient not more 1708
than one year prior to the date the dental x-ray machine 1709
operator performs the radiologic procedures and the supervising 1710
dentist has ordered the radiologic procedures. 1711

(2) The radiologic procedures are performed in accordance 1712
with section 4715.431 of the Revised Code. 1713

Sec. 4715.64. (A) Subject to divisions (B), (C), and (D) 1714
of this section and section 4715.431 of the Revised Code, the 1715
practice of an expanded function dental auxiliary shall consist 1716
of the following: 1717

(1) Procedures involved in the placement of restorative 1718
materials limited to amalgam restorative materials and 1719
nonmetallic restorative materials, including direct-bonded 1720
restorative materials; 1721

(2) Application of pit and fissure sealants; 1722

(3) Recementation of temporary crowns or recementation of 1723
crowns with temporary cement; 1724

(4) Application of topical fluoride; 1725

(5) Application of fluoride varnish; 1726

(6) Application of disclosing solutions;	1727
(7) Application <u>Except as provided in division (A) (10) of this section, application of desensitizing agents;</u>	1728 1729
(8) Caries susceptibility testing;	1730
(9) Instruction on oral hygiene home care, including the use of toothbrushes and dental floss;	1731 1732
(10) <u>Application of silver diamine fluoride, but only when the expanded function dental auxiliary's supervising dentist has examined the patient and diagnosed the need for such treatment and the expanded function dental auxiliary has completed a course approved in accordance with rules adopted under division (B) of section 4715.436 of the Revised Code;</u>	1733 1734 1735 1736 1737 1738
<u>(11)</u> Any additional procedures authorized by the state dental board in rules adopted under section 4715.66 of the Revised Code.	1739 1740 1741
(B) An expanded function dental auxiliary shall perform the services specified in divisions (A) (1) and (11) of this section only under the supervision, order, control, and full responsibility of a dentist licensed under this chapter. At no time shall more than two expanded function dental auxiliaries be practicing as expanded function dental auxiliaries under the supervision of the same dentist. Except as provided in divisions (C) and (D) of this section <u>and section 4715.431 of the Revised Code</u> , an expanded function dental auxiliary shall not practice as an expanded function dental auxiliary when the supervising dentist is not physically present at the location where the expanded function dental auxiliary is practicing.	1742 1743 1744 1745 1746 1747 1748 1749 1750 1751 1752 1753
(C) An expanded function dental auxiliary may perform, for not more than fifteen consecutive business days, the services	1754 1755

~~specified in divisions (A) (2) to (10) of this section~~ 1756
application of pit and fissure sealants when the supervising 1757
dentist is not physically present at the location where the 1758
expanded function dental auxiliary is practicing if all of the 1759
following conditions have been satisfied: 1760

(1) The expanded function dental auxiliary has at least 1761
~~two years one year~~ and a minimum of ~~three one~~ thousand five 1762
hundred hours of experience practicing as an expanded function 1763
dental auxiliary or dental assistant. 1764

(2) The expanded function dental auxiliary has 1765
successfully completed a course approved by the board in the 1766
identification and prevention of potential medical emergencies. 1767

(3) The supervising dentist has evaluated the expanded 1768
function dental auxiliary's skills. 1769

~~(4) The supervising dentist examined the patient not more~~ 1770
~~than one year prior to the date that the expanded function~~ 1771
~~dental auxiliary provides services to the patient.~~ 1772

~~(5)~~ The supervising dentist has established written 1773
protocols or written standing orders for the expanded function 1774
dental auxiliary to follow during and in the absence of an 1775
emergency. 1776

~~(6)~~ (5) The supervising dentist completed and evaluated a 1777
medical and dental history of the patient not more than one year 1778
prior to the date that the expanded function dental auxiliary 1779
provides services to the patient, and the supervising dentist 1780
determines that the patient is in a medically stable condition. 1781

~~(7)~~ (6) In advance of the appointment for services, the 1782
patient is notified that the supervising dentist will be absent 1783
from the location and that the expanded function dental 1784

auxiliary cannot diagnose the patient's dental health care 1785
status. 1786

~~(8)~~ (7) The expanded function dental auxiliary is employed 1787
by, or under contract with, the supervising dentist, a dentist 1788
licensed under this chapter who meets one of the criteria 1789
specified in division (C) ~~(11)~~ (10) (b) of section 4715.22 of the 1790
Revised Code, or a government entity that employs the expanded 1791
function dental auxiliary to provide services in a public school 1792
or in connection with other programs the government entity 1793
administers. 1794

(D) An expanded function dental auxiliary may apply pit 1795
and fissure sealants prior to a dentist examining the patient 1796
and rendering a diagnosis, and when a dentist is not physically 1797
present at the location where the service is provided, if all of 1798
the following are the case: 1799

(1) ~~All of the~~ The conditions specified in ~~division~~ 1800
divisions (C) (1), (2), (3), (4), (6), and (7) of this section 1801
have been satisfied. 1802

(2) The expanded function dental auxiliary is providing 1803
the service as part of a program operated through any of the 1804
following: a school district board of education or the governing 1805
board of an educational service center; the board of health of a 1806
city or general health district or the authority having the 1807
duties of a board of health under section 3709.05 of the Revised 1808
Code; a national, state, district, or local dental association; 1809
or any other public or private entity recognized by the state 1810
dental board. 1811

