1. Administrative Matters
   1.1 Agenda Review
   1.2 Approval of Minutes
      **Action Required**
   1.3 Executive Director’s Report
   1.4 Discussion of Law and Rule Changes
      1.4.1 3-D printing and prosthetic services
      1.4.2 SB 246/HB 432 – license reciprocity
      1.4.3 Licensure candidates without a residency
      1.4.4 Rule rewrite – CSI filing

2. Licensure Applications
   2.1 Application Review Liaison Report
   2.2 Continuing Education Liaison Report
   2.3 Licensure Renewal Report

3. Enforcement Division
   3.1 Case Review Liaison Report

4. Correspondence

5. OOPA Report

6. Open Forum

7. Old Business

8. New Business

9. Next Meeting Preparation
   9.1 Executive Director Assignments

10. Adjournment
Members Present
Brian Weaver, LPO, Chair
Don Weldon, LO
Derek Kinsella, LO
Jeffrey Hagman, LP
Beth Ann Ball, OT, Joint Board OPP Liaison

Members Absent
Tammy Daulton, LPED, Secretary

Call to Order
Brian Weaver, Chair, called the meeting to order at 2:30 p.m.

Approval of Minutes
Action: Brian Weaver moved that the minutes from the September 12, 2019, meeting be approved as submitted. Derek Kinsella seconded the motion. The motion carried.

Executive Director Report
• The Executive Director gave the fiscal report for July, August and September 2019.
• The Executive Director reported that licensure renewal for PT’s began November 1, 2019 and will run through January 31, 2020.
• The Executive Director reported the need for updated Policies and Procedures.
• The Executive Director reported staff is finishing up OTA and PT audits. AT audits will start the first week of December. PTA audits will start in early February 2020.
• The Executive Director provided a brief legislative overview.

Discussion of Laws and Rules
• The Council had discussion on 3D printing and prosthetic services. The Council discussed the need to ask for broader public comment on the 3D printing issue with a two-week window for submissions.
  o Motion made by Jeffrey Hagman, seconded by Don Weldon to recommend filing the 3-D printing rule with the Common Sense Initiative to the occupational therapy, physical therapy, and athletic trainers board sections. Motion carried.
• There was dialogue on licensure for residents without a residency. Legislative language needs to be crafted on the requirements necessary, including, but not limited to educational requirements, accepted standards, experiential experiences, and continuous certification.

Administrative Reports
Licensure Liaison Report
A reminder will be sent to orthotics, prosthetics, and pedorthics license holders regarding continuing education requirements and licensure renewal deadlines.

Continuing Education Liaison Report
No report.
Enforcement Report
No report.

OOPA Report
No report

Open Forum
None

Old Business
None

New Business
None

Next Meeting Preparation
The next meeting scheduled of the Orthotics, Prosthetics and Pedorthics Advisory Council is scheduled for January 16, 2020.

Adjournment
There being no further business and no objections, Brian Weaver adjourned the meeting at 3:59 pm.

Respectfully submitted,

Jan Hills

__________________________________________
Brian Weaver, LPO, Chair                 Tamara Daulton, LPED, Secretary

__________________________________________
Missy Anthony, Executive Director
Ohio Occupational Therapy, Physical Therapy,
and Athletic Trainers Board
(A) Pursuant to section 4779.02 (C) of the Ohio Revised Code, the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board must grant to a person who meets the requirements listed in paragraph (C) of this rule the authority to engage in 3-D printing of open-source prosthetic kits. Such a person must not represent that the person is authorized to practice prosthetics or orthotics and prosthetics under chapter 4779 of the Revised Code and may not use the title “licensed prosthetist” or “licensed prosthetist-orthotist.”

(B) “3-D printing of open-source prosthetic kits” includes the fabrication of upper limb prostheses using a 3-D printer with designs originating from open-sources. The Board will not grant authority to 3-D print open-source lower limb prostheses.

(C) A person seeking authority to engage in 3-D printing of open-source prosthetic kits must submit an application that demonstrates the person meets the following requirements:

1. The applicant demonstrates proficiency in the use of 3-D printing applications. Examples of ways an applicant can demonstrate proficiency include:
   a. 3-D printing coursework
   b. Relevant training or credentials that include knowledge of appropriate material use and an understanding of how a person with limb difference uses the printed device,
   c. Examples of experience printing 3-D products for individuals in the limb-different community.

2. The applicant must keep on file the contact information of a medical professional for each person to whom a 3-D printed prosthetic is designed or provided. The applicant must agree to cooperate with the designated medical professional upon request to provide continuity of care. The medical professional must be an individual who holds a current, valid licensed, certificate, or registration issued under Chapter 4723, 4729, 4730, 4731, 4755, or 4779 of the Revised Code and in whose scope prosthetics is included.

3. The applicant must disclose in written form to each recipient of a 3-D printed prosthetic the following:
   a. That the applicant does not hold a license to practice prosthetics or prosthetics-orthotics under Chapter 4779 of the Ohio Revised Code,
   b. If applicable, that the applicant does not carry liability insurance.

(D) All applications for authority to engage in 3-D printing of open-source prosthetic kits must be submitted to the Occupational Therapy, Physical Therapy, and Athletic Trainers Board on forms provided by the board. The Board will retain all applications, statements, and other documents so submitted.
Applications must be:

1. Submitted electronically;
2. Signed electronically;
3. Accompanied by a fee of up to $25;
4. Accompanied by such evidence, statements, or documents as specified on the application.

Any application received in accordance with this rule that remains incomplete one year after the initial application filing must be abandoned and no further processing must be undertaken with respect to that application.

1. If the application process extends for a period longer than one year, the board may require updated information as it deems necessary.
2. No application for authority to engage in 3-D printing of open-source prosthetic kits may be withdrawn without approval of the board.
3. Submitted fees are neither refundable nor transferable.

All persons with authority to engage in 3-D printing of open-source prosthetic kits must renew their authority by the thirty-first day of January in each even-numbered year. When authority to engage in 3-D printing of open-source prosthetic kits is issued by the board on or after October first of an odd-numbered year, that authority is valid through the thirty-first day of January of the second even-numbered year.

1. There will be a renewal fee of $25.
2. Persons who fail to submit the renewal fee, completed application, and any other required information by the deadline will have their authority to engage in 3-D printing of open-source prosthetic kits automatically expire.
3. The licensure renewal notice shall be sent to the e-mail address on file with the board.

The Occupational Therapy, Physical Therapy, and Athletic Trainers Board, upon review of the application materials, may grant, deny, or revoke authority to engage in 3-D printing of open-source prosthetics kits.

