

**As Reported by the Senate Transportation, Commerce and Workforce
Committee**

133rd General Assembly

**Regular Session
2019-2020**

Sub. S. B. No. 7

Senators Lehner, Hackett

**Cosponsors: Senators McColley, Hoagland, Huffman, S., Roegner, Fedor,
Maharath, Craig, Uecker, Hottinger, Kunze**

A BILL

To amend sections 4731.299, 4734.281, 4734.285, 1
4734.49, 4743.04, 4759.02, 4759.10, 4761.03, 2
4762.03, 4778.07, 4778.08, and 5903.04 and to 3
enact sections 4730.121, 4731.153, 4731.57, 4
4743.041, 4759.063, 4760.041, 4761.052, 5
4762.041, 4774.041, 4778.051, and 4778.081 of 6
the Revised Code regarding temporary state 7
occupational licenses for members of the 8
military and their spouses and regarding the 9
state medical board issuing expedited licenses 10
or certificates by endorsement to those 11
individuals under certain circumstances. 12

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

Section 1. That sections 4731.299, 4734.281, 4734.285, 13
4734.49, 4743.04, 4759.02, 4759.10, 4761.03, 4762.03, 4778.07, 14
4778.08, and 5903.04 be amended and sections 4730.121, 4731.153, 15
4731.57, 4743.041, 4759.063, 4760.041, 4761.052, 4762.041, 16
4774.041, 4778.051, and 4778.081 of the Revised Code be enacted 17

to read as follows:

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Sec. 4730.121. (A) The state medical board shall issue an expedited license to practice as a physician assistant by endorsement to an applicant who meets all of the requirements of this section.

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(B) An individual who seeks an expedited license by endorsement under this section shall file with the board a written application on a form prescribed and supplied by the board. The applicant shall include in the application all of the information the board considers necessary to process it.

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(C) To be eligible to receive an expedited license by endorsement, an applicant shall provide evidence satisfactory to the board that the applicant meets all of the following requirements:

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(1) The applicant holds a valid license or certificate to practice as a physician assistant issued by any other state or jurisdiction.

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(2) The license or certificate is current, and the applicant is in good standing in the state or jurisdiction of licensure or certification.

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(3) One of the circumstances described in division (B) (3) of section 4743.041 of the Revised Code applies to the applicant.

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(4) The applicant moved or will move to this state from the state or jurisdiction in which the individual holds a current license or certificate.

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(5) The individual meets the requirements to receive a license as specified in sections 4730.101 and 4730.11 of the

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Revised Code. 46

(D) The board shall waive all fees associated with the 47
application for and issuance of an expedited license by 48
endorsement under this section. 49

(E) The secretary and supervising member of the board 50
shall review all applications received under this section. If 51
the secretary and supervising member determine that an applicant 52
meets the requirements for an expedited license by endorsement, 53
the board shall issue the license to the applicant. 54

Sec. 4731.153. (A) The state medical board shall issue, 55
without examination, an expedited certificate to practice a 56
limited branch of medicine by endorsement to an applicant who 57
meets all of the requirements of this section. 58

(B) An individual who seeks an expedited certificate by 59
endorsement under this section shall file with the board a 60
written application on a form prescribed and supplied by the 61
board. The applicant shall include in the application all of the 62
information the board considers necessary to process it. 63

(C) To be eligible to receive an expedited certificate by 64
endorsement, an applicant shall provide evidence satisfactory to 65
the board that the applicant meets all of the following 66
requirements: 67

(1) The applicant holds a valid license or certificate to 68
practice a limited branch of medicine issued by any other state 69
or jurisdiction. 70

(2) The license or certificate is current, and the 71
applicant is in good standing in the state or jurisdiction of 72
licensure or certification. 73

(3) One of the circumstances described in division (B) (3) of section 4743.041 of the Revised Code applies to the applicant. 74
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(4) The applicant moved or will move to this state from the state or jurisdiction in which the individual holds a current license or certificate. 77
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(5) The individual meets the requirements to receive a certificate as specified in sections 4731.171 and 4731.19 of the Revised Code. 80
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(D) The board shall waive all fees associated with the application for and issuance of an expedited certificate by endorsement under this section. 83
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(E) The secretary and supervising member of the board shall review all applications received under this section. If the secretary and supervising member determine that an applicant meets the requirements for an expedited certificate by endorsement, the board shall issue the certificate to the applicant. 86
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Sec. 4731.299. (A) The state medical board may issue, without examination, to an applicant who meets all of the requirements of this section an expedited license to practice medicine and surgery or osteopathic medicine and surgery by endorsement. 92
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(B) An individual who seeks an expedited license by endorsement shall file with the board a written application on a form prescribed and supplied by the board. The application shall include all of the information the board considers necessary to process it. 97
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(C) To be eligible to receive an expedited license by 102

endorsement, an applicant shall do both of the following:	103
(1) Provide evidence satisfactory to the board that the applicant meets all of the following requirements:	104
(a) Has passed one of the following:	105
(i) Steps one, two, and three of the United States medical licensing examination;	106
(ii) Levels one, two, and three of the comprehensive osteopathic medical licensing examination of the United States;	107
(iii) Any other medical licensing examination recognized by the board.	108
(b) For at least five years immediately preceding the date of application, has held a current, unrestricted license to practice medicine and surgery or osteopathic medicine and surgery issued by the licensing authority of another state or a Canadian province;	109
(c) For at least two years immediately preceding the date of application, has actively practiced medicine and surgery or osteopathic medicine and surgery in a clinical setting;	110
(d) Is in compliance with the medical education and training requirements in sections 4731.09 and 4731.14 of the Revised Code.	111
(2) Certify to the board that all of the following are the case:	112
(a) Not more than two malpractice claims have been filed against the applicant within a period of ten years and no malpractice claim against the applicant has resulted in total payment of more than five hundred thousand dollars.	113
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(b) The applicant does not have a criminal record	130
according to the criminal records check required by section	131
4731.08 of the Revised Code.	132
(c) The applicant does not have a medical condition that	133
could affect the applicant's ability to practice according to	134
acceptable and prevailing standards of care.	135
(d) No adverse action has been taken against the applicant	136
by a health care institution.	137
(e) To the applicant's knowledge, no federal agency,	138
medical society, medical association, or branch of the United	139
States military has investigated or taken action against the	140
applicant.	141
(f) No professional licensing or regulatory authority has	142
filed a complaint against, investigated, or taken action against	143
the applicant and the applicant has not withdrawn a professional	144
license application.	145
(g) The applicant has not been suspended or expelled from	146
any institution of higher education or school, including a	147
medical school.	148
(D) An applicant for an expedited license by endorsement	149
shall comply with section 4731.08 of the Revised Code.	150
(E) At <u>(1) Except as provided in division (E) (2) of this</u>	151
<u>section, at the time of application, the applicant shall pay to</u>	152
<u>the board a fee of one thousand dollars, no part of which shall</u>	153
<u>be returned. No application shall be considered filed until the</u>	154
<u>board receives the fee.</u>	155
<u>(2) The board shall waive the application fee required by</u>	156
<u>division (E) (1) of this section if the applicant presents</u>	157