(3) A supervising dentist for the program described in 1812
division (D) (2) of this section meets both of the following 1813

conditions: 1814

(a) Is employed by or a volunteer for, and the patients 1815
are referred by, the entity through which the program is 1816
operated; 1817

(b) Is available for consultation by telephone, 1818
videoconferencing, or other means of electronic communication. 1819

(4) The application of pit and fissure sealants is limited 1820
to erupted permanent posterior teeth without suspicion of 1821
cavitation. 1822

(5) If the patient is a minor, a parent, guardian, or 1823
other person responsible for the patient has been notified that 1824
a dentist will not be present at the location and that the 1825
expanded function dental auxiliary is not trained to diagnose or 1826
treat other serious dental concerns that could exist. 1827

(E) An expanded function dental auxiliary may perform the 1828
services specified in divisions (A) (3) to (9) of this section 1829
when the supervising dentist is not physically present at the 1830
location where the services are provided, regardless of whether 1831
the dentist has examined the patient, if the expanded function 1832
dental auxiliary is employed by, or under contract with, the 1833
supervising dentist, a dentist licensed under this chapter who 1834
meets one of the criteria specified in division (C) (10) (b) of 1835
section 4715.22 of the Revised Code, or a government entity that 1836
employs the expanded function dental auxiliary to provide 1837
services in a public school or in connection with other programs 1838
the government entity administers. 1839

(F) Nothing in this section shall be construed by rule of 1840
the board or otherwise to authorize an expanded function dental 1841
auxiliary to engage in the practice of dental hygiene as defined 1842

by sections 4715.22 and 4715.23 of the Revised Code. 1843

Sec. 4730.05. (A) There is hereby created the physician 1844
assistant policy committee of the state medical board. The 1845
president of the board shall appoint the members of the 1846
committee. The committee shall consist of the seven members 1847
specified in divisions (A) (1) to (3) of this section. When the 1848
committee is developing or revising policy and procedures for 1849
physician-delegated prescriptive authority for physician 1850
assistants, the committee shall include the ~~two~~ additional 1851
~~members~~ member specified in division (A) (4) of this section. 1852

(1) Three members of the committee shall be physicians. Of 1853
the physician members, one shall be a member of the state 1854
medical board, one shall be appointed from a list of five 1855
physicians recommended by the Ohio state medical association, 1856
and one shall be appointed from a list of five physicians 1857
recommended by the Ohio osteopathic association. At all times, 1858
the physician membership of the committee shall include at least 1859
one physician who is a supervising physician of a physician 1860
assistant, preferably with at least two years' experience as a 1861
supervising physician. 1862

(2) Three members shall be physician assistants appointed 1863
from a list of five individuals recommended by the Ohio 1864
association of physician assistants. 1865

(3) One member, who is not affiliated with any health care 1866
profession, shall be appointed to represent the interests of 1867
consumers. 1868

(4) ~~The two~~ One additional ~~members~~ member, appointed to 1869
serve only when the committee is developing or revising policy 1870
and procedures for physician-delegated prescriptive authority 1871

for physician assistants, shall be ~~pharmacists~~ a pharmacist. ~~Of~~ 1872
~~these members, one~~ The member shall be appointed from a list of 1873
five clinical pharmacists recommended by the Ohio pharmacists 1874
association ~~and one shall be~~ or appointed from the pharmacist 1875
members of the state board of pharmacy, preferably from among 1876
the members who are clinical pharmacists. 1877

The pharmacist ~~members~~ member shall have voting privileges 1878
only for purposes of developing or revising policy and 1879
procedures for physician-delegated prescriptive authority for 1880
physician assistants. Presence of the pharmacist ~~members~~ member 1881
shall not be required for the transaction of any other business. 1882

(B) Terms of office shall be for two years, with each term 1883
ending on the same day of the same month as did the term that it 1884
succeeds. Each member shall hold office from the date of being 1885
appointed until the end of the term for which the member was 1886
appointed. Members may be reappointed, except that a member may 1887
not be appointed to serve more than three consecutive terms. As 1888
vacancies occur, a successor shall be appointed who has the 1889
qualifications the vacancy requires. A member appointed to fill 1890
a vacancy occurring prior to the expiration of the term for 1891
which a predecessor was appointed shall hold office as a member 1892
for the remainder of that term. A member shall continue in 1893
office subsequent to the expiration date of the member's term 1894
until a successor takes office or until a period of sixty days 1895
has elapsed, whichever occurs first. 1896

(C) Each member of the committee shall receive the 1897
member's necessary and actual expenses incurred in the 1898
performance of official duties as a member. 1899

(D) The committee members specified in divisions (A) (1) to 1900
(3) of this section by a majority vote shall elect a chairperson 1901

from among those members. The members may elect a new chairperson at any time.

(E) The state medical board may appoint assistants, clerical staff, or other employees as necessary for the committee to perform its duties adequately.

(F) ~~The committee shall meet at least four times a year and at such other times as may be necessary to carry out its responsibilities.~~

(G) The board may permit meetings of the physician assistant policy committee to include the use of interactive videoconferencing, teleconferencing, or both if all of the following requirements are met:

(1) The meeting location is open and accessible to the public.