In accordance with Chapter 119. of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers board may suspend, revoke, or refuse to issue or renew the authority to engage in 3-D printing of open-source prosthetic kits, or reprimand, fine, place an authority holder on probation, or require the authority holder to take corrective action courses.
<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>license</th>
<th>email</th>
<th>Comment Received</th>
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</thead>
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<tr>
<td>Christine</td>
<td>Geeding</td>
<td>LP</td>
<td><a href="mailto:cgeeding@fuse.net">cgeeding@fuse.net</a></td>
<td>Please limit it to upper extremity prosthetics only. I have experienced the fun college students receive by being able to do my job and making prosthetics for amputees. I always think of my patients walking down the stairs with their newborn baby, and an open sourced prosthesis would be dangerous. Thank you for listening to my comments concerning the Board granting the authority to an individual who is not licensed to practice prosthetics to engage in the 3-D printing of open-source prosthetic kits.</td>
</tr>
<tr>
<td>Mac</td>
<td>McClellan</td>
<td>LP</td>
<td>Texas</td>
<td>As an ABC Certified and Licensed Prosthetist, I have dedicated my professional career to the field of prosthetics and this is an irresponsible loop hole. Adding an exemption for people to make prosthetics who are uneducated and unlicensed because it is fabricated with a 3D printer, opposed to other methods, is an unwise decision which I oppose. 3D printing is becoming more sophisticated and will become a usual fabrication method within the prosthetic community once the machines advance to the level needed for our professional standards. The certification process and the license are in place to protect the integrity of our field. Please do not undermine my credentials by making a hasty and irresponsible ruling.</td>
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MEMORANDUM

TO: Missy Anthony, Occupational Therapy, Physical Therapy, and Athletic Trainers Board

FROM: Emily Groseclose, Senior Policy and Business Advocate

DATE: January 10, 2020

RE: CSI Review – Authority to Engage in 3-D Printing of Open-Source Prosthetic Kits (OAC 4755-70-01)

On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) office under Ohio Revised Code (ORC) section 107.54, the CSI office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI office’s comments to the Board as provided for in ORC 107.54.

Analysis

This rule package contains one new rule submitted to CSI by the Occupational Therapy, Physical Therapy, and Athletic Trainers Board (Board) on November 27, 2019. The public comment period was held open through December 20, 2019, and one comment was received during that time. The Board provided its response on December 23, 2019. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on November 27, 2019.

The rule prescribes how an individual who is not licensed to practice prosthetics or orthotics and prosthetics may obtain the authority to engage in the 3-D printing of open-source prosthetic kits. Adoption of this rule complies with provisions Lt. Governor Husted and Senator Rob McColley spearheaded in HB 166 of the 133rd General Assembly to ensure that Ohio’s rules catch up with the speed of innovation and technology in the field of prosthetics.
As part of early stakeholder outreach, the Board solicited feedback on the draft rule from all licensed orthotists, prosthetists, and pedorthists. The draft rule was significantly impacted by a workgroup that the Board established, which included Board members who are licensees, industry representatives and associations, and individuals using 3-D printing in this space.

One comment was received during the CSI public comment period. The commenter expressed disagreement with the new law that allows an individual who is not licensed to practice prosthetics to engage in the 3-D printing of open-source prosthetic kits. In response, the Board noted that it was a statutory change that granted this authority and that the Board is required to implement the new law.

The rule impacts individuals who wish to be granted authority to 3-D print open-source prosthetic kits and employers of those individuals. The Board noted that potential adverse impacts include an application fee and biennial renewal fee of $25, time spent learning 3-D printing skills as well as associated costs of education. The Board noted that the adverse impacts are justified in order to balance public safety while encouraging innovation with flexible regulations that allow technology to develop.

**Recommendations**

For the reasons described above, the CSI office has no recommendations on this rule package.

**Conclusion**

Based on its review of the proposed rule package, the CSI office recommends that the Occupational Therapy, Physical Therapy, and Athletic Trainers Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.
As Introduced

133rd General Assembly
Regular Session S. B. No. 246
2019-2020

Senators Roegner, McColley
Cosponsors: Senators Obhof, Hackett, Huffman, M.

A BILL

To amend sections 109.73, 109.77, 109.771, 109.78, 109.804, 147.01, 147.63, 169.16, 173.21, 173.391, 173.422, 503.41, 715.27, 903.07, 905.321, 917.09, 917.091, 921.06, 921.11, 921.12, 921.24, 921.26, 926.30, 928.02, 943.09, 956.05, 956.06, 1315.04, 1315.13, 1315.23, 1321.04, 1321.37, 1321.53, 1321.64, 1321.74, 1322.07, 1322.10, 1322.21, 1513.07, 1513.161, 1514.12, 1514.47, 1531.40, 1533.051, 1533.51, 1561.07, 1561.14, 1561.15, 1561.16, 1561.17, 1561.18, 1561.19, 1561.20, 1561.21, 1561.22, 1565.06, 1565.15, 1707.15, 1707.151, 1707.16, 1707.161, 1707.163, 1707.165, 1717.06, 3101.10, 3301.071, 3301.074, 3319.088, 3319.22, 3319.226, 3319.229, 3319.26, 3319.261, 3319.262, 3319.27, 3319.28, 3319.301, 3319.303, 3319.361, 3327.10, 3703.01, 3703.21, 3704.14, 3713.05, 3717.09, 3723.03, 3723.06, 3737.83, 3737.881, 3742.05, 3743.40, 3743.51, 3745.14, 3748.07, 3748.12, 3769.03, 3770.05, 3772.13, 3772.131, 3773.36, 3773.421, 3774.02, 3781.10, 3781.102, 3781.105, 3905.041, 3905.062, 3905.063, 3905.07, 3905.071, 3905.072, 3905.08, 3905.09, 3905.30, 3905.471,
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4783.04, 5123.161, 5123.45, 5126.25, 59
5902.02, 6109.04, and 6111.30; to enact sections 9.79 and
3746.041; and to repeal sections 921.08,
61
1322.24, 3905.081, 4707.12, and 4757.25 of the
Revised Code to require an occupational
licensing authority to issue a license or
government certification to an applicant who
holds a license, government certification, or
private certification or has satisfactory work
experience in another state under certain
circumstances.
68

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

Section 1. That sections 109.73, 109.77, 109.771, 109.78,
109.804, 147.01, 147.63, 169.16, 173.21, 173.391, 173.422,
503.41, 715.27, 903.07, 905.321, 917.09, 917.091, 921.06,
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4765.30, 4765.55, 4767.031, 4771.08, 4773.03, 4774.03, 4775.07, 111
4778.03, 4778.08, 4778.09, 4779.17, 4779.18, 4781.07, 4781.08, 112
4781.17, 4783.04, 5123.161, 5123.45, 5126.25, 5902.02, 6109.04, 113
and 6111.30 be amended and sections 9.79 and 3746.041 of the
Revised Code be enacted to read as follows:

**Sec. 9.79.** (A) As used in this section:

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

(2) "Licensing authority" means a state agency or political subdivision that issues licenses or government certifications.