<u>adequate proof to the board of both of the following:</u>	158
<u>(a) One of the circumstances described in division (B) (3)</u>	159
<u>of section 4743.041 of the Revised Code applies to the</u>	160
<u>applicant.</u>	161
<u>(b) The applicant moved or will move to this state from</u>	162
<u>the state or jurisdiction in which the applicant holds a current</u>	163
<u>license.</u>	164
(F) The secretary and supervising member of the board	165
shall review all applications received under this section.	166
If the secretary and supervising member determine that an	167
applicant meets the requirements for an expedited license by	168
endorsement, the board shall issue the license to the applicant.	169
If the secretary and supervising member determine that an	170
applicant does not meet the requirements for an expedited	171
license by endorsement, the application shall be treated as an	172
application under section 4731.09 of the Revised Code.	173
(G) Each license issued by the board under this section	174
shall be signed by the president and secretary of the board and	175
attested by the board's seal.	176
(H) Within sixty days after September 29, 2013, the board	177
shall approve acceptable means of demonstrating compliance with	178
sections 4731.09 and 4731.14 of the Revised Code as required by	179
division (C) (1) (d) of this section.	180
<u>Sec. 4731.57. (A) The state medical board shall issue,</u>	181
<u>without examination, an expedited license to practice podiatric</u>	182
<u>medicine and surgery by endorsement to an applicant who meets</u>	183
<u>all of the requirements of this section.</u>	184
<u>(B) An individual who seeks an expedited license by</u>	185

endorsement under this section shall file with the board a 186
written application on a form prescribed and supplied by the 187
board. The applicant shall include in the application all of the 188
information the board considers necessary to process it. 189

(C) To be eligible to receive an expedited license by 190
endorsement, an applicant shall provide evidence satisfactory to 191
the board that the applicant meets all of the following 192
requirements: 193

(1) The applicant holds a valid license or certificate to 194
practice podiatric medicine and surgery issued by any other 195
state or jurisdiction. 196

(2) The license or certificate is current, and the 197
applicant is in good standing in the state or jurisdiction of 198
licensure or certification. 199

(3) One of the circumstances described in division (B) (3) 200
of section 4743.041 of the Revised Code applies to the 201
applicant. 202

(4) The applicant moved or will move to this state from 203
the state or jurisdiction in which the individual holds a 204
current license or certificate. 205

(5) The individual meets the requirements to receive a 206
license as specified in sections 4731.52 and 4731.531 of the 207
Revised Code. 208

(D) The board shall waive all fees associated with the 209
application for and issuance of an expedited license by 210
endorsement under this section. 211

(E) The secretary and supervising member of the board 212
shall review all applications received under this section. If 213

the secretary and supervising member determine that an applicant 214
meets the requirements for an expedited license by endorsement, 215
the board shall issue the license to the applicant. 216

Sec. 4734.281. Except in cases where a chiropractor holds 217
a certificate issued under ~~section 4762.04~~ Chapter 4762. of the 218
Revised Code or is an individual described in division (B) of 219
section 4762.02 of the Revised Code, a chiropractor licensed 220
under this chapter shall not engage in the practice of 221
acupuncture unless the chiropractor holds a valid certificate to 222
practice acupuncture issued by the state chiropractic board 223
under this chapter. 224

Sec. 4734.285. A chiropractor who holds a certificate to 225
practice acupuncture issued under this chapter may represent or 226
advertise the chiropractor to be a "chiropractor certified by 227
the state chiropractic board to practice acupuncture." Unless 228
the chiropractor holds a license issued under ~~section 4762.04~~ 229
Chapter 4762. of the Revised Code, the chiropractor shall not 230
represent or advertise the chiropractor as holding any of the 231
titles listed in section 4762.08 of the Revised Code. 232

This section does not prohibit a chiropractor from using 233
any of the titles listed in division (C) of section 4734.15 of 234
the Revised Code. 235

Sec. 4734.49. (A) The attorney general, the prosecuting 236
attorney of the county in which a violation of this chapter is 237
committed or is threatened to be committed or in which the 238
offender resides, the state chiropractic board, or any other 239
person having knowledge of a person committing or threatening to 240
commit a violation of this chapter may, in accordance with the 241
provisions of the Revised Code governing injunctions, maintain 242
an action in the name of this state to enjoin the person from 243

committing the violation by applying for an injunction in any 244
court of competent jurisdiction. Upon the filing of a verified 245
petition in court, the court shall conduct a hearing on the 246
petition and shall give the same preference to this proceeding 247
as is given all proceedings under Chapter 119. of the Revised 248
Code, irrespective of the position of the proceeding on the 249
calendar of the court. If the court grants a final or permanent 250
injunction that is a final appealable order, the court may award 251
to the person or entity that maintained the action an amount not 252
exceeding five thousand dollars to cover reasonable attorney's 253
fees, investigative costs, and other costs related to the 254
investigation or prosecution of the case. Injunction proceedings 255
brought under this section shall be in addition to, and not in 256
lieu of, all penalties and other remedies provided in this 257
chapter. 258

(B) (1) The practice of chiropractic by any person not at 259
that time holding a valid and current license issued under this 260
chapter is hereby declared to be inimical to the public welfare 261
and to constitute a public nuisance. 262

(2) Except for the practice of acupuncture by persons 263
described in section 4762.02 of the Revised Code and persons who 264
hold certificates issued under ~~section 4762.04~~ Chapter 4762. of 265
the Revised Code, the practice of acupuncture by any person not 266
at that time holding a valid and current certificate to practice 267
acupuncture issued under this chapter is hereby declared to be 268
inimical to the public welfare and to constitute a public 269
nuisance. 270

Sec. 4743.04. (A) The renewal of a license or other 271
authorization to practice a trade or profession issued under 272
Title XLVII of the Revised Code is subject to the provisions of 273

section 5903.10 of the Revised Code relating to service in the 274
armed forces. 275

(B) Continuing education requirements applicable to the 276
licensees under Title XLVII of the Revised Code are subject to 277
the provisions of section 5903.12 of the Revised Code relating 278
to active duty military service. 279