(2) Each committee member is permitted to choose whether the member attends in person or through the use of the meeting's videoconferencing or teleconferencing;

(3) Any meeting related materials available before the meeting are sent to each committee member by electronic mail, facsimile, or United States mail, or are hand delivered.

(4) If interactive videoconferencing is used, there is a clear video and audio connection that enables all participants at the meeting location to see and hear each committee member.

(5) If teleconferencing is used, there is a clear audio connection that enables all participants at the meeting location to hear each committee member.

(6) A roll call vote is recorded for each vote taken.

(7) The meeting minutes specify for each member whether 1929
the member attended by videoconference, teleconference, or in 1930
person. 1931

Sec. 4730.06. (A) The physician assistant policy committee 1932
of the state medical board shall review, and shall submit to the 1933
board recommendations concerning, all of the following: 1934

(1) Requirements for issuing a license to practice as a 1935
physician assistant, including the educational requirements that 1936
must be met to receive the license; 1937

(2) Existing and proposed rules pertaining to the practice 1938
of physician assistants, the supervisory relationship between 1939
physician assistants and supervising physicians, and the 1940
administration and enforcement of this chapter; 1941

(3) In accordance with section 4730.38 of the Revised 1942
Code, physician-delegated prescriptive authority for physician 1943
~~assistants and proposed changes to the physician assistant~~ 1944
~~formulary the board adopts pursuant to division (A) (1) of~~ 1945
~~section 4730.39 of the Revised Code;~~ 1946

(4) Application procedures and forms for a license to 1947
practice as a physician assistant; 1948

(5) Fees required by this chapter for issuance and renewal 1949
of a license to practice as a physician assistant; 1950

(6) Any issue the board asks the committee to consider. 1951

(B) In addition to the matters that are required to be 1952
reviewed under division (A) of this section, the committee may 1953
review, and may submit to the board recommendations concerning 1954
quality assurance activities to be performed by a supervising 1955
physician and physician assistant under a quality assurance 1956

system established pursuant to division (F) of section 4730.21 1957
of the Revised Code. 1958

(C) The board shall take into consideration all 1959
recommendations submitted by the committee. Not later than 1960
ninety days after receiving a recommendation from the committee, 1961
the board shall approve or disapprove the recommendation and 1962
notify the committee of its decision. If a recommendation is 1963
disapproved, the board shall inform the committee of its reasons 1964
for making that decision. The committee may resubmit the 1965
recommendation after addressing the concerns expressed by the 1966
board and modifying the disapproved recommendation accordingly. 1967
Not later than ninety days after receiving a resubmitted 1968
recommendation, the board shall approve or disapprove the 1969
recommendation. There is no limit on the number of times the 1970
committee may resubmit a recommendation for consideration by the 1971
board. 1972

(D) (1) Except as provided in division (D) (2) of this 1973
section, the board may not take action regarding a matter that 1974
is subject to the committee's review under division (A) or (B) 1975
of this section unless the committee has made a recommendation 1976
to the board concerning the matter. 1977

(2) If the board submits to the committee a request for a 1978
recommendation regarding a matter that is subject to the 1979
committee's review under division (A) or (B) of this section, 1980
and the committee does not provide a recommendation before the 1981
sixty-first day after the request is submitted, the board may 1982
take action regarding the matter without a recommendation. 1983

Sec. 4730.11. (A) To be eligible to receive a license to 1984
practice as a physician assistant, all of the following apply to 1985
an applicant: 1986

(1) The applicant shall be at least eighteen years of age.	1987
(2) The applicant shall be of good moral character.	1988
(3) The applicant shall hold current certification by the national commission on certification of physician assistants or a successor organization that is recognized by the state medical board.	1989 1990 1991 1992
(4) The applicant shall meet either of the following requirements:	1993 1994
(a) The educational requirements specified in division (B) (1) or (2) of this section;	1995 1996
(b) The educational or other applicable requirements specified in division (C) (1), (2), or (3) of this section.	1997 1998
(B) For purposes of division (A) (4) (a) of this section, an applicant shall meet either of the following educational requirements:	1999 2000 2001
(1) The applicant shall hold a master's or higher degree obtained from a program accredited by the accreditation review commission on education for the physician assistant or a predecessor or successor organization recognized by the board.	2002 2003 2004 2005
(2) The applicant shall hold both of the following degrees:	2006 2007
(a) A degree other than a master's or higher degree obtained from a program accredited by the accreditation review commission on education for the physician assistant or a predecessor or successor organization recognized by the board;	2008 2009 2010 2011
(b) A master's or higher degree in a course of study with clinical relevance to the practice of physician assistants and	2012 2013

obtained from a program accredited by a regional or specialized 2014
and professional accrediting agency recognized by the council 2015
for higher education accreditation. 2016

(C) For purposes of division (A) (4) (b) of this section, an 2017
applicant shall present evidence satisfactory to the board of 2018
meeting one of the following requirements in lieu of meeting the 2019
educational requirements specified in division (B) (1) or (2) of 2020
this section: 2021

