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**Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board**

77 South High Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215-6108

Governor  
*Mike DeWine*

Executive Director  
*Melissa Anthony*

## Explanation of the Complaint and Investigation Process

1. The Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board has the responsibility to enforce the laws and rules governing the practice of occupational therapy, physical therapy, athletic training, orthotics, prosthetics and pedorthics. The Board has the authority to deny an application, discipline a licensed individual or remove a license indefinitely. The Board's legal jurisdiction is only over the individuals it licenses, not health care companies or other health care providers.
2. Complaints can be submitted via website at <http://elicense.ohio.gov>. A complaint form may also be obtained under the "Enforcement" section of the Board's website (<http://otptat.ohio.gov>).
3. After receipt of a signed/dated formal complaint, including a written narrative of who, what were, when, how, and to what extent, the Board's enforcement staff will determine if the complaint falls within the jurisdiction of the Board's authority and if it violates the Ohio Revised Code and/or the respondent's (the licensee who is the subject of the complaint) practice act. If the complaint is within the jurisdiction of the board and is in violation of law, a member of the enforcement staff will be assigned the case and may ask for evidence such as: documentation, physical evidence, video, medical records and/or clarification of the information already provided by the complainant. Depending upon the complexity of the complaint, the investigative process may take six months or longer to complete.
4. The Board in most cases will also conduct interviews on the complainant, victim, witnesses and the respondent as part of the investigation of the case.
5. When a violation cannot be substantiated following an investigation, a case may be closed with no formal action. Cases closed without formal action are not a matter of a public record.
6. When an investigation indicates that a violation appears to have occurred, the Board may seek to negotiate the discipline and other terms through a consent agreement, which must be agreed upon by the respondent and the Board. Consent agreements are a matter of a public record.
7. When a violation is believed to have occurred but no consent agreement is offered or agreed upon by the respondent, the Board may file formal charges presented in a "Notice of Opportunity for Hearing." The respondent may request a public administrative hearing within thirty (30) days of the mailing of the notice.

8. If an administrative hearing is scheduled, the complainant, victim and witnesses may be subpoenaed to provide testimony in front of a hearing officer. In such a case, the Assistant Attorney General assigned to the Board assists in the preparation of witness testimony and presentation of evidence. The respondent also has the right to an attorney and to call witnesses and present evidence and examine the complainant, victim and witnesses testifying on behalf of the Board. The hearing officer will then produce a report to the Board on his or her recommendations regarding the case.

9. The Board may accept, reject, or modify the hearing officer's report and recommendation(s). The respondent is then notified of the Board's decision with regards to disciplinary action. The respondent has the right to appeal the Board's decision through the appropriate court of common pleas. Disciplinary actions resulting from administrative hearings are a matter of public record.

10. Public records related to discipline are available on the OTPTAT Board website (<http://elicense.ohio.gov>) and via the public license look-up at <http://elicense.ohio.gov>. Additionally, to obtain disciplinary information regarding a licensee, an individual may mail, fax, or e-mail the Board with a public records request.

*Updated August 2019*