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

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

(5) "Out-of-state occupational license" means a license, certificate, registration, permit, card, or other authority that is issued or conferred by the government of another state to an individual by which the individual has or claims the privilege to engage in a profession, occupation, or occupational activity over which that state has jurisdiction.

(6)(a) "Government certification" means authorization from a licensing authority or the government of another state to an individual who meets qualifications related to a profession, occupation, or occupational activity to which both of the following apply:
(i) Only an individual holding the authorization may use a specific title or titles when advertising or holding the individual's self out to engage in the profession, occupation, or occupational activity.

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

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

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

(B) Except as otherwise provided in this section, a licensing authority shall issue a license or government certification to an applicant if the licensing authority determines that all of the following apply:

(1) The applicant holds either of the following:

(a) An out-of-state occupational license that authorizes the applicant to engage in the same profession, occupation, or occupational activity, and at the same practice level, as the license or government certification for which the applicant is applying in this state;

(b) A government certification in the same profession, occupation, or occupational activity as the license or government certification for which the applicant is applying in this state in a state that does not issue an out-of-state
(2) The applicant has held the out-of-state occupational license or government certification for at least one year and is in good standing in all jurisdictions in which the applicant holds an out-of-state occupational license or government certification to practice the same profession, occupation, or occupational activity for which the applicant is applying in this state.

(3) The applicant was required to satisfy minimum education, training, or experience requirements or pass an examination to receive the out-of-state occupational license or government certification.

(4) The applicant has not surrendered or had revoked a license, out-of-state occupational license, or government certification because of negligence or intentional misconduct related to the applicant's work in the same profession, occupation, or occupational activity for which the applicant is applying in this state.

(5) The applicant pays a fee equal to the renewal fee required for license or government certification holders under the applicable law to the licensing authority.

(6) The applicant is not disqualified from obtaining the license or government certification because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified on the list the licensing authority makes available pursuant to division (C) of section 9.78 of the Revised Code.

(C) Except as otherwise provided in this section, a
licensing authority shall issue a license or government certification to an applicant if the licensing authority determines that all of the following apply:

(1) The applicant holds a private certification and has at least two years of work experience in the same profession, occupation, or occupational activity, and at the same practice level, as the license or government certification for which the applicant is applying in this state in a state that does not issue an out-of-state occupational license or government certification for the respective profession, occupation, or occupational activity.

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

(3) The applicant meets the requirements specified under divisions (B)(4) to (6) of this section.

(D) Except as otherwise provided in this section, a licensing authority shall issue a license or government certification to an applicant if the licensing authority determines that both of the following apply:

(1) The applicant has at least three years of work experience in the same profession, occupation, or occupational activity, and at the same practice level, as the license or government certification for which the applicant is applying in this state in a state that does not issue an out-of-state occupational license or government certification for the respective profession, occupation, or occupational activity.

(2) The applicant meets the requirements under divisions (B)(4) to (6) of this section.

(E) If an applicant is the subject of a complaint,
allegation, or investigation that relates to unprofessional conduct or an alleged crime pending before a court, administrative agency, or entity that regulates a license, out-of-state occupational license, or government certification, a licensing authority shall not issue or deny a license or government certification to the applicant under this section until the complaint, allegation, or investigation is resolved.

(F) If a licensing authority requires an applicant to pass an examination on this state's laws and rules governing the applicable profession, occupation, or occupational activity to receive a license or government certification under the applicable law, a licensing authority may require an applicant to pass the examination to receive a license or government certification under this section.

(G) If a licensing authority requires an applicant under the law governing the applicable profession, occupation, or occupational activity to submit to a criminal records check to receive a license or government certification, the licensing authority shall require an applicant to submit to the criminal records check to receive a license or government certification under this section.

(H) If a licensing authority requires an applicant under the law governing the applicable profession, occupation, or occupational activity to satisfy a financial responsibility requirement to receive a license or government certification, the licensing authority shall require an applicant to satisfy the requirement to receive a license or government certification under this section.

(I) An applicant who is issued a license or government certification under this section is subject to the laws
regulating the practice of the applicable occupation or profession in this state and is subject to the licensing authority's jurisdiction.

(J) A license or government certification issued under this section shall be considered a license or government certification issued under the laws regulating the practice of the applicable occupation or profession in this state. Provisions of law applicable to a license or government certification issued to an applicant who does not obtain a license or government certification under this section apply in the same manner to licenses and government certifications issued under this section.

(K) This section does not apply to any of the following:

(1) Licenses subject to the moratorium under section 3743.75 of the Revised Code;

(2) Medical marijuana cultivator licenses issued under section 3796.09 of the Revised Code;

(3) Medical marijuana retail dispensary licenses issued under section 3796.10 of the Revised Code;

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

(5) Commercial fishing licenses issued under section 1533.342 of the Revised Code;

(6) Licenses issued under Chapter 4506. of the Revised Code.

(L) Each licensing authority shall adopt rules as necessary to implement this section.
(M) A licensing authority shall provide an applicant with a written decision to issue or reject a license or government certification under this section within sixty days after receiving a complete application. For purposes of this division, an application shall not be considered complete until any required examination or criminal records check under divisions (F) and (G) of this section is complete.

(N) A political subdivision shall not prohibit an individual who holds a license or government certification issued by a state agency under this section from engaging in the respective profession, occupation, or occupational activity in the political subdivision's jurisdiction.

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

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

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

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

(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for permanent appointment, which requirements
under this chapter from fitting, selling, or dispensing hearing aids.

(K) Authorize the practice of medicine and surgery or entitle a person licensed pursuant to this chapter to engage in the practice of medicine or surgery or any of its branches.

(L) Restrict a person licensed pursuant to Chapter 4755. of the Revised Code from performing those acts and utilizing those procedures that are within the scope of the practice of occupational therapy or occupational therapy assistant as defined in Chapter 4755. of the Revised Code, provided the person does not claim to the public to be a speech-language pathologist or audiologist.

Sec. 4755.08. The occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license to every applicant who has passed the appropriate examination designated by the section and who otherwise complies with the licensure requirements of sections 4755.04 to 4755.13 of the Revised Code. The license entitles the holder to practice occupational therapy or to assist in the practice of occupational therapy. The licensee shall display the license in a conspicuous place at the licensee's principal place of business.