(1) The applicant shall hold a current, valid license or 2022
other form of authority to practice as a physician assistant 2023
issued by another jurisdiction and either have been in active 2024
practice in any jurisdiction throughout the ~~three-year~~ two-year 2025
period immediately preceding the date of application or have met 2026
one or more of the following requirements as specified by the 2027
board: 2028

(a) Passed an oral or written examination or assessment, 2029
or both types of examination or assessment, that determined the 2030
applicant's present fitness to resume practice; 2031

(b) Obtained additional training and passed an examination 2032
or assessment on completion of the training; 2033

(c) Agreed to limitations on the applicant's extent, 2034
scope, or type of practice. 2035

(2) The applicant shall hold a degree obtained as a result 2036
of being enrolled on January 1, 2008, in a program in this state 2037
that was accredited by the accreditation review commission on 2038
education for the physician assistant but did not grant a 2039
master's or higher degree to individuals enrolled in the program 2040
on that date, and completing the program on or before December 2041
31, 2009. 2042

(3) The applicant shall hold a degree obtained from a program accredited by the accreditation review commission on education for the physician assistant and meet either of the following experience requirements:

(a) ~~Have~~ Either have experience practicing as a physician assistant for at least ~~three~~ two consecutive years immediately preceding the date of application while on active duty, with evidence of service under honorable conditions, in any of the armed forces of the United States or the national guard of any state, including any experience attained while practicing as a physician assistant at a health care facility or clinic operated by the United States department of veterans affairs or have met one or more of the following requirements as specified by the board:

(i) Passed an oral or written examination or assessment, or both types of examination or assessment, that determined the applicant's present fitness to resume practice;

(ii) Obtained additional training and passed an examination or assessment on completion of the training;

(iii) Agreed to limitations on the applicant's extent, scope, or type of practice;

(b) ~~Have~~ Either have experience practicing as a physician assistant for at least ~~three~~ two consecutive years immediately preceding the date of application while on active duty in the United States public health service commissioned corps or have met one or more of the following requirements as specified by the board:

(i) Passed an oral or written examination or assessment, or both types of examination or assessment, that determined the

applicant's present fitness to resume practice; 2072

(ii) Obtained additional training and passed an 2073
examination or assessment on completion of the training; 2074

(iii) Agreed to limitations on the applicant's extent, 2075
scope, or type of practice. 2076

~~(D) Unless the applicant had prescriptive authority while~~ 2077
~~practicing as a physician assistant in another jurisdiction, in~~ 2078
~~the military, or in the public health service, the license~~ 2079
~~issued to an applicant who does not hold a master's or higher-~~ 2080
~~degree described in division (B) of this section does not~~ 2081
~~authorize the holder to exercise physician-delegated~~ 2082
~~prescriptive authority and the state medical board shall not~~ 2083
~~issue a prescriber number.~~ 2084

~~(E)(1)~~ This section does not require an individual to 2085
obtain a master's or higher degree as a condition of retaining 2086
or renewing a license to practice as a physician assistant if 2087
the individual received the license without holding a master's 2088
or higher degree as provided in either of the following: 2089

~~(a)(1)~~ Before the educational requirements specified in 2090
division (B) (1) or (2) of this section became effective January 2091
1, 2008; 2092

~~(b)(2)~~ By meeting the educational or other applicable 2093
requirements specified in division (C) (1), (2), or (3) of this 2094
section. 2095

~~(2) A license described in division (E) (1) of this section~~ 2096
~~authorizes the license holder to exercise physician-delegated~~ 2097
~~prescriptive authority if, on October 15, 2015, the license~~ 2098
~~holder held a valid certificate to prescribe issued under former~~ 2099
~~section 4730.44 of the Revised Code, as it existed immediately~~ 2100

~~prior to October 15, 2015.~~ 2101

~~(3) On application of an individual who received a license without having first obtained a master's or higher degree and is not authorized under division (E) (2) of this section to exercise physician-delegated prescriptive authority, the board shall grant the individual the authority to exercise physician-delegated prescriptive authority if the individual meets either of the following requirements:~~ 2102
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~~(a) The individual provides evidence satisfactory to the board of having obtained a master's or higher degree from either of the following:~~ 2109
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~~(i) A program accredited by the accreditation review commission on education for the physician assistant or a predecessor or successor organization recognized by the board;~~ 2112
2113
2114