(C) A department, agency, or office ~~of this state or of~~ 280
any political subdivision of this state that issues a license or 281
certificate to practice a trade or profession may, pursuant to 282
rules adopted by the department, agency, or office, issue a 283
temporary license or certificate to practice the trade or 284
profession to a person whose spouse is on active military duty 285
in this state. 286

(D) A department, agency, or office of this state that 287
issues a license or certificate to practice a trade or 288
profession shall issue a temporary license or certificate to 289
practice the trade or profession as provided in section 4743.041 290
of the Revised Code. This division does not apply to the state 291
medical board with respect to a license or certificate issued by 292
the board under Chapter 4730., 4731., 4759., 4760., 4761., 293
4762., 4774., or 4778. of the Revised Code. 294

(E) The issuance of a license or other authorization to 295
practice a trade or profession issued under Title XLVII of the 296
Revised Code is subject to the provisions of section 5903.03 of 297
the Revised Code relating to service in the armed forces. 298

Sec. 4743.041. (A) As used in this section: 299

(1) "Uniformed services" has the same meaning as in 10 300
U.S.C. 101. 301

(2) An individual or an individual's license or 302

certificate issued by another state or jurisdiction is in "good standing" if all of the following apply: 303
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(a) The individual is in compliance with all applicable federal, state, and local regulations. 305
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(b) The individual is not the subject of an investigation or disciplinary action by any agency of federal, state, or local government. 307
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(c) The individual has not been denied a license or certificate, or had a license or certificate limited, suspended, or revoked by any public agency or licensing agency. 310
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(B) Pursuant to division (D) of section 4743.04 of the Revised Code, a department, agency, or office of this state, excluding the state medical board as described in that division, shall issue a temporary license or certificate to practice a trade or profession to an individual for not more than six years, provided that all of the following qualifications are met: 313
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(1) The individual holds a valid license or certificate to practice the trade or profession issued by any other state or jurisdiction. 320
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(2) The license or certificate is current, and the individual is in good standing in the state or jurisdiction of licensure or certification. 323
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(3) The individual presents adequate proof to the department, agency, or office of any of the following circumstances: 326
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(a) The individual or the individual's spouse is a member of the uniformed services and is on active military duty in this 329
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state. 331

(b) The individual or the individual's spouse is a 332
military technician dual status under 10 U.S.C. 10216 and was 333
transferred to duty in this state. 334

(c) A circumstance described in division (B) (3) (a) or (b) 335
of this section will occur within three months after the date of 336
application. 337

(4) The individual presents adequate proof to the 338
department, agency, or office that the individual moved or will 339
move to this state from the state or jurisdiction in which the 340
individual holds a current license or certificate. 341

(5) The individual complies with sections 4776.01 to 342
4776.04 of the Revised Code. 343

(C) A department, agency, or office of this state may, in 344
accordance with Chapter 119. of the Revised Code, deny an 345
individual a temporary license or certificate issued under this 346
section or revoke an individual's temporary license or 347
certificate issued under this section if any of the following 348
circumstances occur: 349

(1) The individual has a criminal record according to a 350
criminal records check. 351

(2) The individual is unable to practice the trade or 352
profession according to acceptable and prevailing standards of 353
care by reason of mental illness or physical illness, including 354
physical deterioration that adversely affects cognitive, motor, 355
or perceptive skills. 356

(3) The individual is unable to practice the trade or 357
profession according to acceptable and prevailing standards of 358

<u>care because of the habitual or excessive use or abuse of</u>	359
<u>alcohol or other substances that impair the ability to practice.</u>	360
<u>(4) An adverse action has been taken against the</u>	361
<u>individual by a health care institution.</u>	362
<u>(5) The individual's license or certificate issued by</u>	363
<u>another state or jurisdiction expires, is revoked, or is not in</u>	364
<u>good standing or the individual, with respect to that license or</u>	365
<u>certificate, is placed on disciplinary probation.</u>	366
<u>(6) With respect to an individual who was eligible for a</u>	367
<u>temporary license or certificate under this section as the</u>	368
<u>spouse of a member of the uniformed services or of a military</u>	369
<u>technician dual status, six months have elapsed since the</u>	370
<u>divorce, dissolution, or annulment of the marriage.</u>	371
<u>(7) The individual is dishonorably discharged from the</u>	372
<u>military.</u>	373
<u>(8) The individual is required to register under Chapter</u>	374
<u>2950. of the Revised Code or a substantially similar law of</u>	375
<u>another state, the United States, or another country.</u>	376
<u>(9) The individual is required to register under section</u>	377
<u>2909.15 of the Revised Code or a substantially similar law of</u>	378
<u>another state, the United States, or another country.</u>	379
<u>(10) The individual has been convicted of, pleaded guilty</u>	380
<u>to, or had a judicial finding of guilt for any criminal</u>	381
<u>violation set forth in the Revised Code mandating that the</u>	382
<u>individual is ineligible for licensure or certification in the</u>	383
<u>trade or profession.</u>	384
<u>(11) An individual issued a temporary license or</u>	385
<u>certificate under this section fails to obtain a full license or</u>	386

certificate within six years after the temporary license or 387
certificate was issued. 388

(D) A department, agency, or office of this state shall 389
waive all fees associated with the issuance of a temporary 390
license or certificate under this section. 391

(E) An individual with a temporary license or certificate 392
issued under this section may practice the trade or profession 393
in this state only within the scope and practice that is 394
permitted under Ohio law and that does not exceed the 395
individual's training. 396

(F) Each department, agency, or office subject to this 397
section that issues a license or certificate to practice a trade 398
or profession shall adopt rules under Chapter 119. of the 399
Revised Code as necessary to implement this section. 400

(G) The director of administrative services shall, on the 401
conclusion of the state fiscal year, prepare a report on the 402
number and type of temporary licenses or certificates that were 403
issued during the fiscal year under section 4743.041 of the 404
Revised Code. The director of administrative services shall 405
provide the report to the director of veterans services not 406
later than thirty days after the end of the fiscal year. The 407
director of veterans services shall compile the reports and make 408
them available to the public. 409

Sec. 4759.02. (A) Except as otherwise provided in this 410
section or in section 4759.10 of the Revised Code, no person 411
shall practice, offer to practice, or hold self forth to 412
practice dietetics unless the person has been licensed under 413
section 4759.06 of the Revised Code this chapter. 414

(B) Except for a person licensed under ~~section 4759.06 of~~ 415

~~the Revised Code this chapter~~, or as otherwise provided in this 416
section or in section 4759.10 of the Revised Code: 417

(1) No person shall use the title "dietitian"; 418

(2) No person except for a person licensed under Title 419
XLVII of the Revised Code, when acting within the scope of their 420
practice, shall use any other title, designation, words, 421
letters, abbreviation, or insignia or combination of any title, 422
designation, words, letters, abbreviation, or insignia tending 423
to indicate that the person is practicing dietetics. 424