The section shall issue a license to practice occupational therapy or to assist in the practice of occupational therapy in accordance with section 9.79 of the Revised Code to an applicant if either of the following applies:

(A) The applicant holds a license in another state.

(B) The applicant has satisfactory work experience, a government certification, or a private certification as.
described in that section as an occupational therapist or assistant occupational therapist in a state that does not issue that license.

The section may issue a limited permit to persons who have satisfied the requirements of divisions (A) to (C) of section 4755.07 of the Revised Code. The section shall issue a limited permit in accordance with section 9.79 of the Revised Code to an applicant if the applicant holds a permit or license in another state or the applicant has satisfactory work experience, a government certification, or a private certification as described in that section in a state that does not issue that permit or license. This permit allows the person to practice as an occupational therapist or occupational therapy assistant under the supervision of a licensed occupational therapist and is valid until the date on which the results of the examination are made public. This limited permit shall not be renewed if the applicant has failed the examination.

**Sec. 4755.09.** The occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board may waive the examination requirement under section 4755.07 of the Revised Code for any applicant for licensure as an occupational therapist or occupational therapy assistant who either has met educational, training, and job experience requirements established by the section, or presents proof of current certification or licensure in another state that requires standards for licensure at least equal to those for licensure in this state.

The section may waive the educational requirements under section 4755.07 of the Revised Code for any applicant who has met job experience requirements established by the section.
Sec. 4755.411. The physical therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall adopt rules in accordance with Chapter 119. of the Revised Code pertaining to the following:

(A) Fees for the verification of a license and license reinstatement, and other fees established by the section;

(B) Provisions for the section's government and control of its actions and business affairs;

(C) Minimum curricula for physical therapy education programs that prepare graduates to be licensed in this state as physical therapists and physical therapist assistants;

(D) Eligibility criteria to take the examinations required under sections 4755.43 and 4755.431 of the Revised Code;

(E) The form and manner for filing applications for licensure with the section;

(F) For purposes of section 4755.46 of the Revised Code, all of the following:

(1) A schedule regarding when licenses to practice as a physical therapist and physical therapist assistant expire during a biennium;

(2) An additional fee, not to exceed thirty-five dollars, that may be imposed if a licensee files a late application for renewal;

(3) The conditions under which the license of a person who files a late application for renewal will be reinstated.

(G) The issuance, renewal, suspension, and permanent revocation of a license and the conduct of hearings;
(H) Appropriate ethical conduct in the practice of physical therapy;

(I) Requirements, including continuing education requirements, for restoring licenses that are inactive or have lapsed through failure to renew;

(J) Conditions that may be imposed for reinstatement of a license following suspension pursuant to section 4755.47 of the Revised Code;

(K) For purposes of sections 4755.45 and 4755.451 of the Revised Code, both of the following:

(1) Identification of the credentialing organizations from which the section will accept equivalency evaluations for foreign physical therapist education and foreign physical therapist assistant education. The physical therapy section shall identify only those credentialing organizations that use a course evaluation tool or form approved by the physical therapy section.

(2) Evidence, other than the evaluations described in division (K)(1) of this section, that the section will consider for purposes of evaluating whether an applicant's education is reasonably equivalent to the educational requirements that were in force for licensure in this state as a physical therapist or physical therapist assistant on the date of the applicant's initial licensure or registration in another state or country.

(L) Standards of conduct for physical therapists and physical therapist assistants, including requirements for supervision, delegation, and practicing with or without referral or prescription;

(M) Appropriate display of a license;
(N) Procedures for a licensee to follow in notifying the section within thirty days of a change in name or address, or both;

(O) The amount and content of corrective action courses required by the board under section 4755.47 of the Revised Code.

Sec. 4755.44. If an applicant passes the examination or examinations required under section 4755.43 of the Revised Code and pays the fee required by division (B) of section 4755.42 of the Revised Code, the physical therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license, attested by the seal of the board, to the applicant to practice as a physical therapist.

The section shall issue a license to practice as a physical therapist in accordance with section 9.79 of the Revised Code, attested by the seal of the board, to an applicant if either of the following applies:

(A) The applicant holds a license in another state.

(B) The applicant has satisfactory work experience, a government certification, or a private certification as described in that section as a physical therapist in a state that does not issue that license.

Sec. 4755.441. If an applicant passes the examination or examinations required under section 4755.431 of the Revised Code and pays the fee required by division (B) of section 4755.421 of the Revised Code, the physical therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license, attested by the seal of the board, to the applicant to practice as physical therapist assistant.

The section shall issue a license to practice as a
physical therapist assistant in accordance with section 9.79 of
the Revised Code, attested by the seal of the board, to an
applicant if either of the following applies:

(A) The applicant holds a license in another state.

(B) The applicant has satisfactory work experience, a
government certification, or a private certification as
described in that section as a physical therapist assistant in a
state that does not issue that license.

Sec. 4755.45. (A) The physical therapy section of the Ohio
occupational therapy, physical therapy, and athletic trainers
board shall issue to an applicant a license to practice as a
physical therapist without requiring the applicant to have
passed the national examination for physical therapists
described in division (A) of section 4755.43 of the Revised Code
within one year of filing an application described in section
4755.42 of the Revised Code if all of the following are true:

(1) The applicant presents evidence satisfactory to the
physical therapy section that the applicant received a score on
the national physical therapy examination described in division
(A) of section 4755.43 of the Revised Code that would have been
a passing score according to the board in the year the applicant
sat for the examination;

(2) The applicant presents evidence satisfactory to the
physical therapy section that the applicant passed the
jurisprudence examination described in division (B) of section
4755.43 of the Revised Code;

(3) The applicant holds a current and valid license or
registration to practice physical therapy in another state or
country;
(4) Subject to division (B) of this section, the applicant can demonstrate that the applicant's education is reasonably equivalent to the educational requirements that were in force for licensure in this state on the date of the applicant's initial licensure or registration in the other state or country;

(5) The applicant pays the fee described in division (B) of section 4755.42 of the Revised Code;

(6) The applicant is not in violation of any section of this chapter or rule adopted under it.

(B) For purposes of division (A)(4) of this section, if, after receiving the results of an equivalency evaluation from a credentialing organization identified by the section pursuant to rules adopted under section 4755.411 of the Revised Code, the section determines that regardless of the results of the evaluation the applicant's education is not reasonably equivalent to the educational requirements that were in force for licensure in this state on the date of the applicant's initial licensure or registration in another state or a foreign country, the section shall send a written notice to the applicant stating that the section is denying the applicant's application and stating the specific reason why the section is denying the applicant's application. The section shall send the notice to the applicant through certified mail within thirty days after the section makes that determination.

