



Rules & Policies Agenda for Board Meeting June 8, 2022

- A. Rule Review Update
 - B. Podiatric Licensure Rules
 - C. Rules Sent for Initial Circulation
 - D. Telehealth Rules
 - E. Legislative Update
-



MEMORANDUM

TO: Betty Montgomery, President
Members, State Medical Board of Ohio

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Rule Review Update

DATE: May 31, 2022

Attached please find the Rule Schedule and Spreadsheet for June 2022.

Requested Action: No action requested.

Legal Dept. Rules Schedule

As of May 31, 2022

RULES TO JUNE BOARD MEETING

Approve for filing with CSI

Podiatric Licensure Rules

4731-12-01
4731-12-02
4731-12-03
4731-12-04
4731-12-05
4731-12-06
4731-12-07

Public Notice of Rules Procedures

4731-2-01

Examinations

4731-5-01
4731-5-02
4731-5-03
4731-5-04

Demonstration of Proficiency in Spoken English

4731-6-04

Ready to file with CSI

Massage Therapy Rules

4731-1-01	4731-1-02	4731-1-03
4731-1-04	4731-1-05	4731-1-07
4731-1-08	4731-1-09	4731-1-10
4731-1-11	4731-1-12	4731-1-15
4731-1-16	4731-1-17	4731-1-18
4731-1-19		

Light Based Medical Device Rules

4731-18-01 4731-18-02
4731-18-03

Controlled Substance & Weight Loss Rules

4731-11-03 4731-11-04 4731-11-04.1

Rules Filed with CSI

Telehealth Rules

4731-11-09 4731-37-01

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4730 1 01	Regulation of Physician Assistants Definitions		06/12/19	07/16/19	11/07/19	06/18/20	No change rule			09/16/20	06/18/25
4730 1 05	Quality Assurance System		06/12/19	07/16/19	11/07/19	06/19/20	No change rule			09/17/20	06/19/25
4730 1 06	Licensure as a physician assistant	03/22/19	06/12/19	12/04/19		06/18/20	07/23/20	08/17/20	09/09/20	12/31/20	09/30/23
4730 1 07	Miscellaneous Provisions	02/12/22	05/11/22	05/16/22						12/31/21	09/30/23
4730 2 01	Physician Delegated Prescriptive Authority Definitions		06/12/19	07/16/19	11/07/19	06/18/20	No change rule			09/18/20	06/18/25
4730 2 04	Period of on site supervision of physician delegated prescriptive authority		06/12/19	07/16/19	11/07/19	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	11/15/23
4730 2 05	Addition of valid prescriber number after initial licensure		06/12/19	07/16/19	11/07/19	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/23
4730 2 07	Standards for Prescribing	02/12/22	05/11/22	05/16/22						12/31/21	09/30/25
4730 2 10	Standards and Procedures for use of OARRS		06/12/19	07/16/19	11/07/19	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/23
4730 4 01	Definitions	05/09/19		11/15/19	05/20/20	06/18/20	07/23/20	08/17/20	10/14/20	10/31/20	04/30/24
4730 4 02	Standards and procedures for withdrawal management for drug or alcohol addiction	05/09/19		11/15/19	05/20/20	06/18/20	07/23/20	08/17/20	10/14/20	10/31/20	10/31/25
4730 4 03	Office Based Treatment for Opioid addiction									04/30/19	04/30/24
4730 4 04	Medication assisted treatment using naltrexone									04/30/19	04/30/24
4730 5 01											
4730 5 02											
4731 1 01	Limited Practitioners Definition of Terms	06/17/21								03/30/20	03/30/25
4731 1 02	Application of Rules Governing Limited Branches of Medicine or Surgery	06/17/21								07/31/19	07/31/24
4731 1 03	General Prohibitions	06/17/21									08/31/23
4731 1 04	Scope of Practice: Mechanotherapy	06/17/21								12/31/18	12/31/23
4731 1 05	Scope of Practice: Massage Therapy	06/17/21								11/05/19	11/05/24
4731 1 06	Scope of Practice: Naprapathy									08/31/18	08/31/23