(C) Notwithstanding division (B) of this section, a person 425
who is a dietitian registered by the commission on dietetic 426
registration and who does not violate division (A) of this 427
section may use the designation "registered dietitian" and the 428
abbreviation "R.D." 429

(D) Division (A) of this section does not apply to: 430

(1) A student enrolled in an academic program that is in 431
compliance with division (A) (4) of section 4759.06 of the 432
Revised Code who is engaging in the practice of dietetics under 433
the supervision of a dietitian licensed under ~~section 4759.06 of~~ 434
~~the Revised Code this chapter~~ or a dietitian registered by the 435
commission on dietetic registration, as part of the academic 436
program; 437

(2) A person participating in the pre-professional 438
experience required by division (A) (5) of section 4759.06 of the 439
Revised Code; 440

(3) A person holding a limited permit under division (E) 441
of section 4759.06 of the Revised Code. 442

(E) The attorney general, the prosecuting attorney of any 443

county in which the offense was committed or the offender 444
resides, the state medical board, or any other person having 445
knowledge of a person who either directly or by complicity is in 446
violation of this section, may, in accordance with provisions of 447
the Revised Code governing injunctions, maintain an action in 448
the name of the state to enjoin any person from engaging either 449
directly or by complicity in the unlawful activity by applying 450
for an injunction in the Franklin county court of common pleas 451
or any other court of competent jurisdiction. 452

Prior to application for such injunction, the secretary of 453
the state medical board shall notify the person allegedly 454
engaged either directly or by complicity in the unlawful 455
activity by registered mail that the secretary has received 456
information indicating that the person is so engaged. The person 457
shall answer the secretary within thirty days showing that the 458
person is either properly licensed for the stated activity or 459
that the person is not in violation of this chapter. If the 460
answer is not forthcoming within thirty days after notice by the 461
secretary, the secretary shall request that the attorney 462
general, the prosecuting attorney of the county in which the 463
offense was committed or the offender resides, or the state 464
medical board proceed as authorized in this section. 465

Upon the filing of a verified petition in court, the court 466
shall conduct a hearing on the petition and shall give the same 467
preference to this proceeding as is given all proceedings under 468
Chapter 119. of the Revised Code, irrespective of the position 469
of the proceeding on the calendar of the court. Injunction 470
proceedings shall be in addition to, and not in lieu of, all 471
penalties and other remedies provided under this chapter. 472

Sec. 4759.063. (A) The state medical board shall issue, 473

without examination, an expedited license to practice dietetics 474
by endorsement to an applicant who meets all of the requirements 475
of this section. 476

(B) An individual who seeks an expedited license by 477
endorsement under this section shall file with the board a 478
written application on a form prescribed and supplied by the 479
board. The applicant shall include in the application all of the 480
information the board considers necessary to process it. 481

(C) To be eligible to receive an expedited license by 482
endorsement, an applicant shall provide evidence satisfactory to 483
the board that the applicant meets all of the following 484
requirements: 485

(1) The applicant holds a valid license or certificate to 486
practice dietetics issued by any other state or jurisdiction. 487

(2) The license or certificate is current, and the 488
applicant is in good standing in the state or jurisdiction of 489
licensure or certification. 490

(3) One of the circumstances described in division (B) (3) 491
of section 4743.041 of the Revised Code applies to the 492
applicant. 493

(4) The applicant moved or will move to this state from 494
the state or jurisdiction in which the individual holds a 495
current license or certificate. 496

(5) The individual meets the requirements to receive a 497
license as specified in sections 4759.06 and 4759.061 of the 498
Revised Code. 499

(D) The board shall waive all fees associated with the 500
application for and issuance of an expedited license by 501

endorsement under this section. 502

(E) The secretary and supervising member of the board 503
shall review all applications received under this section. If 504
the secretary and supervising member determine that an applicant 505
meets the requirements for an expedited license by endorsement, 506
the board shall issue the license to the applicant. 507

Sec. 4759.10. Sections 4759.01 to 4759.08 of the Revised 508
Code do not apply to any of the following: 509

(A) A person licensed under Title XLVII of the Revised 510
Code who is acting within the scope of the person's profession, 511
provided that the person complies with division (B) of section 512
4759.02 of the Revised Code; 513

(B) A person who is a graduate of an associate degree 514
program approved by the academy of nutrition and dietetics or 515
the state medical board who is working as a dietetic technician 516
under the supervision of a dietitian licensed under ~~section~~ 517
~~4759.06 of the Revised Code~~ this chapter or registered by the 518
commission on dietetic registration, except that the person is 519
subject to division (B) of section 4759.02 of the Revised Code 520
if the person uses a title other than "dietetic technician"; 521

(C) A person who practices dietetics related to employment 522
in the armed forces, veteran's administration, or the public 523
health service of the United States; 524

(D) Persons employed by a nonprofit agency approved by the 525
board or by a federal, state, municipal or county government, or 526
by any other political subdivision, elementary or secondary 527
school, or an institution of higher education approved by the 528
state medical board or by a regional agency recognized by the 529
council on postsecondary accreditation, who performs only 530

nutritional education activities and such other nutritional 531
activities as the board, by rule, permits, provided the person 532
does not violate division (B) of section 4759.02 of the Revised 533
Code; 534

(E) A person who has completed a program meeting the 535
academic standards set for dietitians by the academy of 536
nutrition and dietetics, received a baccalaureate or higher 537
degree from a school, college, or university approved by a 538
regional accreditation agency recognized by the council on 539
postsecondary accreditation, works under the supervision of a 540
licensed dietitian or registered dietitian, and does not violate 541
division (B) of section 4759.02 of the Revised Code; 542

(F) A person when acting, under the direction and 543
supervision of a person licensed under Title XLVII of the 544
Revised Code, in the execution of a plan of treatment authorized 545
by the licensed person, provided the person complies with 546
division (B) of section 4759.02 of the Revised Code; 547

(G) The free dissemination of literature in the state; 548

(H) Provided that the persons involved in the sale, 549
promotion, or explanation of the sale of food, food materials, 550
or dietary supplements do not violate division (B) of section 551
4759.02 of the Revised Code, the sale of food, food materials, 552
or dietary supplements and the marketing and distribution of 553
food, food materials, or dietary supplements and the promotion 554
or explanation of the use of food, food materials, or dietary 555
supplements provided that the promotion or explanation does not 556
violate Chapter 1345. of the Revised Code; 557

