

A limited exception to this rule may be granted by the board to an applicant who in conjunction with a medical degree is actively pursuing a doctoral degree in an institution or program accredited by the LCME and regional university accrediting body and the applicant was a student in good standing when enrolled in the institution or program. The doctoral degree must be in a field of biological sciences tested in the step 1 content. These fields include, but are not necessarily limited to, anatomy, biochemistry, physiology, microbiology, pharmacology, genetics, neuro-science and molecular biology. Fields not accepted include, but are not necessarily limited to, business, economics, ethics, history and other fields not directly related to biological science. Limited exceptions to this rule may also be granted to an applicant who suffered from a significant health condition which by its severity would necessarily cause a delay to the applicant's medical study, or as the board deems appropriate. Regardless, all three steps must have been passed within a ten year period; however, the board may grant a further exception beyond the ten year period for those applicants who have obtained a medical degree in conjunction with a doctoral degree in a field of biological sciences tested in the step 1 content from an institution or program described in this paragraph; taken step 1 of the USMLE prior to December 1, 1999; have not failed any step of the USMLE; and have shown good cause for why they did not complete the examination sequence in a ten year period; a limited exception to this rule may also be granted by the board to an applicant who passes all three steps within a ten-year period if the applicant shows good cause for why he or she did not complete the examination sequence in a seven-year period and has not failed any step of the USMLE three times or more. Good cause requires a showing that the applicant is current in his or her medical knowledge at the time of application. Good cause includes, but is not limited to, participating in graduate medical education as defined in section 4731.091 of the Revised Code for a period of time greater than that required by statute for initial licensure in Ohio; or

- (4) COMLEX-USA levels 1, 2 and 3. All three levels must have been passed within a seven year period and the performance achieved on each level must have been recognized by the NBOME as a recommended passing performance. A limited exception to this rule may be granted by the board to an applicant who in conjunction with a medical degree is actively pursuing a doctoral degree in an institution accredited by the AOA and regional university accrediting body and the applicant was a student in good standing when enrolled in the institution or program. The doctoral degree must be in a field of biological sciences tested in the level 1 content. These fields include, but are not necessarily limited to, anatomy, biochemistry, physiology, microbiology, pharmacology, genetics, neuro-science and molecular biology. Fields not accepted include, but are not necessarily limited to, business, economics, ethics, history and other fields not directly related to biological science. Limited exceptions to this rule may also be granted to an applicant who

suffered from a significant health condition which by its severity would necessarily cause a delay to the applicant's medical study, or as the board deems appropriate. Regardless, all three levels must have been passed within a ten year period; however, the board may grant a further exception beyond the ten year period for those applicants who have obtained an osteopathic medical degree in conjunction with a doctoral degree in a field of biological sciences tested in the level 1 content from an institution or program described in this paragraph; taken level 1 of the COMLEX-USA prior to December 1, 1999; have not failed any level of the COMLEX-USA; and have shown good cause for why they did not complete the examination sequence in a ten year period; a limited exception to this rule may also be granted by the board to an applicant who passes all three steps within a ten-year period if the applicant shows good cause for why he or she did not complete the examination sequence in a seven-year period and has not failed any step of the COMLEX-USA three times or more. Good cause requires a showing that the applicant is current in his or her medical knowledge at the time of application. Good cause includes, but is not limited to, participating in graduate medical education as defined in section 4731.091 of the Revised Code for a period of time greater than that required by statute for initial licensure in Ohio; or

- (5) Component 1 and 2 of the FLEX. Both components must have been administered prior to January 2000. The score achieved on each component must have equaled or exceeded the figure established by the FLEX program as a passing score for that component.

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Certification

Date

Promulgated Under: 119.03
 Statutory Authority: 4731.05
 Rule Amplifies: 4731.08, 4731.09, 4731.091, 4731.092, 4731.12,
 4731.13, 4731.14, 4731.142, 4731.291, 4731.292,
 4731.293, 4731.294
 Prior Effective Dates: 8/15/93, 6/23/97, 12/1/99, 12/31/04, 6/30/2005

4731-6-14

Eligibility for licensure by examination.