Sec. 4755.451. (A) The physical therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall issue to an applicant a license as a physical therapist assistant without requiring the applicant to have passed the national examination for physical therapist assistants described in division (A) of section 4755.431 of the
Revised Code within one year of filing an application described in section 4755.421 of the Revised Code if all of the following are true:

(1) The applicant presents evidence satisfactory to the physical therapy section that the applicant received a score on the national physical therapy examination described in division (A) of section 4755.431 of the Revised Code that would have been a passing score according to the board in the year the applicant sat for the examination;

(2) The applicant presents evidence satisfactory to the physical therapy section that the applicant passed the jurisprudence examination described in division (B) of section 4755.431 of the Revised Code;

(3) The applicant holds a current and valid license or registration to practice as a physical therapist assistant in another state or country;

(4) Subject to division (B) of this section, the applicant can demonstrate that the applicant's education is reasonably equivalent to the educational requirements that were in force for licensure in this state on the date of the applicant's initial licensure or registration in the other state or country;

(5) The applicant pays the fee described in division (B) of section 4755.421 of the Revised Code;

(6) The applicant is not in violation of any section of this chapter or rule adopted under it.

(B) For purposes of division (A)(4) of this section, if, after receiving the results of an equivalency evaluation from a credentialing organization identified by the section pursuant to rules adopted under section 4755.411 of the Revised Code, the
section determines that, regardless of the results of the evaluation, the applicant's education is not reasonably equivalent to the educational requirements that were in force for licensure in this state on the date of the applicant's initial licensure or registration in another state or a foreign country, the section shall send a written notice to the applicant stating that the section is denying the applicant's application and stating the specific reason why the section is denying the applicant's application. The section shall send the notice to the applicant through certified mail within thirty days after the section makes the determination.

Sec. 4755.48. (A) No person shall employ fraud or deception in applying for or securing a license to practice physical therapy or to be a physical therapist assistant.

(B) No person shall practice or in any way imply or claim to the public by words, actions, or the use of letters as described in division (C) of this section to be able to practice physical therapy or to provide physical therapy services, including practice as a physical therapist assistant, unless the person holds a valid license under sections 4755.40 to 4755.56 of the Revised Code or except for submission of claims as provided in section 4755.56 of the Revised Code.

(C) No person shall use the words or letters, physical therapist, physical therapy, physical therapy services, physiotherapist, physiotherapy, physiotherapy services, licensed physical therapist, P.T., Ph.T., P.T.T., R.P.T., L.P.T., M.P.T., D.P.T., M.S.P.T., P.T.A., physical therapy assistant, physical therapist assistant, physical therapy technician, licensed physical therapist assistant, L.P.T.A., R.P.T.A., or any other letters, words, abbreviations, or insignia, indicating or
implying that the person is a physical therapist or physical therapist assistant without a valid license under sections 4755.40 to 4755.56 of the Revised Code.

(D) No person who practices physical therapy or assists in the provision of physical therapy treatments under the supervision of a physical therapist shall fail to display the person's current license granted under sections 4755.40 to 4755.56 of the Revised Code in a conspicuous location in the place where the person spends the major part of the person's time so engaged.

(E) Nothing in sections 4755.40 to 4755.56 of the Revised Code shall affect or interfere with the performance of the duties of any physical therapist or physical therapist assistant in active service in the army, navy, coast guard, marine corps, air force, public health service, or marine hospital service of the United States, while so serving.

(F) Nothing in sections 4755.40 to 4755.56 of the Revised Code shall prevent or restrict the activities or services of a person pursuing a course of study leading to a degree in physical therapy in an accredited or approved educational program if the activities or services constitute a part of a supervised course of study and the person is designated by a title that clearly indicates the person's status as a student.

(G)(1) Subject to division (G)(2) of this section, nothing in sections 4755.40 to 4755.56 of the Revised Code shall prevent or restrict the activities or services of any person who holds a current, unrestricted license to practice physical therapy in another state when that person, pursuant to contract or employment with an athletic team located in the state in which the person holds the license, provides physical therapy to any
of the following while the team is traveling to or from or 
participating in a sporting event in this state:

(a) A member of the athletic team;

(b) A member of the athletic team's coaching, 
communications, equipment, or sports medicine staff;

(c) A member of a band or cheerleading squad accompanying 
the athletic team;

(d) The athletic team's mascot.

(2) In providing physical therapy pursuant to division (G) 
(1) of this section, the person shall not do either of the 
following:

(a) Provide physical therapy at a health care facility;

(b) Provide physical therapy for more than sixty days in a 
calendar year.

(3) The physical therapy section of the occupational 
therapy, physical therapy, and athletic trainers board shall not 
require a nonresident person who holds a license to practice 
physical therapy in another state to obtain a license in 
accordance with section 9.79 of the Revised Code to provide 
physical therapy services in the manner described under division 
(G)(1) of this section.

(H)(1) Except as provided in division (H)(2) of this 
section and subject to division (I) of this section, no person 
shall practice physical therapy other than on the prescription 
of, or the referral of a patient by, a person who is licensed in 
this or another state to do at least one of the following:

(a) Practice medicine and surgery, chiropractic,
dentistry, osteopathic medicine and surgery, podiatric medicine and surgery;

(b) Practice as a physician assistant;

(c) Practice nursing as an advanced practice registered nurse.

(2) The prohibition in division (H)(1) of this section on practicing physical therapy other than on the prescription of, or the referral of a patient by, any of the persons described in that division does not apply if either of the following applies to the person:

(a) The person holds a master's or doctorate degree from a professional physical therapy program that is accredited by a national physical therapy accreditation agency recognized by the United States department of education.

(b) On or before December 31, 2004, the person has completed at least two years of practical experience as a licensed physical therapist.

(I) To be authorized to prescribe physical therapy or refer a patient to a physical therapist for physical therapy, a person described in division (H)(1) of this section must be in good standing with the relevant licensing board in this state or the state in which the person is licensed and must act only within the person's scope of practice.

(J) In the prosecution of any person for violation of division (B) or (C) of this section, it is not necessary to allege or prove want of a valid license to practice physical therapy or to practice as a physical therapist assistant, but such matters shall be a matter of defense to be established by the accused.
Sec. 4755.482. (A) Except as otherwise provided in divisions (B) and (C) of this section, a person shall not teach a physical therapy theory and procedures course in physical therapy education without obtaining a license as a physical therapist from the physical therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board.