~~(ii) A program accredited by a regional or specialized and professional accrediting agency recognized by the council for higher education accreditation, if the degree is in a course of study with clinical relevance to the practice of physician assistants.~~ 2115
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~~(b) The individual meets the requirements specified in division (C) (1) or (3) of this section and had prescriptive authority while practicing as a physician assistant in another jurisdiction, in any of the armed forces of the United States or the national guard of any state, or in the United States public health service commissioned corps.~~ 2120
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Sec. 4730.15. (A) A license issued by the state medical board under section 4730.12 of the Revised Code authorizes the license holder to exercise physician-delegated prescriptive authority if the holder meets either of the following 2126
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<u>requirements:</u>	2130
<u>(1) Holds a master's or higher degree described in</u>	2131
<u>division (B) of section 4730.11 of the Revised Code;</u>	2132
<u>(2) Had prescriptive authority while practicing as a</u>	2133
<u>physician assistant in another jurisdiction, in any of the armed</u>	2134
<u>forces of the United States or the national guard of any state,</u>	2135
<u>or in the United States public health service commissioned</u>	2136
<u>corps.</u>	2137
<u>(B) A license described in division (D) of section 4730.11</u>	2138
<u>of the Revised Code authorizes the license holder to exercise</u>	2139
<u>physician-delegated prescriptive authority if, on October 15,</u>	2140
<u>2015, the license holder held a valid certificate to prescribe</u>	2141
<u>issued under former section 4730.44 of the Revised Code, as it</u>	2142
<u>existed immediately prior to that date.</u>	2143
<u>(C) On application of an individual who holds a license</u>	2144
<u>issued under this chapter but is not authorized to exercise</u>	2145
<u>physician-delegated prescriptive authority, the board shall</u>	2146
<u>grant the authority to exercise physician-delegated prescriptive</u>	2147
<u>authority if the individual meets either of the following</u>	2148
<u>requirements:</u>	2149
<u>(1) The individual provides evidence satisfactory to the</u>	2150
<u>board of having obtained a master's or higher degree from either</u>	2151
<u>of the following:</u>	2152
<u>(a) A program accredited by the accreditation review</u>	2153
<u>commission on education for the physician assistant or a</u>	2154
<u>predecessor or successor organization recognized by the board;</u>	2155
<u>(b) A program accredited by a regional or specialized and</u>	2156
<u>professional accrediting agency recognized by the council for</u>	2157
<u>higher education accreditation, if the degree is in a course of</u>	2158

study with clinical relevance to the practice of physician 2159
assistants. 2160

(2) The individual meets the requirements specified in 2161
division (C) (1) or (3) of section 4730.11 of the Revised Code 2162
and had prescriptive authority while practicing as a physician 2163
assistant in another jurisdiction, in any of the armed forces of 2164
the United States or the national guard of any state, or in the 2165
United States public health service commissioned corps. 2166

(D) The board shall issue a prescriber number to each 2167
physician assistant licensed under this chapter who is 2168
authorized to exercise physician-delegated prescriptive 2169
authority. 2170

Sec. 4730.203. (A) Acting pursuant to a supervision 2171
agreement, a physician assistant may delegate performance of a 2172
task to implement a patient's plan of care or, if the conditions 2173
in division (C) of this section are met, may delegate 2174
administration of a drug. Subject to division (D) of section 2175
4730.03 of the Revised Code, delegation may be to any person. 2176
The physician assistant must be physically present at the 2177
location where the task is performed or the drug administered. 2178

(B) Prior to delegating a task or administration of a 2179
drug, a physician assistant shall determine that the task or 2180
drug is appropriate for the patient and the person to whom the 2181
delegation is to be made may safely perform the task or 2182
administer the drug. 2183

(C) A physician assistant may delegate administration of a 2184
drug only if all of the following conditions are met: 2185

(1) The physician assistant has been granted physician- 2186
delegated prescriptive authority and is authorized to prescribe 2187

<u>the drug.</u>	2188
(2) The drug is included in the formulary established	2189
under division (A) of section 4730.39 of the Revised Code.	2190
(3) The drug is not a controlled substance.	2191
(4) <u>(3)</u> The drug will not be administered intravenously.	2192
(5) <u>(4)</u> The drug will not be administered in a hospital	2193
inpatient care unit, as defined in section 3727.50 of the	2194
Revised Code; a hospital emergency department; a freestanding	2195
emergency department; or an ambulatory surgical facility	2196
licensed under section 3702.30 of the Revised Code.	2197
(D) A person not otherwise authorized to administer a drug	2198
or perform a specific task may do so in accordance with a	2199
physician assistant's delegation under this section.	2200
Sec. 4730.21. (A) The supervising physician of a physician	2201
assistant exercises supervision, control, and direction of the	2202
physician assistant. A physician assistant may practice in any	2203
setting within which the supervising physician has supervision,	2204
control, and direction of the physician assistant.	2205
In supervising a physician assistant, all of the following	2206
apply:	2207
(1) The supervising physician shall be continuously	2208
available for direct communication with the physician assistant	2209
by either of the following means:	2210
(a) Being physically present at the location where the	2211
physician assistant is practicing;	2212
(b) Being readily available to the physician assistant	2213
through some means of telecommunication and being in a location	2214

that is a distance from the location where the physician 2215
assistant is practicing that reasonably allows the physician to 2216
assure proper care of patients. 2217

(2) The supervising physician shall personally and 2218
actively review the physician assistant's professional 2219
activities. 2220

(3) The supervising physician shall ensure that the 2221
quality assurance system established pursuant to division (F) of 2222
this section is implemented and maintained. 2223

(4) The supervising physician shall regularly perform any 2224
other reviews of the physician assistant that the supervising 2225
physician considers necessary. 2226

(B) A physician may enter into supervision agreements with 2227
any number of physician assistants, but the physician may not 2228
supervise more than ~~three~~five physician assistants at any one 2229
time. A physician assistant may enter into supervision 2230
agreements with any number of supervising physicians. 2231