(I) A person who offers dietary supplements for sale and 558
who makes the following statements about the product if the 559

statements are consistent with the dietary supplement's label or labeling:	560
	561
(1) Claim a benefit related to a classical nutrient deficiency disease and disclose the prevalence of the disease in the United States;	562
	563
	564
(2) Describe the role of a nutrient or dietary ingredient intended to affect the structure or function of the human body;	565
	566
(3) Characterize the documented mechanism by which a nutrient or dietary ingredient acts to maintain the structure or function of the human body;	567
	568
	569
(4) Describe general well-being from the consumption of a nutrient or dietary ingredient.	570
	571
(J) Provided that the persons involved in presenting a general program of instruction for weight control do not violate division (B) of section 4759.02 of the Revised Code, a general program of instruction for weight control approved in writing by a licensed dietitian, a physician licensed under Chapter 4731. of the Revised Code to practice medicine or surgery or osteopathic medicine or surgery, a person licensed in another state that the board considers to have substantially equivalent licensure requirements as this state, or a registered dietitian;	572
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	580
(K) The continued practice of dietetics at a hospital by a person employed at that same hospital to practice dietetics for the twenty years immediately prior to July 1, 1987, so long as the person works under the supervision of a dietitian licensed under section 4759.06 of the Revised Code <u>this chapter</u> and does not violate division (B) of section 4759.02 of the Revised Code. This division does not apply to any person who has held a license issued under this chapter to practice dietetics. As used	581
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in this division, "hospital" has the same meaning as in section 589
3727.01 of the Revised Code. 590

Sec. 4760.041. (A) The state medical board shall issue an 591
expedited certificate to practice as an anesthesiologist 592
assistant by endorsement to an applicant who meets all of the 593
requirements of this section. 594

(B) An individual who seeks an expedited certificate by 595
endorsement under this section shall file with the board a 596
written application on a form prescribed and supplied by the 597
board. The applicant shall include in the application all of the 598
information the board considers necessary to process it. 599

(C) To be eligible to receive an expedited certificate by 600
endorsement, an applicant shall provide evidence satisfactory to 601
the board that the applicant meets all of the following 602
requirements: 603

(1) The applicant holds a valid license or certificate to 604
practice as an anesthesiologist assistant issued by any other 605
state or jurisdiction. 606

(2) The license or certificate is current, and the 607
applicant is in good standing in the state or jurisdiction of 608
licensure or certification. 609

(3) One of the circumstances described in division (B) (3) 610
of section 4743.041 of the Revised Code applies to the 611
applicant. 612

(4) The applicant moved or will move to this state from 613
the state or jurisdiction in which the individual holds a 614
current license or certificate. 615

(5) The individual meets the requirements to receive a 616

certificate as specified in sections 4760.03, 4760.031, and 617
4760.032 of the Revised Code. 618

(D) The board shall waive all fees associated with the 619
application for and issuance of an expedited certificate by 620
endorsement under this section. 621

(E) The secretary and supervising member of the board 622
shall review all applications received under this section. If 623
the secretary and supervising member determine that an applicant 624
meets the requirements for an expedited certificate by 625
endorsement, the board shall issue the certificate to the 626
applicant. 627

Sec. 4761.03. (A) The state medical board shall regulate 628
the practice of respiratory care in this state and the persons 629
to whom the board issues licenses and limited permits under this 630
chapter. Rules adopted under this chapter that deal with the 631
provision of respiratory care in a hospital, other than rules 632
regulating the issuance of licenses or limited permits, shall be 633
consistent with the conditions for participation under medicare, 634
Title XVIII of the "Social Security Act," 79 Stat. 286 (1965), 635
42 U.S.C.A. 1395, as amended, and with the respiratory care 636
accreditation standards of the joint commission or the American 637
osteopathic association. 638

(B) The board shall adopt, and may rescind or amend, rules 639
in accordance with Chapter 119. of the Revised Code to carry out 640
the purposes of this chapter, including rules prescribing the 641
following: 642

(1) The form and manner for filing applications under 643
sections 4761.05, 4761.052, and 4761.06 of the Revised Code; 644

(2) Standards for the approval of examinations and 645

reexaminations administered by national organizations for	646
licensure, license renewal, and license reinstatement;	647
(3) Standards for the approval of educational programs	648
required to qualify for licensure and approval of continuing	649
education programs required for license renewal;	650
(4) Continuing education courses and the number of hour	651
requirements necessary for license renewal under section 4761.06	652
of the Revised Code, including rules providing for pro rata	653
reductions by month of the number of hours of continuing	654
education that must be completed for license holders who are in	655
their first renewal period, have been disabled by illness or	656
accident, or have been absent from the country;	657
(5) Procedures for the issuance and renewal of licenses	658
and limited permits, including the duties that may be fulfilled	659
by the board's executive director and other board employees;	660
(6) Procedures for the limitation, suspension, and	661
revocation of licenses and limited permits, the refusal to	662
issue, renew, or reinstate licenses and limited permits, and the	663
imposition of a reprimand or probation under section 4761.09 of	664
the Revised Code;	665
(7) Standards of ethical conduct for the practice of	666
respiratory care;	667
(8) The respiratory care tasks that may be performed by an	668
individual practicing as a polysomnographic technologist	669
pursuant to division (B) (3) of section 4761.10 of the Revised	670
Code;	671
(9) Requirements for criminal records checks of applicants	672
under section 4776.03 of the Revised Code.	673

(C) The board shall determine the sufficiency of an applicant's qualifications for admission to the licensing examination or a reexamination, and for the issuance or renewal of a license or limited permit.

(D) The board shall determine the respiratory care educational programs that are acceptable for fulfilling the requirements of division (A) of section 4761.04 of the Revised Code.

(E) (1) The board shall investigate evidence that appears to show that a person has violated any provision of this chapter or any rule adopted under it. Any person may report to the board in a signed writing any information that the person may have that appears to show a violation of any provision of this chapter or any rule adopted under it. In the absence of bad faith, any person who reports information of that nature or who testifies before the board in any adjudication conducted under Chapter 119. of the Revised Code shall not be liable in damages in a civil action as a result of the report or testimony. Each complaint or allegation of a violation received by the board shall be assigned a case number and shall be recorded by the board.

(2) Investigations of alleged violations of this chapter or any rule adopted under it shall be supervised by the supervising member elected by the board in accordance with section 4731.02 of the Revised Code and by the secretary as provided in section 4761.012 of the Revised Code. The president may designate another member of the board to supervise the investigation in place of the supervising member. No member of the board who supervises the investigation of a case shall participate in further adjudication of the case.

