

TO BE RESCINDED

4731-19-04

Voluntary compliance.

In any disciplinary proceeding brought by the board against a licensee alleging violations related to the practitioner's professional activities or mental or physical status while HIV or HBV infected, the licensee may offer evidence that he or she has voluntarily complied with an evaluation, monitoring and any practice restrictions imposed by an ODH review panel, an institutional review panel approved by ODH, or the board. That evidence shall be considered by the board in deciding whether the practitioner has violated a statute upon which discipline may be based and, if it finds a violation, in deciding what, if any, discipline is appropriate.

Effective: 11/30/2016

Five Year Review (FYR) Dates: 08/16/2016

CERTIFIED ELECTRONICALLY

Certification

11/09/2016

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05
Rule Amplifies: 4731.051, 4731.22, 4731.224
Prior Effective Dates: 7/31/96, 9/22/97, 2/28/04