(C) A supervising physician may authorize a physician 2232
assistant to perform a service only if the physician is 2233
satisfied that the physician assistant is capable of competently 2234
performing the service. A supervising physician shall not 2235
authorize a physician assistant to perform any service that is 2236
beyond the physician's or the physician assistant's normal 2237
course of practice and expertise. 2238

(D) In the case of a health care facility with an 2239
emergency department, if the supervising physician routinely 2240
practices in the facility's emergency department, the 2241
supervising physician shall provide on-site supervision of the 2242
physician assistant when the physician assistant practices in 2243

the emergency department. If the supervising physician does not 2244
routinely practice in the facility's emergency department, the 2245
supervising physician may, on occasion, send the physician 2246
assistant to the facility's emergency department to assess and 2247
manage a patient. In supervising the physician assistant's 2248
assessment and management of the patient, the supervising 2249
physician shall determine the appropriate level of supervision 2250
in compliance with the requirements of divisions (A) to (C) of 2251
this section, except that the supervising physician must be 2252
available to go to the emergency department to personally 2253
evaluate the patient and, at the request of an emergency 2254
department physician, the supervising physician shall go to the 2255
emergency department to personally evaluate the patient. 2256

(E) Each time a physician assistant writes a medical 2257
order, including prescriptions written in the exercise of 2258
physician-delegated prescriptive authority, the physician 2259
assistant shall sign the form on which the order is written and 2260
record on the form the time and date that the order is written. 2261

(F) (1) The supervising physician of a physician assistant 2262
shall establish a quality assurance system to be used in 2263
supervising the physician assistant. All or part of the system 2264
may be applied to other physician assistants who are supervised 2265
by the supervising physician. The system shall be developed in 2266
consultation with each physician assistant to be supervised by 2267
the physician. 2268

(2) In establishing the quality assurance system, the 2269
supervising physician shall describe a process to be used for 2270
all of the following: 2271

(a) Routine review by the physician of selected patient 2272
record entries made by the physician assistant and selected 2273

medical orders issued by the physician assistant;	2274
(b) Discussion of complex cases;	2275
(c) Discussion of new medical developments relevant to the practice of the physician and physician assistant;	2276 2277
(d) Performance of any quality assurance activities required in rules adopted by state medical board pursuant to any recommendations made by the physician assistant policy committee under section 4730.06 of the Revised Code;	2278 2279 2280 2281
(e) Performance of any other quality assurance activities that the supervising physician considers to be appropriate.	2282 2283
(3) The supervising physician and physician assistant shall keep records of their quality assurance activities. On request, the records shall be made available to the board.	2284 2285 2286
Sec. 4730.38. (A) Except as provided in division (B) of this section, the The physician assistant policy committee of the state medical board shall, at such times the committee determines to be necessary, submit to the board recommendations regarding physician-delegated prescriptive authority for physician assistants. The committee's recommendations shall address both of the following:	2287 2288 2289 2290 2291 2292 2293
(1) Policy and procedures regarding physician-delegated prescriptive authority;	2294 2295
(2) Any issue the committee considers necessary to assist the board in fulfilling its duty to adopt rules governing physician-delegated prescriptive authority.	2296 2297 2298
(B) Not less than every six months, the committee shall review the physician assistant formulary the board adopts pursuant to division (A) (1) of section 4730.39 of the Revised	2299 2300 2301

~~Code and, to the extent it determines to be necessary, submit~~ 2302
~~recommendations proposing changes to the formulary.~~ 2303

~~(C)~~ Recommendations submitted under this section are 2304
subject to the procedures and time frames specified in division 2305
(C) of section 4730.06 of the Revised Code. 2306

Sec. 4730.39. (A) The state medical board shall ~~do all of~~ 2307
~~the following:~~ 2308

~~(1) Adopt a formulary listing the drugs and therapeutic~~ 2309
~~devices by class and specific generic nomenclature that a~~ 2310
~~physician may include in the physician-delegated prescriptive~~ 2311
~~authority granted to a physician assistant who holds a valid~~ 2312
~~prescriber number issued by the state medical board;~~ 2313

~~(2) Adopt~~ adopt rules governing physician-delegated 2314
prescriptive authority for physician assistants; 2315

~~(3) Establish standards and procedures for delegation~~ 2316
~~under division (A) of section 4730.203 of the Revised Code of~~ 2317
~~the authority to administer drugs. The rules shall be adopted in~~ 2318
~~accordance with Chapter 119. of the Revised Code.~~ 2319

(B) The board's rules governing physician-delegated 2320
prescriptive authority ~~adopted pursuant to division (A) (2) of~~ 2321
~~this section shall be adopted in accordance with Chapter 119. of~~ 2322
~~the Revised Code and shall establish all of the following:~~ 2323

(1) Requirements regarding the pharmacology courses that a 2324
physician assistant is required to complete; 2325

(2) A specific prohibition against prescribing any drug or 2326
device to perform or induce an abortion; 2327

(3) Standards and procedures to be followed by a physician 2328
assistant in personally furnishing samples of drugs or complete 2329

or partial supplies of drugs to patients under section 4730.43 2330
of the Revised Code; 2331

(4) Any other requirements the board considers necessary 2332
to implement the provisions of this chapter regarding physician- 2333
delegated prescriptive authority. 2334