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-1-07	<i>Eligibility of Electrologists Licensed by the Ohio State Board of Cosmetology to Obtain Licensure as Cosmetic Therapists Pursuant to Chapter 4731 ORC and Subsequent Limitations</i>	06/17/21								12/31/18	12/31/23
4731-1-08	<i>Continuing Cosmetic Therapy Education Requirements for Registration or Reinstatement of a License to Practice Cosmetic Therapy</i>	06/17/21								09/30/19	09/30/24
4731-1-09	<i>Cosmetic Therapy Curriculum Requirements</i>	06/17/21									08/31/23
4731-1-10	<i>Distance Education</i>	06/17/21								01/31/19	01/31/24
4731-1-11	<i>Application and Certification for certificate to practice cosmetic therapy</i>	06/17/21								03/30/20	03/30/25
4731-1-12	<i>Examination</i>									11/30/16	11/30/21
4731-1-15	<i>Determination of Standing of School, College or Institution</i>	06/17/21								12/31/18	12/31/23
4731-1-16	<i>Massage Therapy curriculum rule (Five year review)</i>	06/17/21								01/31/19	11/30/21
4731-1-17	<i>Instructional Staff</i>	06/17/21								05/31/19	05/31/24
4731-1-18	<i>Grounds for Suspension, Revocation or Denial of Certificate of Good Standing, Hearing Rights</i>	06/17/21								03/30/20	03/30/25
4731-1-19	<i>Probationary Status of a limited branch school</i>	06/17/21								03/30/20	03/30/25
4731 1 24	Massage Therapy Continuing Education	03/09/16		10/26/16	04/24/19	04/29/19	06/05/19				
4731 2 01	Public Notice of Rules Procedure	05/15/22								12/07/17	12/07/22
4731 4 01	Criminal Records Checks Definitions									09/30/19	09/30/24
4731 4 02	Criminal Records Checks									09/30/19	09/30/24
4731-5-01	<i>Admission to Examinations</i>	05/15/22								06/09/17	06/09/22
4731-5-02	<i>Examination Failure; Inspection and Regrading</i>	05/15/22								06/09/17	06/09/22
4731-5-03	<i>Conduct During Examinations</i>	05/15/22								06/09/17	06/09/22
4731-5-04	<i>Termination of Examinations</i>	05/15/22								06/09/17	06/09/22
4731 6 01	Medical or Osteopathic Licensure: Definitions									07/31/19	07/31/24
4731 6 02	Preliminary Education for Medical and Osteopathic Licensure									07/31/19	07/31/24