(3) In investigating a possible violation of this chapter 704
or any rule adopted under it, the board may issue subpoenas, 705
administer oaths, question witnesses, conduct interviews, order 706
the taking of depositions, inspect and copy any books, accounts, 707
papers, records, or documents, and compel the attendance of 708
witnesses and production of books, accounts, papers, records, 709
documents, and testimony, except that a subpoena for patient 710
record information shall not be issued without consultation with 711
the attorney general's office and approval of the secretary and 712
supervising member of the board. 713

Before issuance of a subpoena for patient record 714
information, the secretary and supervising member shall 715
determine whether there is probable cause to believe that the 716
complaint filed alleges a violation of this chapter or any rule 717
adopted under it and that the records sought are relevant to the 718
alleged violation and material to the investigation. The 719
subpoena may apply only to records that cover a reasonable 720
period of time surrounding the alleged violation. 721

On failure to comply with any subpoena issued by the board 722
and after reasonable notice to the person being subpoenaed, the 723
board may move for an order compelling the production of persons 724
or records pursuant to the Rules of Civil Procedure. 725

A subpoena issued by the board may be served by a sheriff, 726
the sheriff's deputy, or a board employee or agent designated by 727
the board. Service of a subpoena issued by the board may be made 728
by delivering a copy of the subpoena to the person named 729
therein, reading it to the person, or leaving it at the person's 730
usual place of residence, usual place of business, or address on 731
file with the board. When serving a subpoena to an applicant for 732
or the holder of a license or limited permit issued under this 733

chapter, service of the subpoena may be made by certified mail, 734
return receipt requested, and the subpoena shall be deemed 735
served on the date delivery is made or the date the person 736
refuses to accept delivery. If the person being served refuses 737
to accept the subpoena or is not located, service may be made to 738
an attorney who notifies the board that the attorney is 739
representing the person. 740

A sheriff's deputy who serves a subpoena shall receive the 741
same fees as a sheriff. Each witness who appears before the 742
board in obedience to a subpoena shall receive the fees and 743
mileage provided for under section 119.094 of the Revised Code. 744

(4) All hearings, investigations, and inspections of the 745
board shall be considered civil actions for the purposes of 746
section 2305.252 of the Revised Code. 747

(5) A report required to be submitted to the board under 748
this chapter, a complaint, or information received by the board 749
pursuant to an investigation is confidential and not subject to 750
discovery in any civil action. 751

The board shall conduct all investigations or inspections 752
and proceedings in a manner that protects the confidentiality of 753
patients and persons who file complaints with the board. The 754
board shall not make public the names or any other identifying 755
information about patients or complainants unless proper consent 756
is given. 757

The board may share any information it receives pursuant 758
to an investigation or inspection, including patient records and 759
patient record information, with law enforcement agencies, other 760
licensing boards, and other governmental agencies that are 761
prosecuting, adjudicating, or investigating alleged violations 762

of statutes or administrative rules. An agency or board that 763
receives the information shall comply with the same requirements 764
regarding confidentiality as those with which the state medical 765
board must comply, notwithstanding any conflicting provision of 766
the Revised Code or procedure of the agency or board that 767
applies when it is dealing with other information in its 768
possession. In a judicial proceeding, the information may be 769
admitted into evidence only in accordance with the Rules of 770
Evidence, but the court shall require that appropriate measures 771
are taken to ensure that confidentiality is maintained with 772
respect to any part of the information that contains names or 773
other identifying information about patients or complainants 774
whose confidentiality was protected by the state medical board 775
when the information was in the board's possession. Measures to 776
ensure confidentiality that may be taken by the court include 777
sealing its records or deleting specific information from its 778
records. 779

(6) On a quarterly basis, the board shall prepare a report 780
that documents the disposition of all cases during the preceding 781
three months. The report shall contain the following information 782
for each case with which the board has completed its activities: 783

(a) The case number assigned to the complaint or alleged 784
violation; 785

(b) The type of license or limited permit, if any, held by 786
the individual against whom the complaint is directed; 787

(c) A description of the allegations contained in the 788
complaint; 789

(d) The disposition of the case. 790

The report shall state how many cases are still pending 791

and shall be prepared in a manner that protects the identity of 792
each person involved in each case. The report shall be a public 793
record under section 149.43 of the Revised Code. 794

(F) The board shall keep records of its proceedings and do 795
other things as are necessary and proper to carry out and 796
enforce the provisions of this chapter. 797

(G) The board shall maintain and publish on its internet 798
web site all of the following: 799

(1) The requirements for the issuance of licenses and 800
limited permits under this chapter and rules adopted by the 801
board; 802

(2) A list of the names and locations of the institutions 803
that each year granted degrees or certificates of completion in 804
respiratory care. 805

Sec. 4761.052. (A) The state medical board shall issue, 806
without examination, an expedited license to practice 807
respiratory care by endorsement to an applicant who meets all of 808
the requirements of this section. 809

(B) An individual who seeks an expedited license by 810
endorsement under this section shall file with the board a 811
written application on a form prescribed and supplied by the 812
board. The applicant shall include in the application all of the 813
information the board considers necessary to process it. 814

(C) To be eligible to receive an expedited license by 815
endorsement, an applicant shall provide evidence satisfactory to 816
the board that the applicant meets all of the following 817
requirements: 818

(1) The applicant holds a valid license or certificate to 819

practice respiratory care issued by any other state or 820
jurisdiction. 821

(2) The license or certificate is current, and the 822
applicant is in good standing in the state or jurisdiction of 823
licensure or certification. 824

(3) One of the circumstances described in division (B) (3) 825
of section 4743.041 of the Revised Code applies to the 826
applicant. 827

(4) The applicant moved or will move to this state from 828
the state or jurisdiction in which the individual holds a 829
current license or certificate. 830

(5) The individual meets the requirements to receive a 831
license as specified in sections 4761.04 and 4761.051 of the 832
Revised Code. 833

(D) The board shall waive all fees associated with the 834
application for and issuance of an expedited license by 835
endorsement under this section. 836

(E) The secretary and supervising member of the board 837
shall review all applications received under this section. If 838
the secretary and supervising member determine that an applicant 839
meets the requirements for an expedited license by endorsement, 840
the board shall issue the license to the applicant. 841

Sec. 4762.03. (A) An individual seeking a certificate to 842
practice as an oriental medicine practitioner or certificate to 843
practice as an acupuncturist shall file with the state medical 844
board a written application on a form prescribed and supplied by 845
the board. 846

(B) To be eligible for the certificate to practice, an 847

applicant shall meet all of the following conditions, as 848
applicable: 849

(1) The applicant shall submit evidence satisfactory to 850
the board that the applicant is at least eighteen years of age 851
and of good moral character. 852

(2) In the case of an applicant seeking a certificate to 853
practice as an oriental medicine practitioner, the applicant 854
shall submit evidence satisfactory to the board of both of the 855
following: 856