(B) A nonresident person who is registered or licensed as a physical therapist under the laws of another state shall not teach a physical therapy theory and procedures course in physical therapy education for more than one year without obtaining a license as a physical therapist from the physical therapy section, and the section shall not require that person to obtain a license in accordance with section 9.79 of the Revised Code to teach as described in this division.

(C) A person who is registered or licensed as a physical therapist under the laws of a foreign country and is not registered or licensed as a physical therapist in any state who wishes to teach a physical therapy theory and procedures course in physical therapy education in this state, or an institution that wishes the person to teach such a course at the institution, may apply to the physical therapy section to request authorization for the person to teach such a course for a period of not more than one year. Any member of the physical therapy section may approve the person's or institution's application. No person described in this division shall teach such a course for longer than one year without obtaining a license from the physical therapy section.

(D) The physical therapy section may investigate any person who allegedly has violated this section. The physical
therapy section has the same powers to investigate an alleged 19354
violation of this section as those powers specified in section 19355
4755.02 of the Revised Code. If, after investigation, the 19356
physical therapy section determines that reasonable evidence 19357
exists that a person has violated this section, within seven 19358
days after that determination, the physical therapy section 19359
shall send a written notice to that person in the same manner as 19360
prescribed in section 119.07 of the Revised Code for licensees, 19361
except that the notice shall specify that a hearing will be held 19362
and specify the date, time, and place of the hearing. 19363

The physical therapy section shall hold a hearing 19364
regarding the alleged violation in the same manner prescribed 19365
for an adjudication hearing under section 119.09 of the Revised 19366
Code. If the physical therapy section, after the hearing, 19367
determines a violation has occurred, the physical therapy 19368
section may discipline the person in the same manner as the 19369
physical therapy section disciplines licensees under section 19370
4755.47 of the Revised Code. The physical therapy section's 19371
determination is an order that the person may appeal in 19372
accordance with section 119.12 of the Revised Code. 19373

If a person who allegedly committed a violation of this 19374
section fails to appear for a hearing, the physical therapy 19375
section may request the court of common pleas of the county 19376
where the alleged violation occurred to compel the person to 19377
appear before the physical therapy section for a hearing. If the 19378
physical therapy section assesses a person a civil penalty for a 19379
violation of this section and the person fails to pay that civil 19380
penalty within the time period prescribed by the physical 19381
therapy section, the physical therapy section shall forward to 19382
the attorney general the name of the person and the amount of 19383
the civil penalty for the purpose of collecting that civil 19384
penalty. In addition to the civil penalty assessed pursuant to this section, the person also shall pay any fee assessed by the attorney general for collection of the civil penalty.

**Sec. 4755.62.** (A) No person shall claim to the public to be an athletic trainer or imply by words, actions, or letters that the person is an athletic trainer, or otherwise engage in the practice of athletic training, unless the person is licensed as an athletic trainer pursuant to this chapter.

(B) Except as otherwise provided in division (B) of section 4755.65 of the Revised Code, no educational institution, partnership, association, or corporation shall advertise or otherwise offer to provide or convey the impression that it is providing athletic training unless an individual licensed as an athletic trainer pursuant to this chapter is employed by, or under contract to, the educational institution, partnership, association, or corporation and will be performing the athletic training services to which reference is made.

(C) To qualify for an athletic trainers license, a person shall:

(1) Have satisfactorily completed an application for licensure in accordance with rules adopted by the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board under section 4755.61 of the Revised Code;

(2) Have paid the examination fee required under this section;

(3) Be of good moral character;

(4) Have shown, to the satisfaction of the athletic trainers section, that the applicant has received a
baccalaureate or higher degree from an institution of higher education, approved by the athletic trainers section of the board and the federal regional accreditation agency and recognized by the council on postsecondary accreditation, and has satisfactorily completed the educational course work requirements established by rule of the athletic trainers section under section 4755.61 of the Revised Code.

(5) In addition to educational course work requirements, have obtained supervised clinical experience that meets the requirements established in rules adopted by the athletic trainers section under section 4755.61 of the Revised Code;

(6) Have passed an examination adopted by the athletic trainers section under division (A)(8) of section 4755.61 of the Revised Code. Each applicant for licensure shall pay, at the time of application, the nonrefundable examination fee set by the athletic trainers section.

(D) The section may waive the requirements of division (C) of this section for any applicant who presents proof of current licensure shall issue a license to engage in the practice of athletic training in accordance with section 9.79 of the Revised Code to an applicant who holds a license in another state whose standards for licensure, as determined by the section, are equal to or greater than those in effect in this state on the date of application or to an applicant who has satisfactory work experience, a government certification, or a private certification as described in that section as an athletic trainer in a state that does not issue that license.

(E) The section shall issue a license to every applicant who complies with the requirements of division (C) of this section, files the required application form, and pays the fees
required by section 4755.61 of the Revised Code. A license
issued under this section entitles the holder to engage in the
practice of athletic training, claim to the public to be an
athletic trainer, or to imply by words or letters that the
licensee is an athletic trainer. Each licensee shall display the
licensee's license in a conspicuous place at the licensee's
principal place of employment.

Sec. 4755.65. (A) Nothing in sections 4755.61 to 4755.64
of the Revised Code shall be construed to prevent or restrict
the practice, services, or activities of any person who:

(1) Is an individual authorized under Chapter 4731. of the
Revised Code to practice medicine and surgery, osteopathic
medicine and surgery, or podiatry, a dentist licensed under
Chapter 4715. of the Revised Code, a chiropractor licensed under
Chapter 4734. of the Revised Code, a dietitian licensed under
Chapter 4759. of the Revised Code, a physical therapist licensed
under this chapter, or a qualified member of any other
occupation or profession practicing within the scope of the
person's license or profession and who does not claim to the
public to be an athletic trainer;

(2) Is employed as an athletic trainer by an agency of the
United States government and provides athletic training solely
under the direction or control of the agency by which the person
is employed;

(3) Is a student in an athletic training education program
approved by the athletic trainers section leading to a
baccalaureate or higher degree from an accredited college or
university and is performing duties that are a part of a
supervised course of study;
(4) Is not an individual not licensed as an athletic trainer in this state who practices or offers to practice athletic training while traveling with a visiting team or organization from outside the state or an event approved by the section for the purpose of providing athletic training to the visiting team, organization, or event;

(5) Provides athletic training only to relatives or in medical emergencies;

(6) Provides gratuitous care to friends or members of the person's family;

(7) Provides only self-care.