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731 6 04	Demonstration of proficiency in spoken English	05/15/22								06/09/17	06/09/22
4731 6 05	Format of Medical and Osteopathic Examination		09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	01/31/27
4731 6 14	Examination for physician licensure	09/03/20								07/31/19	07/31/24
4731 6 15	Eligibility for Licensure of National Board Diplomats and Medical Council of Canada Licentiates									07/31/19	07/31/24
4731 6 21	Application Procedures for Certificate Issuance; Investigation; Notice of Hearing Rights									07/31/19	07/31/24
4731 6 22	Abandonment and Withdrawal of Medical and Osteopathic Licensure Applications									07/31/19	07/31/24
4731 6 30	Training Certificates									07/31/19	07/31/24
4731 6 31	Limited Preexamination Registration and Limited Certification									07/31/19	07/31/24
4731 6 33	Special Activity Certificates									07/31/19	07/31/24
4731 6 34	Volunteer's Certificates									07/31/19	07/31/24
4731 7 01	Method of Notice of Meetings									07/31/19	07/31/24
4731 8 01	Personal Information Systems	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26
4731 8 02	Definitions	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26
4731 8 03	Procedures for accessing confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26
4731 8 04	Valid reasons for accessing confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 8 05	Confidentiality Statutes	04/29/20		10/05/20	11/18/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 8 06	Restricting & Logging access to confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26
4731 9 01	Record of Board Meetings; Recording, Filming, and Photographing of Meetings									09/15/19	06/17/24
4731 10 01	Definitions	10/25/19		05/26/20		Revised filing 11/3/20 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731 10 02	Requisite Hours of Continuing Medical Education for License Renewal or Reinstatement	10/25/19		05/26/20		Revised filing 11/3/20 10/30/20	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 10 03	CME Waiver	10/25/19		05/26/20		Revised filings 11/24 & 11/3 orig 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26
4731 10 04	Continuing Medical Education Requirements for Restoration of a License	10/25/19		05/26/20		Revised filings 11/24 & 11/3 orig 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26
4371 10 08	Evidence of Continuing Medical Education	10/25/19		05/26/20		Revised filings 11/24 & 11/3 orig 10/30/20	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 11 01	Controlled substances; General Provisions Definitions	02/12/22								10/31/20	10/31/25
4731 11 02	Controlled Substances General Provisions	07/26/19	11/13/19	10/05/20		05/27/21			no change		05/27/26
4731 11 03	Schedule II Controlled Substance Stimulants	07/26/19	11/13/19	10/05/20						12/31/15	12/31/20
4731 11 04	Controlled Substances: Utilization for Weight Reduction	07/26/19	11/13/19	10/05/20						02/29/16	02/28/21
4731 11 04.1	Controlled substances: Utilization for chronic weight management	07/26/19	11/13/19	10/05/20						12/31/15	12/31/20
4731 11 07	Research Utilizing Controlled Substances	07/26/19	11/13/19	10/05/20		05/27/21			no change		05/27/26
4731 11 08	Utilizing Controlled Substances for Self and Family Members	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26
4731 11 09	Prescribing to persons the physician has never personally examined.	02/12/22	05/11/22	05/16/22						03/23/17	09/19/22

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731 11 11	Standards and procedures for review of "Ohio Automated Rx Reporting System" (OARRS).	07/26/19	11/13/19	10/05/20		05/27/21	06/28/21		09/08/21	09/30/21	09/30/26
4731 11 13	Prescribing of Opioid Analgesics for Acute Pain									08/31/17	08/31/22
4731 11 14	Prescribing for subacute and chronic pain			3/21/19	11/14/19	corrected 7/16/20 6/18/2020	07/23/20	08/17/20	10/14/20	10/31/20	12/23/23
4731 12 01	Preliminary Education for Licensure in Podiatric Medicine and Surgery	04/18/22								06/30/17	06/30/22
4731 12 02	Standing of Colleges of Podiatric Surgery and Medicine	04/18/22								06/30/17	06/30/22
4731 12 03	Eligibility for the Examination in Podiatric Surgery and Medicine (see note below)	04/18/22								04/19/17	10/16/22
4731 12 04	Eligibility of Licensure in Podiatric Medicine and Surgery by Endorsement from Another State	04/18/22								06/30/17	06/30/22
4731 12 05	Application Procedures for Licensure in Podiatric Medicine and Surgery, Investigation, Notice of Hearing Rights.	04/18/22								06/30/17	06/30/22
4731 12 06	Visiting Podiatric Faculty Certificates	04/18/22								06/30/17	06/30/22
4731 12 07	Podiatric Training Certificates	04/18/22								06/30/17	06/30/22
4731 13 01	Conduct of Hearings Representative; Appearances	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 02	Filing Request for Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	No change				04/12/26
4731 13 03	Authority and Duties of Hearing Examiners	08/26/20	10/14/20	amended filing 1/6/21 10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 04	Consolidation	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 05	Intervention	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 06	Continuance of Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 07	Motions	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731 13 07.1	Form and page limitations for briefs and memoranda	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 08	Filing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 09	Service	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 10	Computation and Extension of Time	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 11	Notice of Hearings	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 12	Transcripts	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 13	Subpoenas for Purposes of Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 14	Mileage Reimbursement and Witness Fees	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 15	Reports and Recommendations	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 16	Reinstatement or Restoration of Certificate	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 17	Settlements, Dismissals, and Voluntary Surrenders	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 18	Exchange of Documents and Witness Lists	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 20	Depositions in Lieu of Live Testimony and Transcripts in place of Prior Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 20.1	Electronic Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 21	Prior Action by the State Medical Board	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 22	Stipulation of Facts	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 23	Witnesses	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 24	Conviction of a Crime	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 25	Evidence	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 26	Broadcasting and Photographing Administrative Hearings	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 27	Sexual Misconduct Evidence	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26