- (A) The board shall issue its certificate to each individual who passes the medical and osteopathic examination as provided in rules 4731-6-03, 4731-6-05 and 4731-6-07 of the Administrative Code; who has completed the graduate medical education required by sections 4731.091, 4731.092 and 4731.14 of the Revised Code; who demonstrates proficiency in spoken English as required by section 4731.142 of the Revised Code; and who has paid the certificate issuance fee required by section 4731.14 of the Revised Code.
- (B) If the applicant passed the USMLE step 3 administered by the USMLE program or the COMLEX-USA level 3 administered by the COMLEX-USA program for Ohio, the board shall deny issuance of a certificate if it finds that the applicant does not meet the requirements of section 4731.08, 4731.09 or 4731.091 of the Revised Code or the applicable provisions of this chapter of the Administrative Code.
- (C) An applicant for a certificate to practice medicine or surgery, or osteopathic medicine and surgery who has not previously held a license from another state is eligible for consideration under section 4731.14 of the Revised Code without board examination in Ohio if the applicant otherwise meets the eligibility requirements as set forth in sections 4731.09, 4731.091, 4731.14 and 4731.142 of the Revised Code for licensure by board examination in Ohio and has passed one of the following examinations:
- (1) Part I of the national board of medical examiners examination or step 1 of the USMLE, part II of the national board of medical examiners examination or step 2 of the USMLE, and part III of the national board of medical examiners examination or step 3 of the USMLE or component 2 of the FLEX. All steps, parts or components must have been administered prior to January 2000. The score achieved on each step, part or component must have equaled or exceeded the figure established by the USMLE program, the national board of medical examiners or the federation as a passing score for that step, part or component, respectively; or
 - (2) Component 1 of the FLEX and step 3 of the USMLE. The component and step must have been administered prior to January 2000. A performance of seventy-five or above must have been achieved on component 1. The performance achieved on step 3 must have been recognized by the USMLE program as a recommended passing performance; or
 - (3) USMLE steps 1, 2 and 3 or COMLEX-USA levels 1, 2 and 3.
 - (a) An applicant shall have passed the USMLE steps 1, 2 and 3 or COMLEX-USA levels 1, 2 and 3 within a ten-year period, and achieved a recognized passing performance by the USMLE program on each step or NBOME on each level. No applicant shall have failed any step or level more than three times.

- (b) Any applicant having failed a step or level more than three times shall do the following to be eligible for licensure:
- (i) Successfully complete an additional year of graduate medical education as defined in section 4731.091 of the Revised Code. This education shall be in addition to that required by section 4731.14 of the Revised Code. Such education shall be completed subsequent to the final step or level that has been failed more than three times; and
 - (ii) Retake the appropriate testing sequence and otherwise meet the requirements set forth in paragraph (C)(3)(a) of this rule.
- (c) Any applicant who has not completed the required steps or levels within the ten-year time period, and not failed any step or level more than three times, shall do the following to be eligible for licensure:
- (i) Retake the appropriate steps or levels to bring the testing sequence within the required ten-year time period; and
 - (ii) Otherwise meet the requirements set forth in paragraph (C)(3)(a) of this rule.
- (d) USMLE steps 1, 2 and 3 and COMLEX-USA levels 1, 2 and 3 cannot be combined to fulfill an acceptable testing sequence as required by paragraph (C)(3)(a) of this rule; or
- (4) Component 1 and 2 of the FLEX. Both components must have been administered prior to January 2000. The score achieved on each component must have equaled or exceeded the figure established by the FLEX program as a passing score for that component.

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4774-1-01

Definitions.

(A) "Board" means the State Medical Board of Ohio.

(B) For purposes of Chapter 4774. of the Revised Code, the following definitions apply:

- (1) "General Anesthesia" means a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory functions is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function. Cardiovascular function may be impaired.
- (2) "Deep sedation" means a drug-induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated or painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.
- (3) "Moderate sedation" means a drug-induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. Reflex withdrawal from a pain stimulus is not a purposeful response. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is maintained.
- (4) "Minimal sedation" means a drug-induced state during which patients respond normally to verbal commands. Although cognitive function and coordination may be impaired, ventilatory and cardiovascular functions are unaffected. Sedation achieved through intravenous administration of drugs is not a form of minimal sedation.

