



Proposed new rule 4731-36-04, Ohio Administrative Code, authorized by Section 4743.041(H), Ohio Revised Code, sets forth the Medical Board's rule on expedited licensure for members of the military and spouses who are licensed in another jurisdiction.

The rule creates a temporary expedited license for members of the military and spouses who are licensed in another jurisdiction. The rule waives all fees associated with the issuance of the temporary license, which is valid for two years.

Proposed amended rule 4731-30-03(C)(17), Ohio Administrative Code, which allows the Board to delegate approval of the expedited temporary licenses issued pursuant to 4731-36-04.

4731-36-04 Temporary licensure for members of the military and spouses who are licensed in another jurisdiction

- (A) "Military duty" has the same meaning as in section 4743.041 of the Revised Code.
 - (B) Pursuant to section 4743.041 of the Revised Code, the state medical board of Ohio shall issue a temporary license or certificate to practice the professions governed by Chapters 4730., 4731., 4759., 4761., 4762., 4774., and 4778. if the individual demonstrates to the satisfaction of the board all the following:
 - (1) The individual holds a valid license or certificate to practice the 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 or the individual's spouse is on military duty in this state.
 - (C) An applicant for a temporary license or certificate must certify that, to the best of the applicant's knowledge, the applicant is not under investigation by the licensing agency of any state or jurisdiction.
 - (D) No application submitted to the board shall be considered complete until the applicant has complied with the requirements of paragraph (A) of rule 4731-4-02 of the Administrative Code and the board has received the results of the criminal records checks.
 - (E) If an applicant for a temporary license or certificate fails to complete the application process within six months of initial application filing, the board may notify the applicant in writing of its intention to consider the application abandoned. If no response to that notice is received by the board within thirty days, the board shall consider the application as abandoned and no further processing shall be undertaken with respect to that application.
 - (F) The board shall issue a temporary license or certificate within fourteen days of having received the results of a criminal records check, provided that the application is
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otherwise complete, and the applicant is not under investigation by the licensing agency of any state or jurisdiction.

(G) A temporary license or certificate issued under this section shall be valid for a two-year period unless revoked or suspended. A temporary license or certificate may not be renewed and a new temporary license may not be issued.

(H) A holder of a temporary license or certificate may apply for licensure under Chapters 4730., 4731., 4759., 4761., 4762., 4774., and 4778 of the Revised Code at any time before or after expiration of the temporary license. A holder or previous holder of a temporary license or certificate must meet all requirements for licensure under the applicable chapter of the Revised Code and rules adopted thereunder.

4731-30-03 Approval of Licensure Applications

(A) For purposes of this rule, routine authorization means issuance of a license or certificate to an individual pursuant to an application that meets the following criteria:

- (1) The applicant meets eligibility requirements for the license or certificate under the applicable provisions of the Revised Code and Administrative Code
- (2) The applicant is not seeking a waiver of, or a determination of equivalency to, any eligibility requirement, as may be provided for under the applicable provisions of the Revised Code and Administrative Code
- (3) The applicant is not required to demonstrate fitness to resume practice due to inactivity under the applicable provisions of the Revised Code and Administrative Code
- (4) The application presents no grounds for discipline under the applicable provisions of the Revised Code or Administrative Code.

(B) The board authorizes the secretary and supervising member of the board to issue the following routine authorizations under the provisions of the Revised Code and Administrative Code, without prior consultation or approval by the board:

- (1) Certificate of conceded eminence pursuant to section 4731.297 of the Revised Code;
- (2) Clinical research faculty certificate pursuant to section 4731.293 of the Revised Code;
- (3) Visiting clinical professional development certificate pursuant to section 4731.298 of the Revised Code;
- (4) Special activity certificate pursuant to section 4731.294 of the Revised Code;

- (5) Special activity license to practice as a genetic counselor pursuant to section 4778.09 of the Revised Code.
 - (6) Expedited license to practice medicine and surgery or osteopathic medicine and surgery by endorsement pursuant to section 4731.299 of the Revised Code;
 - (7) Certificate to recommend medical use of marijuana pursuant to section 4731.30 of the Revised Code;
- (C) The board authorizes the deputy director of licensure, or the deputy director's designee, to issue the following routine authorizations under the provisions of the Revised Code and Administrative Code, without prior consultation or approval by the board:
- (1) License to practice as a physician assistant pursuant to section 4730.12 of the Revised Code;
 - (2) License to practice medicine and surgery or osteopathic medicine and surgery pursuant to section 4731.14 of the Revised Code;
 - (3) License to practice limited branch of medicine pursuant to section 4731.17 of the Revised Code;
 - (4) Training certificate pursuant to section 4731.291 of the Revised Code;
 - (5) Volunteer's certificate pursuant to section 4731.295 of the Revised Code;
 - (6) License to practice podiatric medicine and surgery pursuant to section 4731.56 of the Revised Code;
 - (7) Visiting podiatric faculty certificate pursuant to section 4731.572 of the Revised Code;
 - (8) Podiatric training certificate pursuant to section 4731.573 of the Revised Code;
 - (9) License to practice dietetics and limited permit to practice dietetics pursuant to section 4759.06 of the Revised Code;
 - (10) Certificate to practice as an anesthesiologist assistant pursuant to section 4760.04 of the Revised Code;
 - (11) License to practice respiratory care and limited permit to practice respiratory care pursuant to section 4761.05 of the Revised Code;
 - (12) Certificate to practice as an oriental medicine practitioner pursuant to section 4762.03 of the Revised Code;
 - (13) License to practice as an acupuncturist pursuant to section 4762.03 of the Revised Code;

- (14) License to practice as a radiologist assistant pursuant to section 4774.04 of the Revised Code;
- (15) License to practice as a genetic counselor pursuant to section 4778.05 of the Revised Code;
- (16) Supervised practice license as a genetic counselor pursuant to section 4778.08 of the Revised Code; and
- (17) Temporary expedited license for members of the military and spouses who are licensed in another jurisdiction pursuant to section 4743.04.

(D) An application for a license or certificate that is ineligible for routine authorization under this rule will be referred to the board for determination of whether an applicant shall be granted a license. An affirmative vote of not fewer than six members of the board is necessary for issuance of a license or certificate pursuant to an application that is not eligible for routine authorization.

(E) Notwithstanding the provisions of this rule, the board may designate the referral of any class of applications to the board for approval. The secretary, supervising member and deputy director for licensure may refer any individual application to the board for approval.