(a) That the applicant holds a current and active 857
designation from the national certification commission for 858
acupuncture and oriental medicine as either a diplomate in 859
oriental medicine or diplomate of acupuncture and Chinese 860
herbology; 861

(b) That the applicant has successfully completed, in the 862
two-year period immediately preceding application for the 863
certificate to practice, one course approved by the commission 864
on federal food and drug administration dispensary and 865
compounding guidelines and procedures. 866

(3) In the case of an applicant seeking a certificate to 867
practice as an acupuncturist, the applicant shall submit 868
evidence satisfactory to the board that the applicant holds a 869
current and active designation from the national certification 870
commission for acupuncture and oriental medicine as a diplomate 871
in acupuncture. 872

(4) The applicant shall demonstrate to the board 873
proficiency in spoken English by satisfying one of the following 874
requirements: 875

(a) Passing the examination described in section 4731.142 876

of the Revised Code; 877

(b) Submitting evidence satisfactory to the board that the 878
applicant was required to demonstrate proficiency in spoken 879
English as a condition of obtaining designation from the 880
national certification commission for acupuncture and oriental 881
medicine as a diplomate in oriental medicine, diplomate of 882
acupuncture and Chinese herbology, or diplomate in acupuncture; 883

(c) Submitting evidence satisfactory to the board that the 884
applicant, in seeking a designation from the national 885
certification commission for acupuncture and oriental medicine 886
as a diplomate of oriental medicine, diplomate of acupuncture 887
and Chinese herbology, or diplomate of acupuncture, has 888
successfully completed in English the examination required for 889
such a designation by the national certification commission for 890
acupuncture and oriental medicine; 891

(d) In the case of an applicant seeking a certificate to 892
practice as an oriental medicine practitioner, submitting 893
evidence satisfactory to the board that the applicant has 894
previously held a certificate to practice as an acupuncturist 895
issued under ~~section 4762.04 of the Revised Code~~ this chapter. 896

(5) The applicant shall submit to the board any other 897
information the board requires. 898

(6) The applicant shall pay to the board a fee of one 899
hundred dollars, no part of which may be returned to the 900
applicant. 901

(C) The board shall review all applications received under 902
this section. The board shall determine whether an applicant 903
meets the requirements to receive a certificate to practice not 904
later than sixty days after receiving a complete application. 905

The affirmative vote of not fewer than six members of the board 906
is required to determine that an applicant meets the 907
requirements for a certificate. 908

Sec. 4762.041. (A) The state medical board shall issue an 909
expedited certificate to practice as an oriental medicine 910
practitioner or acupuncturist by endorsement to an applicant who 911
meets all of the requirements of this section. 912

(B) An individual who seeks an expedited certificate by 913
endorsement under this section shall file with the board a 914
written application on a form prescribed and supplied by the 915
board. The applicant shall include in the application all of the 916
information the board considers necessary to process it. 917

(C) To be eligible to receive an expedited certificate by 918
endorsement, an applicant shall provide evidence satisfactory to 919
the board that the applicant meets all of the following 920
requirements: 921

(1) The applicant holds a valid license or certificate to 922
practice as an oriental medicine practitioner or acupuncturist 923
issued by any other state or jurisdiction. 924

(2) The license or certificate is current, and the 925
applicant is in good standing in the state or jurisdiction of 926
licensure or certification. 927

(3) One of the circumstances described in division (B)(3) 928
of section 4743.041 of the Revised Code applies to the 929
applicant. 930

(4) The applicant moved or will move to this state from 931
the state or jurisdiction in which the individual holds a 932
current license or certificate. 933

(5) The individual meets the requirements to receive a 934
certificate as specified in sections 4762.03 and 4762.031 of the 935
Revised Code. 936

(D) The board shall waive all fees associated with the 937
application for and issuance of an expedited certificate by 938
endorsement under this section. 939

(E) The secretary and supervising member of the board 940
shall review all applications received under this section. If 941
the secretary and supervising member determine that an applicant 942
meets the requirements for an expedited certificate by 943
endorsement, the board shall issue the certificate to the 944
applicant. 945

Sec. 4774.041. (A) The state medical board shall issue an 946
expedited certificate to practice as a radiologist assistant by 947
endorsement to an applicant who meets all of the requirements of 948
this section. 949

(B) An individual who seeks an expedited certificate by 950
endorsement under this section shall file with the board a 951
written application on a form prescribed and supplied by the 952
board. The applicant shall include in the application all of the 953
information the board considers necessary to process it. 954

(C) To be eligible to receive an expedited certificate by 955
endorsement, an applicant shall provide evidence satisfactory to 956
the board that the applicant meets all of the following 957
requirements: 958

(1) The applicant holds a valid license or certificate to 959
practice as a radiologist assistant issued by any other state or 960
jurisdiction. 961

(2) The license or certificate is current, and the 962

applicant is in good standing in the state or jurisdiction of 963
licensure or certification. 964

(3) One of the circumstances described in division (B)(3) 965
of section 4743.041 of the Revised Code applies to the 966
applicant. 967

(4) The applicant moved or will move to this state from 968
the state or jurisdiction in which the individual holds a 969
current license or certificate. 970

(5) The individual meets the requirements to receive a 971
certificate as specified in sections 4774.03 and 4774.031 of the 972
Revised Code. 973

(D) The board shall waive all fees associated with the 974
application for and issuance of an expedited certificate by 975
endorsement under this section. 976

(E) The secretary and supervising member of the board 977
shall review all applications received under this section. If 978
the secretary and supervising member determine that an applicant 979
meets the requirements for an expedited certificate by 980
endorsement, the board shall issue the certificate to the 981
applicant. 982

Sec. 4778.051. (A) The state medical board shall issue an 983
expedited license to practice as a genetic counselor by 984
endorsement to an applicant who meets all of the requirements of 985
this section. 986

(B) An individual who seeks an expedited license by 987
endorsement under this section shall file with the board a 988
written application on a form prescribed and supplied by the 989
board. The applicant shall include in the application all of the 990
information the board considers necessary to process it. 991