4774-1-01

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Certification

Date

Promulgated Under:	119.03
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Rule Amplifies:	4774.11

4774-1-02

Application for a certificate to practice.

- (A) An applicant for an initial certificate to practice or a restored certificate to practice as a radiologist assistant shall file a written application under oath on the forms prescribed by the board, and provide such other facts and materials as the board requires.
- (B) No application shall be considered filed, and shall not be reviewed, until the non-refundable application fee of \$ 200.00 has been received by the board.
- (C) All application materials submitted to the board by applicants may be thoroughly investigated. The board may contact individuals, agencies, or organizations for recommendations or other information about applicants as the board deems necessary. Applicants may be requested to appear before the board or a representative thereof as part of the application process.
- (D) An application shall be considered to be complete when all of the following requirements are met:
- (1) The application fee required pursuant to paragraph (B) of this rule has been received by the board;
 - (2) The applicant has complied with the requirements of paragraph (A) of rule 4774-2-02 of the Administrative Code and the board has received the results of the criminal records checks and any other forms required to be submitted pursuant to paragraph (A) of rule 4774-2-02 of the Administrative Code;
 - (3) Verification of the applicant's current licensure as a radiographer has been received directly from the "Ohio Department of Health."
 - (4) Verification of the applicant's current certification has been received by the board directly from the "American Registry of Radiologic Technologists;"
 - (5) All information required by section 4774.03(B) of the Revised Code, including such other facts and materials as the board requires, has been received by the board; and
 - (6) The board is not conducting an investigation, pursuant to section 4774.14 of the Revised Code, of evidence appearing to show that the applicant has violated section 4774.13 of the Revised Code or applicable rules adopted by the board.
- (E) If the application is not complete within six months of the date the application is filed with the board because required information, facts, or other materials have not been received by the board, the board may notify the applicant by certified mail that it intends to consider the application abandoned if the application is not completed.
- (1) The written notice shall:

- (a) Specifically identify the information, facts, or other materials required to complete the application; and
- (b) Inform the applicant that the information, facts, or other materials must be received by the deadline date specified; that if the application remains incomplete at the close of business on the deadline date the application may be deemed to be abandoned and no further review of the application will occur; and that if the application is abandoned the submitted fees shall neither be refundable or transferrable to a subsequent application.
- (2) If all of the information, facts, or other materials are received by the board by the deadline date and the application is deemed to be complete, the board shall process the application and may require updated information as it deems necessary.

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Statutory Authority: 4774.11
Rule Amplifies: 4774.03, 4774.031, 4774.04, 4774.11

4774-1-03

Renewal of a certificate to practice.

- (A) Renewal, reinstatement, or restoration of a certificate to practice as a radiologist assistant shall be in the manner and according to the requirements of section 4774.06 of the Revised Code.
- (1) An applicant for renewal, reinstatement, or restoration of a certificate to practice as a radiology assistant shall file a written application under oath on the forms prescribed by the board.
 - (2) An application for renewal, reinstatement, or restoration of a certificate to practice shall not be considered filed, and shall not be reviewed, until the board has received the nonrefundable renewal application fee of \$200.00.
- (B) An application for renewal or reinstatement of a certificate to practice shall be considered complete upon the following:
- (1) The board has received the renewal fee specified in paragraph (A) of this rule;
 - (2) For reinstatement, the monetary penalty required for reinstatement of a certificate to practice has been received by the board; and
 - (3) The board has received all information required by paragraph (B) of section 4774.06 of the Revised Code.
- (C) An application for restoration of a certificate to practice as a radiologist assistant shall be considered complete upon the following:
- (1) The board has received the renewal fee specified in paragraph (A) of this rule;
 - (2) The monetary penalty required for restoration of a certificate to practice has been received by the board;
 - (3) The board has received all information required by paragraph (B) of section 4774.06 of the Revised Code; and
 - (4) The applicant has complied with the requirements of paragraph (A) of rule 4774-2-02 of the Administrative Code and the board has received the results of the criminal records checks and any other forms required to be submitted pursuant to paragraph (A) of rule 4774-2-02 of the Administrative Code.
- (D) To be considered as having appropriately filed an application for purposes of Section 119.06 of the Revised Code, an applicant shall have filed, on or before January thirty-first of the even-numbered year in which the current certificate to practice will expire, a renewal application that is complete in accordance with the