(B) Nothing in this chapter shall be construed to prevent any person licensed under Chapter 4723. of the Revised Code and whose license is in good standing, any person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery and whose certificate to practice is in good standing, any person authorized under Chapter 4731. of the Revised Code to practice podiatry and whose certificate to practice is in good standing, any person licensed under Chapter 4734. of the Revised Code to practice chiropractic and whose license is in good standing, any person licensed as a dietitian under Chapter 4759. of the Revised Code to practice dietetics and whose license is in good standing, any person licensed as a physical therapist under this chapter to practice physical therapy and whose license is in good standing, or any association, corporation, or partnership from advertising, describing, or offering to provide athletic training, or billing for athletic training if the athletic training services are provided by a person licensed under this chapter and practicing within the scope of the person's license,
by a person licensed under Chapter 4723. of the Revised Code and
practicing within the scope of the person's license, by a person
authorized under Chapter 4731. of the Revised Code to practice
podiatry, by a person authorized under Chapter 4731. of the
Revised Code to practice medicine and surgery or osteopathic
medicine and surgery, by a person licensed under Chapter 4734.
of the Revised Code to practice chiropractic, or by a person
licensed under Chapter 4759. of the Revised Code to practice
dietetics.

(C) Nothing in this chapter shall be construed as
authorizing a licensed athletic trainer to practice medicine and
surgery, osteopathic medicine and surgery, podiatry, or
chiropractic.

(D) The athletic trainer section of the occupational
therapy, physical therapy, and athletic trainers board shall not
require a nonresident individual licensed as an athletic trainer
in another state to obtain a license in accordance with section
9.79 of the Revised Code to practice or offer to practice
athletic training in the manner described under division (A)(4)
of this section.

Sec. 4757.18. The counselor, social worker, and marriage
and family therapist board may enter into a reciprocal agreement
with any state that regulates individuals practicing in the same
capacities as those regulated under this chapter if the board
finds that the state has requirements substantially equivalent
to the requirements this state has for receipt of a license or
certificate of registration under this chapter. In a reciprocal
agreement, the board agrees to issue the appropriate license or
certificate of registration to any resident of the other state
whose practice is currently authorized by that state if that
(D) The board shall not require the holder of a special activity license issued under this section to obtain a license under section 9.79 of the Revised Code. A special activity license is valid for the shorter of thirty days or the duration of the genetic counseling associated with the rare disease for which the license was issued. The license may not be renewed.

(E) The holder of a special activity license may practice genetic counseling only to the extent that it is associated with the rare disease for which the license was issued. The license holder shall not bill a patient or any third party payer for genetic counseling provided in this state.

(F) The board may revoke a special activity license on receiving proof satisfactory to the board that the holder of the license has engaged in practice in this state outside the scope of the license or that there are grounds for action against the license holder under section 4778.14 of the Revised Code.

Sec. 4779.17. The Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license under section 4779.09 of the Revised Code to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics without examination to an applicant who meets all of the following requirements:

(A) Applies to the board in accordance with section 4779.09 of the Revised Code;

(B) Holds a license to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics issued by the appropriate authority of another state;

(C) One of the following applies:

(I) In the case of an applicant for a license to practice
orthotics, the applicant meets the requirements in divisions (B) and (C) of section 4779.10 of the Revised Code.

(2) In the case of an applicant for a license to practice prosthetics, the applicant meets the requirements in divisions (B) and (C) of section 4779.11 of the Revised Code.

(3) In the case of an applicant for a license to practice orthotics and prosthetics, the applicant meets the requirements in divisions (B) and (C) of section 4779.12 of the Revised Code.

(4) In the case of an applicant for a license to practice pedorthics, the applicant meets the requirements in divisions (B) and (C) of section 4779.13 of the Revised Code.

(D) All fees received by the board under this section shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund established in accordance with section 4743.05-9.79 of the Revised Code to an applicant if either of the following applies:

(A) The applicant holds a license in another state.

(B) The applicant has satisfactory work experience, a government certification, or a private certification in orthotics, prosthetics, orthotics and prosthetics, or pedorthics in a state that does not issue that license.

Sec. 4779.18. (A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a temporary license to an individual who meets all of the following requirements:

(1) Applies to the board in accordance with rules adopted under section 4779.08 of the Revised Code and pays the application fee specified in the rules;
(2) Is eighteen years of age or older;

(3) Is of good moral character;

(4) One of the following applies:

(a) In the case of an applicant for a license to practice
orthotics, the applicant meets the requirements in divisions (B)
and (C) of section 4779.10 of the Revised Code.

(b) In the case of an applicant for a license to practice
prosthetics, the applicant meets the requirements in divisions
(B) and (C) of section 4779.11 of the Revised Code.

(c) In the case of an applicant for a license to practice
orthotics and prosthetics, the applicant meets the requirements
in divisions (B) and (C) of section 4779.12 of the Revised Code.

(d) In the case of an applicant for a license to practice
pedorthics, the applicant meets the requirements in divisions
(B) and (C) of section 4779.13 of the Revised Code.

(B) The board shall issue a temporary license in
accordance with section 9.79 of the Revised Code to an applicant
who holds a license in another state, a government
certification, or a private certification as described in that
section in a state that does not issue that license.

(C) A temporary license issued under this section is valid
for one year and may be renewed once in accordance with rules
adopted by the board under section 4779.08 of the Revised Code.

(D) An individual who holds a temporary license may
practice orthotics, prosthetics, orthotics and prosthetics, or
pedorthics only under the supervision of an individual who holds
a license issued under section 4779.09 of the Revised Code in
the same area of practice.
(E) All fees received by the board under this section shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund established in section 4743.05 of the Revised Code.

Sec. 4781.07. (A) Pursuant to rules the division of industrial compliance adopts, the division may certify municipal, township, and county building departments and the personnel of those departments, or any private third party, to exercise the division's enforcement authority, accept and approve plans and specifications for foundations, support systems and installations, and inspect manufactured housing foundations, support systems, and manufactured housing installations. Any certification is effective for three years.

(B) Following an investigation and finding of facts that support its action, the division of industrial compliance may revoke or suspend certification. The division may initiate an investigation on the division's own motion or the petition of a person affected by the enforcement or approval of plans.

(C)(1) If a township, municipal corporation, or county does not have a building department that is certified pursuant to this section, it may designate by resolution or ordinance another building department that has been certified pursuant to this section to exercise the commission's enforcement authority, accept and approve plans and specifications for foundations, support systems and installations, and inspect manufactured housing foundations, support systems, and manufactured housing installations. The designation is effective upon acceptance by the designee.