~~(C) (1) After considering recommendations submitted by the 2335
physician assistant policy committee pursuant to sections 2336
4730.06 and 4730.38 of the Revised Code, the board shall review 2337
either or both of the following, as appropriate according to the 2338
submitted recommendations:— 2339~~

~~(a) The formulary the board adopts under division (A) (1) 2340
of this section;— 2341~~

~~(b) The rules the board adopts under division (A) (2) of 2342
this section regarding physician-delegated prescriptive 2343
authority.— 2344~~

~~(2) Based on its review, the board shall make any 2345
necessary modifications to the formulary or rules.— 2346~~

Sec. 4730.41. (A) A physician assistant who holds a valid 2347
prescriber number issued by the state medical board is 2348
authorized to prescribe and personally furnish drugs and 2349
therapeutic devices in the exercise of physician-delegated 2350
prescriptive authority. 2351

(B) In exercising physician-delegated prescriptive 2352
authority, a physician assistant is subject to all of the 2353
following: 2354

(1) The physician assistant shall exercise physician- 2355
delegated prescriptive authority only to the extent that the 2356
physician supervising the physician assistant has granted that 2357

authority. 2358

(2) The physician assistant shall comply with all 2359
conditions placed on the physician-delegated prescriptive 2360
authority, as specified by the supervising physician who is 2361
supervising the physician assistant in the exercise of 2362
physician-delegated prescriptive authority. 2363

(3) If the physician assistant possesses physician- 2364
delegated prescriptive authority for controlled substances, the 2365
physician assistant shall register with the federal drug 2366
enforcement administration. 2367

(4) If the physician assistant possesses physician- 2368
delegated prescriptive authority for schedule II controlled 2369
substances, the physician assistant shall comply with section 2370
4730.411 of the Revised Code. 2371

(5) If the physician assistant possesses physician- 2372
delegated prescriptive authority to prescribe for a minor an 2373
opioid analgesic, as those terms are defined in sections 2374
3719.061 and 3719.01 of the Revised Code, respectively, the 2375
physician assistant shall comply with section 3719.061 of the 2376
Revised Code. 2377

(6) The physician assistant shall comply with the 2378
requirements of section 4730.44 of the Revised Code. 2379

(C) A physician assistant shall not prescribe any drug in 2380
violation of state or federal law. 2381

Sec. 4730.42. (A) In granting physician-delegated 2382
prescriptive authority to a particular physician assistant who 2383
holds a valid prescriber number issued by the state medical 2384
board, the supervising physician is subject to all of the 2385
following: 2386

~~(1) The supervising physician shall not grant physician-delegated prescriptive authority for any drug or therapeutic device that is not listed on the physician assistant formulary adopted under section 4730.39 of the Revised Code as a drug or therapeutic device that may be included in the physician-delegated prescriptive authority granted to a physician assistant.~~ 2387
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~~(2)~~ The supervising physician shall not grant physician-delegated prescriptive authority for any drug or device that may be used to perform or induce an abortion. 2394
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~~(3)~~ (2) The supervising physician shall not grant physician-delegated prescriptive authority in a manner that exceeds the supervising physician's prescriptive authority, including the physician's authority to treat chronic pain with controlled substances and products containing tramadol as described in section 4731.052 of the Revised Code. 2397
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~~(4)~~ (3) The supervising physician shall supervise the physician assistant in accordance with both of the following: 2403
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(a) The supervision requirements specified in section 4730.21 of the Revised Code; 2405
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(b) The supervision agreement entered into with the physician assistant under section 4730.19 of the Revised Code, including, if applicable, the policies of the health care facility in which the physician and physician assistant are practicing. 2407
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(B) (1) The supervising physician of a physician assistant may place conditions on the physician-delegated prescriptive authority granted to the physician assistant. If conditions are placed on that authority, the supervising physician shall 2412
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maintain a written record of the conditions and make the record 2416
available to the state medical board on request. 2417

(2) The conditions that a supervising physician may place 2418
on the physician-delegated prescriptive authority granted to a 2419
physician assistant include the following: 2420

(a) Identification by class and specific generic 2421
nomenclature of drugs and therapeutic devices that the physician 2422
chooses not to permit the physician assistant to prescribe; 2423

(b) Limitations on the dosage units or refills that the 2424
physician assistant is authorized to prescribe; 2425

(c) Specification of circumstances under which the 2426
physician assistant is required to refer patients to the 2427
supervising physician or another physician when exercising 2428
physician-delegated prescriptive authority; 2429

(d) Responsibilities to be fulfilled by the physician in 2430
supervising the physician assistant that are not otherwise 2431
specified in the supervision agreement or otherwise required by 2432
this chapter. 2433

Sec. 4730.43. (A) A physician assistant who holds a valid 2434
prescriber number issued by the state medical board and has been 2435
granted physician-delegated prescriptive authority may 2436
personally furnish to a patient samples of drugs and therapeutic 2437
devices ~~that are included in the physician assistant's~~ 2438
~~physician-delegated prescriptive authority,~~ subject to all of 2439
the following: 2440