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4774.11

Rule Amplifies:

4774.04, 4774.06, 4774.11

4774-1-04**Miscellaneous provisions.**

For purposes of Chapter 4774. of the Revised Code and rules promulgated there under:

(A) An adjudication hearing held pursuant to the provisions of Chapter 119. of the Revised Code shall be conducted in conformance with the provisions of Chapter 4731-13 of the Administrative Code.

(B) The provisions of Chapters 4731-13, 4731-14, 4731-15, 4731-16, 4731-17, 4731-19, 4731-26, and 4731-28 are applicable to the holder of a certificate to practice as a radiologist assistant issued pursuant to Chapter 4774. of the Revised Code, as though fully set forth in Chapters 4774-01 or 4774-02 of the Administrative Code.

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Rule Amplifies: 4774.11, 4774.13, 4774.14

4774-2-01

Definitions.

(A) "Criminal records check" has the same meaning as in division (E) of section 109.572 of the Revised Code.

(B) "BCI&I" means the "Ohio Bureau of Criminal Identification and Investigation."

(C) "FBI" means the "Federal Bureau of Investigation."

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4774.11, 4776.03

Rule Amplifies:

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4774-2-02

Criminal records checks.

(A) An applicant for an initial certificate to practice or for a restored certificate to practice pursuant to Chapter 4774. of the Revised Code, shall submit fingerprints, required forms, and required fees to BCI&I for completion of state and federal criminal records checks.

(1) An applicant who is present in Ohio shall use the services of an entity that has been designated by the Ohio attorney general to participate in the BCI&I and FBI program, pay any processing fee charged by the entity, and cause the entity to submit both of the following to BCI&I, with the "State Medical Board of Ohio" designated to receive the results:

(a) The applicant's electronic fingerprints; and

(b) The applicant's payment of fees charged for the state and federal criminal records checks.

(2) An applicant who resides in a state or jurisdiction other than Ohio shall either appear in Ohio in order to comply with the requirements of paragraph (A)(1) of this rule or request that the board send the forms required for a criminal records check to the applicant's address.

When an applicant requests that the required forms be mailed by the board, upon receipt of the forms the applicant shall have a local law enforcement agency process the forms. The applicant shall pay any processing fees charged by the local law enforcement agency and cause the local law enforcement agency to submit to BCI&I all of the following, with the "State Medical Board of Ohio" designated to receive the results:

(a) A fingerprint card bearing the prints of the applicant's ten fingers;

(b) The applicant's completed request for exemption from the electronic fingerprint submission requirement; and

(c) The applicant's payment of fees charged for state and federal criminal records checks.

(3) The applicant who submits the criminal records check via the fingerprint card bearing the prints of applicant's ten fingers, pursuant to paragraph (A)(2) of this rule, shall also ensure that any other forms required by the board are completed and submitted to the board.

(B) The board shall maintain the criminal records check report in a manner that ensures the confidentiality of the results, prevents disclosure pursuant to a public records request, and complies with applicable state and federal requirements.

(C) The board shall not accept the results of a criminal records check submitted by an

entity other than BCI&I.

(D) In reviewing the results of a criminal records check to determine whether the applicant should be granted an initial or restored certificate to practice, the board may consider all of the following:

- (1) The nature and seriousness of the crime;
- (2) The extent of the applicant's past criminal activity;
- (3) The age of the applicant when the crime was committed;
- (4) The amount of time that has elapsed since the applicant's last criminal activity;
- (5) The conduct and work activity of the applicant before and after the criminal activity;
- (6) Whether the applicant has completed the terms of any probation or deferred adjudication;
- (7) Evidence of the applicant's rehabilitation;
- (8) Whether the applicant fully disclosed the arrest or conviction to the board; and
- (9) Any other factors the board considers relevant.

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