<u>(C) To be eligible to receive an expedited license by</u>	992
<u>endorsement, an applicant shall provide evidence satisfactory to</u>	993
<u>the board that the applicant meets all of the following</u>	994
<u>requirements:</u>	995
<u>(1) The applicant holds a valid license or certificate to</u>	996
<u>practice as a genetic counselor issued by any other state or</u>	997
<u>jurisdiction.</u>	998
<u>(2) The license or certificate is current, and the</u>	999
<u>applicant is in good standing in the state or jurisdiction of</u>	1000
<u>licensure or certification.</u>	1001
<u>(3) One of the circumstances described in division (B) (3)</u>	1002
<u>of section 4743.041 of the Revised Code applies to the</u>	1003
<u>applicant.</u>	1004
<u>(4) The applicant moved or will move to this state from</u>	1005
<u>the state or jurisdiction in which the individual holds a</u>	1006
<u>current license or certificate.</u>	1007
<u>(5) The individual meets the requirements to receive a</u>	1008
<u>license as specified in sections 4778.03 and 4778.04 of the</u>	1009
<u>Revised Code.</u>	1010
<u>(D) The board shall waive all fees associated with the</u>	1011
<u>application for and issuance of an expedited license by</u>	1012
<u>endorsement under this section.</u>	1013
<u>(E) The secretary and supervising member of the board</u>	1014
<u>shall review all applications received under this section. If</u>	1015
<u>the secretary and supervising member determine that an applicant</u>	1016
<u>meets the requirements for an expedited license by endorsement,</u>	1017
<u>the board shall issue the license to the applicant.</u>	1018
Sec. 4778.07. (A) A license to practice as a genetic	1019

counselor issued under ~~section 4778.05 of the Revised Code~~ this 1020
chapter that is not renewed on or before its expiration date is 1021
automatically suspended on its expiration date. Continued 1022
practice after suspension shall be considered as practicing in 1023
violation of section 4778.02 of the Revised Code. 1024

(B) If a license has been suspended pursuant to this 1025
section for two years or less, the board shall reinstate the 1026
license upon an applicant's submission of a complete renewal 1027
application, the biennial renewal fee, and a monetary penalty of 1028
twenty-five dollars. 1029

(C) (1) If a license has been suspended pursuant to this 1030
section for more than two years, it may be restored upon an 1031
applicant's submission of a complete restoration application, 1032
the biennial renewal fee, and a monetary penalty of fifty 1033
dollars and compliance with sections 4776.01 to 4776.04 of the 1034
Revised Code. The board shall not restore a license unless the 1035
board, in its discretion, decides that the results of the 1036
criminal records check do not make the applicant ineligible for 1037
a license issued pursuant to section 4778.05 of the Revised 1038
Code. 1039

(2) The board may impose terms and conditions for the 1040
restoration, including the following: 1041

(a) Requiring the applicant to pass an oral or written 1042
examination, or both, to determine the applicant's present 1043
fitness to resume practice; 1044

(b) Requiring the applicant to obtain additional training 1045
and to pass an examination upon completion of such training; 1046

(c) Restricting or limiting the extent, scope, or type of 1047
practice of the applicant. 1048

Sec. 4778.08. (A) The state medical board may issue to an 1049
applicant under section 4778.03 of the Revised Code a license to 1050
practice as a genetic counselor, designated as a supervised 1051
practice license, if both of the following apply: 1052

(1) The applicant meets the requirements specified in 1053
section 4778.03 of the Revised Code other than being a certified 1054
genetic counselor; 1055

(2) The applicant is in active candidate status with the 1056
American board of genetic counseling. 1057

(B) A supervised practice license authorizes the holder to 1058
engage in the activities authorized by section 4778.11 of the 1059
Revised Code while the holder is under the general supervision 1060
of a genetic counselor licensed under ~~section 4778.05 of the~~ 1061
~~Revised Code~~ this chapter or a physician. General supervision 1062
does not require the supervising licensed genetic counselor or 1063
physician to be present while the holder engages in such 1064
activities, but does require the licensed genetic counselor or 1065
physician to have professional responsibility for the holder and 1066
be readily accessible to the holder for professional 1067
consultation and assistance. 1068

A supervised practice license is valid from the date of 1069
issuance until the earlier of one year from that date or the 1070
date a license is issued under section 4778.05 or 4778.051 of 1071
the Revised Code. A supervised practice license may not be 1072
renewed. 1073

Sec. 4778.081. (A) The state medical board shall issue an 1074
expedited genetic counselor supervised practice license by 1075
endorsement to an applicant who meets all of the requirements of 1076
this section. 1077

(B) An individual who seeks an expedited license by 1078
endorsement under this section shall file with the board a 1079
written application on a form prescribed and supplied by the 1080
board. The applicant shall include in the application all of the 1081
information the board considers necessary to process it. 1082

(C) To be eligible to receive an expedited license by 1083
endorsement, an applicant shall provide evidence satisfactory to 1084
the board that the applicant meets all of the following 1085
requirements: 1086

(1) The applicant holds a valid license or certificate to 1087
practice as a genetic counselor under supervision issued by any 1088
other state or jurisdiction. 1089

(2) The license or certificate is current, and the 1090
applicant is in good standing in the state or jurisdiction of 1091
licensure or certification. 1092

(3) One of the circumstances described in division (B) (3) 1093
of section 4743.041 of the Revised Code applies to the 1094
applicant. 1095

(4) The applicant moved or will move to this state from 1096
the state or jurisdiction in which the individual holds a 1097
current license or certificate. 1098

(5) The individual meets the requirements to receive a 1099
license as specified in section 4778.08 of the Revised Code. 1100

(D) The board shall waive all fees associated with the 1101
application for and issuance of an expedited license by 1102
endorsement under this section. 1103

(E) The secretary and supervising member of the board 1104
shall review all applications received under this section. If 1105

the secretary and supervising member determine that an applicant 1106
meets the requirements for an expedited license by endorsement, 1107
the board shall issue the license to the applicant. 1108

Sec. 5903.04. Each licensing agency shall adopt rules 1109
under Chapter 119. of the Revised Code to establish and 1110
implement all of the following: 1111

(A) A process to obtain from each applicant documentation 1112
and additional information necessary to determine if the 1113
applicant is a service member or veteran, or the spouse or 1114
surviving spouse of a service member or veteran; 1115

(B) A process to record, track, and monitor applications 1116
that have been received from a service member, veteran, or the 1117
spouse or surviving spouse of a service member or veteran; and 1118

(C) A process to prioritize and expedite certification or 1119
licensing for each applicant who is a service member, veteran, 1120
or the spouse or a surviving spouse of a service member or 1121
veteran. 1122

In establishing these processes, the licensing agency 1123
shall include any special accommodations that may be appropriate 1124
for applicants facing imminent deployment, and for applicants 1125
for a temporary license or certificate under division (D) of 1126
section 4743.04 of the Revised Code. 1127

Section 2. That existing sections 4731.299, 4734.281, 1128
4734.285, 4734.49, 4743.04, 4759.02, 4759.10, 4761.03, 4762.03, 1129
4778.07, 4778.08, and 5903.04 of the Revised Code are hereby 1130
repealed. 1131