(1) The amount of the sample furnished shall not exceed a 2441
seventy-two-hour supply, except when the minimum available 2442
quantity of the sample is packaged in an amount that is greater 2443
than a seventy-two-hour supply, in which case the physician 2444

assistant may furnish the sample in the package amount. 2445

(2) No charge may be imposed for the sample or for 2446
furnishing it. 2447

(3) Samples of controlled substances may not be personally 2448
furnished. 2449

(B) A physician assistant who holds a valid prescriber 2450
number issued by the state medical board and has been granted 2451
physician-delegated prescriptive authority may personally 2452
furnish to a patient a complete or partial supply of the drugs 2453
and therapeutic devices that are included in the physician 2454
assistant's physician-delegated prescriptive authority, subject 2455
to all of the following: 2456

(1) The physician assistant shall personally furnish only 2457
antibiotics, antifungals, scabicides, contraceptives, prenatal 2458
vitamins, antihypertensives, drugs and devices used in the 2459
treatment of diabetes, drugs and devices used in the treatment 2460
of asthma, and drugs used in the treatment of dyslipidemia. 2461

(2) The physician assistant shall not furnish the drugs 2462
and devices in locations other than a health department operated 2463
by the board of health of a city or general health district or 2464
the authority having the duties of a board of health under 2465
section 3709.05 of the Revised Code, a federally funded 2466
comprehensive primary care clinic, or a nonprofit health care 2467
clinic or program. 2468

(3) The physician assistant shall comply with all 2469
standards and procedures for personally furnishing supplies of 2470
drugs and devices, as established in rules adopted under section 2471
4730.39 of the Revised Code. 2472

Sec. 4730.44. (A) As used in this section: 2473

(1) "Military" means the armed forces of the United States 2474
or the national guard of any state, including any health care 2475
facility or clinic operated by the United States department of 2476
veterans affairs. 2477

(2) "Public health service" means the United States public 2478
health service commissioned corps. 2479

(B) During the first five hundred hours of a physician 2480
assistant's exercise of physician-delegated prescriptive 2481
authority, the physician assistant shall exercise that authority 2482
only under the on-site supervision of a supervising physician. 2483
This requirement is met by a physician assistant practicing in 2484
the military or the public health service if the supervision is 2485
provided by a person licensed, or otherwise authorized, by any 2486
jurisdiction to practice medicine and surgery or osteopathic 2487
medicine and surgery. 2488

~~(B)~~ (C) A physician assistant shall be excused from the 2489
requirement established in division ~~(A)~~ (B) of this section if 2490
~~prior~~ either of the following is the case: 2491

(1) Prior to application under section 4730.10 of the 2492
Revised Code, the physician assistant held a prescriber number, 2493
or the equivalent, from another jurisdiction and practiced with 2494
prescriptive authority in that jurisdiction for not less than 2495
one thousand hours. 2496

(2) Prior to application under section 4730.10 of the 2497
Revised Code, the physician assistant practiced with 2498
prescriptive authority in the military or public health service 2499
for not less than one thousand hours. 2500

~~(C)~~ (D) A record of a physician assistant's completion of 2501
the hours required by division ~~(A)~~ (B) of this section ~~or,~~ 2502

issuance of a prescriber number or equivalent by another 2503
jurisdiction, or practice in the military or public health 2504
service shall be kept in the records maintained by a supervising 2505
physician of the physician assistant. The record shall be made 2506
available for inspection by the board. 2507

Sec. 5164.951. As used in this section, "teledentistry" 2508
has the same meaning as in section 4715.43 of the Revised Code. 2509

The department of medicaid shall establish standards for 2510
medicaid payments for services provided through teledentistry. 2511
The standards shall provide coverage for services to the same 2512
extent that those services would be covered by the medicaid 2513
program if the services were provided without the use of 2514
teledentistry. 2515

Section 2. That existing sections 1739.05, 2925.01, 2516
4715.03, 4715.09, 4715.10, 4715.11, 4715.13, 4715.22, 4715.23, 2517
4715.36, 4715.365, 4715.39, 4715.56, 4715.64, 4730.05, 4730.06, 2518
4730.11, 4730.203, 4730.21, 4730.38, 4730.39, 4730.41, 4730.42, 2519
4730.43, and 4730.44 and section 4730.40 of the Revised Code are 2520
hereby repealed. 2521

Section 3. The enactment by this act of section 4715.435 2522
of the Revised Code takes effect six months after the effective 2523
date of this section. 2524

Section 4. The General Assembly, applying the principle 2525
stated in division (B) of section 1.52 of the Revised Code that 2526
amendments are to be harmonized if reasonably capable of 2527
simultaneous operation, finds that the following sections, 2528
presented in this act as composites of the sections as amended 2529
by the acts indicated, are the resulting versions of the 2530
sections in effect prior to the effective date of the sections 2531

as presented in this act:	2532
Section 1739.05 of the Revised Code as amended by both	2533
Sub. H.B. 463 and Sub. S.B. 319 of the 131st General Assembly.	2534
Section 2925.01 of the Revised Code as amended by both Am.	2535
Sub. H.B. 49 and Am. Sub. S.B. 1 of the 132nd General Assembly.	2536
Section 4730.41 of the Revised Code as amended by S.B. 110	2537
of the 131st General Assembly and H.B. 394 and S.B. 276 both of	2538
the 130th General Assembly.	2539