(2) An owner of a manufactured home or an operator of a manufactured home park may request an inspection and obtain an
As Reported by the Committee of Conference

133rd General Assembly
Regular Session Am. Sub. S. B. No. 7
2019-2020

Senators Lehner, Hackett
Cosponsors: Senators McColley, Hoagland, Huffman, S., Roegner, Fedor, Maharath, Craig, Uecker, Hottinger, Kunze, Antonio, Brenner, Burke, Coley, Dolan, Eklund, Gavarone, Hill, Huffman, M., Manning, Obhof, O'Brien, Peterson, Rulli, Sykes, Terhar, Thomas, Williams, Wilson, Yuko


A BILL

To amend sections 4743.04 and 5903.04 and to enact section 4743.041 of the Revised Code to require state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military and spouses who are licensed in another jurisdiction and have moved to Ohio for military duty.

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

Section 1. That sections 4743.04 and 5903.04 be amended
and section 4743.041 of the Revised Code be enacted to read as follows:

**Sec. 4743.04.** (A) The renewal of a license or other authorization to practice a trade or profession issued under Title XLVII of the Revised Code is subject to the provisions of section 5903.10 of the Revised Code relating to service in the armed forces.

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

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

(D) A department, agency, or office of this state that issues a license or certificate to practice a trade or profession shall issue a temporary license or certificate to practice the trade or profession as provided in section 4743.041 of the Revised Code.

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

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

"Active guard and reserve" has the meaning defined in 10
"Military duty" includes service in the uniformed services on active duty, in the active guard and reserve, and as a military technician dual status under 10 U.S.C. 10216.

"Uniformed services" has the meaning defined in 10 U.S.C. 101.

(B) Pursuant to division (D) of section 4743.04 of the Revised Code, a department, agency, or office of this state shall issue a temporary license or certificate to practice a trade or profession to an individual, provided that all of the following qualifications are met:

(1) The individual holds a valid license or certificate to practice the trade or profession issued by any other state or jurisdiction;

(2) The individual is in good standing in the state or jurisdiction of licensure or certification;

(3) The individual presents adequate proof to the department, agency, or office of this state that the individual or the individual's spouse is on military duty in this state; and

(4) The individual complies with sections 4776.01 to 4776.04 of the Revised Code if a department, agency, or office of this state requires an applicant under the law governing the applicable trade or profession to submit to a criminal records check to receive a license or certificate.

(C) A department, agency, or office of this state may, under this section, issue a regular license or certificate in lieu of issuing a temporary license or certificate, provided
that the applicant meets the requirements of this section, and provided that the regular license is issued by the deadline specified in division (D) of this section.

(D) If the department, agency, or office of this state requires an individual under the law governing the applicable trade or profession to submit to a criminal records check to receive a license or certificate, and the individual applies for a license or certificate under this section, the department, agency, or office of this state shall, within twenty-four hours after receiving the report under division (A) of section 4776.04 of the Revised Code, notify the applicant that the department, agency, or office of this state has received the results of a criminal records check. A department, agency, or office of this state shall issue a temporary license or certificate or a regular license under this section, provided that the applicant meets the requirements of this section, within thirty days of having received an application, or, if the applicant is subject to a criminal records check, within fourteen days of having received the results of a criminal records check. If the department, agency, or office of this state finds that the individual is under investigation by the licensing agency of any other state or jurisdiction, the department, agency, or office of this state may postpone issuing the license or certificate until the investigation is complete and the licensing agency of the other state or jurisdiction confirms that the individual is in good standing. The department, agency, or office of this state shall verify the standing of the license or certificate issued by another state or jurisdiction when the temporary license is up for renewal. No temporary license shall be valid for a period of more than six years.

(E) A department, agency, or office of this state shall,
in accordance with Chapter 119. of the Revised Code, deny an individual a temporary license or certificate issued under this section or revoke an individual's temporary license or certificate issued under this section if any of the following circumstances occur:

(1) The individual's license or certificate issued by another state or jurisdiction expires or is revoked, or the individual is not in good standing;

(2) With respect to an individual who was eligible for a temporary license under this section as the spouse of an individual on military duty, six months have elapsed since the divorce, dissolution, or annulment of the marriage;

(3) The individual is disqualified from obtaining a license in the trade or profession because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified on the list the department, agency, or office of this state makes available pursuant to division (C) of section 9.78 of the Revised Code.

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

(G) Notwithstanding any other provision of the Revised Code, a department, agency, or office of this state shall waive all fees associated with the issuance of a temporary license or certificate issued under this section.

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

   (I) Each department, agency, or office of this state that issues a license or certificate to practice a trade or profession, shall, upon the conclusion of the state fiscal year, prepare a report on the number and type of temporary licenses or certificates that were issued during the fiscal year under this section. The report shall be provided to the director of veterans services not later than thirty days after the end of the fiscal year. The director shall compile the reports and make them available to the public.

   (J) A license or certificate issued under this section shall be considered a license issued under the laws regulating the practice of the applicable occupation or profession in this state. Provisions of law applicable to a license issued to an applicant who does not obtain a license under this section apply in the same manner to licenses issued under this section.

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

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

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

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

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

Section 2. That existing sections 4743.04 and 5903.04 of the Revised Code are hereby repealed.
<table>
<thead>
<tr>
<th>Applicant Full Name</th>
<th>Type</th>
<th>Licensed By</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zachary Alexander Smith</td>
<td>Licensed Orthotist</td>
<td>Endorsement 1</td>
</tr>
<tr>
<td>Timothy Arnold</td>
<td>Licensed Orthotist</td>
<td>Examination 1</td>
</tr>
<tr>
<td>Makenzie LeeAnn Best</td>
<td>Licensed Orthotist</td>
<td>Examination 2</td>
</tr>
<tr>
<td>Christopher Michael Surface</td>
<td>Licensed Orthotist</td>
<td>Examination 2</td>
</tr>
<tr>
<td>Nicholas Norman Denroche</td>
<td>Licensed Prosthetist</td>
<td>Endorsement 1</td>
</tr>
<tr>
<td>Julia Dee Fry</td>
<td>Licensed Prosthetist-Orthotist</td>
<td>Endorsement 1</td>
</tr>
<tr>
<td>Samantha Jo Graeff</td>
<td>Licensed Prosthetist-Orthotist</td>
<td>Examination 1</td>
</tr>
<tr>
<td>Natalie Marie Thomas</td>
<td>Licensed Prosthetist-Orthotist</td>
<td>Examination 2</td>
</tr>
</tbody>
</table>
ENFORCEMENT STATISTICS FOR OPP

Date: 01/16/2020

Statistics:

“New” cases opened since the last meeting: 0
Cases “closed” at the last meeting: 0
Cases “currently open”: 1
Active consent agreements: 0
Adjudication orders being monitored: 1

*Statistics as of 01/07/2020