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4731 13 28	Supervision of Hearing Examiners	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 30	Prehearing Conference	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 31	Transcripts of Prior Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 32	Prior Statements of the Respondent	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 33	Physician's Desk Physician	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 13 34	Ex Parte Communication	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 35	Severability	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731 13 36	Disciplinary Actions	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731 14 01	Pronouncement of Death	01/25/21	03/10/21	03/18/21		05/27/21	06/28/21		09/08/21	09/30/21	09/30/26
4731 15 01	Licensee Reporting Requirement; Exceptions									11/17/17	11/17/22
4731 15 02	Healthcare Facility Reporting Requirement									11/17/17	11/17/22
4731 15 03	Malpractice Reporting Requirement									11/17/17	11/17/22
4731 15 04	Professional Society Reporting									11/17/17	11/17/22
4731 15 05	Liability; Reporting Forms; Confidentially and Disclosure									11/17/17	11/17/22
4731 16 01	Rules governing impaired physicians and approval of treatments programs Definitions									11/17/17	11/17/22
4731 16 02	General Procedures in Impairment Cases	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	11/17/22
4731 16 04	Other Violations									11/17/17	11/17/22
4731 16 05	Examinations	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	11/17/22
4731 16 06	Consent Agreements and Orders for Reinstatement of Impaired Practitioners								01/12/22	01/31/22	11/17/22
4731 16 07	Treatment Provider Program Obligations									11/17/17	11/17/22
4731 16 08	Criteria for Approval	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21			11/17/17	11/17/22
4731 16 09	Procedures for Approval									11/17/17	11/17/22
4731 16 10	Aftercare Contracts									11/17/17	11/17/22

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731 16 11	Revocation, Suspension, or Denial of Certificate of Good Standing									11/17/17	11/17/22
4731 16 12	Out of State Impairment Cases									11/17/17	11/17/22
4731 16 13	Patient Consent; Revocation of Consent									11/17/17	11/17/22
4731 16 14	Caffeine, Nicotine, and Over The Counter Drugs									11/17/17	11/17/22
4731 16 15	Patient Rights									11/17/17	11/17/22
4731 16 17	Requirements for the one bite program									01/31/19	01/31/24
4731 16 18	Eligibility for the one bite program									01/31/19	01/31/24
4731 16 19	Monitoring organization for one bite program									01/31/19	01/31/24
4731 16 20	Treatment providers in the one bite program									01/31/19	01/31/24
4731 16 21	Continuing care for the one bite program									01/31/19	01/31/24
4731 17 01	Exposure Prone Invasive Procedure Precautions Definitions	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 17 02	Universal Precautions	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26
4731 17 03	Hand Washing	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26
4731 17 04	Disinfection and Sterilization	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 17 05	Handling and Disposal of Sharps and Wastes	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 17 06	Barrier Techniques	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26
4731 17 07	Violations	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 18 01	Definitions	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6 9 21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26
4731 18 02	Use of Light Based Medical Devices	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6 9 21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26
4731 18 03	Delegation of the Use of Light Based Medical Devices	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6 9 21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731 18 04	Delegation of phototherapy and photodynamic therapy	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6 9 21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26
4731 20 01	Surgery Privileges of Podiatrist Definition of Foot									05/31/18	05/31/23
4731 20 02	Surgery: Ankle Joint									05/31/18	05/31/23
4731 22 01	Emeritus Registration Definitions									08/31/17	08/31/22
4731 22 02	Application									08/31/17	08/31/22
4731 22 03	Status of Registrant									05/12/17	05/12/22
4731 22 04	Continuing Education Requirements									05/12/17	05/12/22
4731 22 06	Renewal of Cycle of Fees									05/12/17	05/12/22
4731 22 07	Change to Active Status	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	08/31/22
4731 22 08	Cancellation of or Refusal to Issue an Emeritus Registration									05/12/17	05/12/22
4731 23 01	Delegation of Medical Tasks Definitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26
4731 23 02	Delegation of Medical Tasks	01/25/21	03/10/21	03/18/21	04/23/21	refiled 7/14/21 5/27/2021	06/28/21		09/08/21	09/30/21	09/30/26
4731 23 03	Delegation of Medical Tasks: Prohibitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26
4731 23 04	Violations	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26
4731 24 01	Anesthesiologist Assistants Definitions									07/31/19	07/31/24
4731 24 02	Anesthesiologist Assistants: Supervision									07/31/19	07/31/24
4731 24 03	Anesthesiologist Assistants: Enhanced Supervision									07/31/19	07/31/24
4731 25 01	Office Based Surgery Definition of Terms										03/01/23
4731 25 02	General Provisions									05/31/18	05/31/23
4731 25 03	Standards for Surgery Using Moderate Sedation/Analgesia									05/31/18	08/31/23
4731 25 04	Standards for Surgery Using Anesthesia Services									05/31/18	05/31/23
4731 25 05	Liposuction in the Office Setting									03/01/18	03/01/23

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731 25 07	Accreditation of Office Settings									05/31/18	05/31/23
4731 25 08	Standards for Surgery									09/30/19	09/30/24
4731 26 01	Sexual Misconduct Definitions	01/25/21	03/10/21	03/18/21	04/23/21	refiled 7/14/21 5/27/2021	06/28/21		09/08/21	09/30/21	09/30/26
4731 26 02	Prohibitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21	06/28/21		09/08/21	09/30/21	09/30/26
4731 26 03	Violations; Miscellaneous	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21	06/28/21		09/08/21	09/30/21	09/30/26
4731 27 01	Definitions									02/04/19	02/02/24
4731 27 02	Dismissing a patient from the medical practice									05/31/19	05/31/24
4731 27 03	Notice of termination of physician employment or physician leaving a practice, selling a practice, or retiring from the practice of medicine									05/31/19	05/31/24
4731 28 01	Mental or Physical Impairment									08/31/17	08/31/22
4731 28 02	Eligibility for confidential monitoring program									08/31/18	08/31/23
4731 28 03	Participation in the confidential monitoring program									08/31/18	08/31/23
4731 28 04	Disqualification from continued participation in the confidential monitoring program									08/31/18	08/31/23
4731 28 05	Termination of the participation agreement for the confidential monitoring program									08/31/18	08/31/23
4731 29 01	Standards and procedures for operation of a pain management clinic.									06/30/17	06/30/22
4731 30 01	Internal Management Definitions									09/23/18	09/23/23
4731 30 02	Internal Management Board Metrics	07/26/19								09/23/18	09/23/23
4731 30 03	Approval of Licensure Applications	06/17/21				refiled 11 4 21 5/7/2020			01/12/22	01/31/22	10/17/24
4731 30 04	Maintenance of List of Disqualifying Criminal Offenses	08/13/21				refiled 11 4 21			09/08/21	12/31/21	12/31/26
4731 31 01	Requirements for assessing and granting clearance for return to practice or competition. (concussion rule)						04/10/19	05/13/19		11/30/19	11/30/24

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731 32 01	Definition of Terms									09/08/17	09/08/22
4731 32 02	Certificate to Recommend Medical Marijuana									09/08/17	09/08/22
4731 32 03	Standard of Care									09/08/17	09/08/22
4731 32 04	Suspension and Revocation of Certificate to Recommend									09/08/17	09/08/22
4731 32 05	Petition to Request Additional Qualifying Condition or Disease									09/08/17	09/08/22
4731 33 01	Definitions	05/09/19		11/15/19	05/20/20	06/18/20	07/23/20	08/17/20	10/14/20	10/31/20	04/30/24
4731 33 02	Standards and procedures for withdrawal management for drug or alcohol addiction	05/09/19		11/15/19	05/20/20	06/18/20	07/23/20	08/17/20	10/14/20	10/31/20	10/31/25
4731 33 03	Office Based Treatment for Opioid Addiction									04/30/19	04/30/24
4731 33 04	Medication Assisted Treatment Using Naltrexone									04/30/19	04/30/24
4731 34 01	Standards and Procedures to be followed by physicians when prescribing a dangerous drug that may be administered by a pharmacist by injection.									07/31/19	07/31/24
4731 35 01	Consult Agreements	01/25/21	04/14/21	04/26/21	06/04/21	09/22/21	10/29/21	11/08/21	12/08/21	12/31/21	10/31/25
4731 35 02	Standards for managing drug therapy	01/25/21	04/14/21	04/26/21	06/04/21	09/22/21	10/29/21	11/08/21	12/08/21	12/31/21	10/31/25
4731 36 01	Military provisions related to education and experience requirements for licensure	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	10/29/21
4731 36 02	Military provisions related to renewal of license and continuing education	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25
4731 36 03	Processing applications from service members, veterans, or spouses of service members or veterans.	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25
4731 36 04	Temporary license for military spouse	02/11/20	02/12/20	02/14/20		02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731 37 01	Telemedicine	02/12/22	05/11/22	05/16/22							
4731 38 01	Licenses Issued or Renewed Under the Interstate Medical Licensure Compact	11/12/21	01/12/22	01/14/22	02/14/22	02/18/22	03/25/22		05/11/22	05/31/22	05/31/27
4759 2 01	Definitions									11/30/19	11/30/24
4759 4 01	Applications									11/30/19	11/30/24
4759 4 02	Preprofessional experience										08/28/24
4759 4 03	Examination									11/30/19	11/30/24

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4761 7 04	Supervision			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25
4761 7 05	Administration of medicines										11/15/23
4761 8 01	Renewal of license or permits	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25
4761 9 01	Definition of respiratory care continuing education			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	02/28/24
4761 9 02	General RCCE requirements and reporting mechanism	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25
4761 9 03	Activities which do not meet the Ohio RCCE requirements									02/28/19	02/28/24
4761 9 04	Ohio respiratory care law and professional ethics course criteria			11/06/19	01/10/20	Refiled 8/24/20 6/18/2020	9/24/20 7/23/2020	08/17/20	11/10/20		02/28/24
4761 9 05	Approved sources of RCCE			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	02/28/24
4761 9 07	Auditing for compliance with RCCE requirements			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25
4761 10 01	Ethical and professional conduct									02/28/19	02/28/24
4761 10 02	Proper use of credentials										11/15/23
4761 10 03	Providing information to the Board	04/23/19	06/12/19	11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25
4761 15 01	Miscellaneous Provisions	02/12/22	05/11/22	05/16/22						02/28/19	02/28/24
4774 1 01	Definitions	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21			no change	02/11/21	02/11/26
4774 1 02	Application for Certificate to Practice	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4774 1 03	Renewal of Certificate to Practice	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4774 1 04	Miscellaneous Provisions	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21			no change	02/11/21	02/11/26
4778 1 01	Definition									01/29/19	01/24/24
4778 1 02	Application									04/30/19	04/30/24
4778 1 03	Special Activity License									01/24/19	01/24/24
4778 1 05	Collaboration Agreement									04/30/19	04/30/24
4778 1 06	Miscellaneous Provisions	02/12/22	05/11/22	05/16/22						04/30/19	04/30/24



MEMORANDUM

TO: Betty Montgomery, President
Members, State Medical Board of Ohio

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Podiatric Licensure Rules, Chapter 4731-12, Ohio Administrative Code

DATE: May 16, 2022

The attached rules related to podiatric licensure were circulated to interested parties. The deadline for comment was May 6, 2022. Two comments were received and are attached for your review.

Samuel Mankanjuola, DPM, PGY-1, UH Regional Hospitals, stated that he is in full support of the proposed changes. Michael Mathy, Executive Director of the Ohio Foot and Ankle Medical Association, stated that the association is pleased to see the rule modifications and that they have no recommended changes or additions to the proposed rules.

Requested Action: Approve draft rules for filing with the Common Sense Initiative.

4731-12-01

Definitions.

(A) "APMLE" means the american podiatric medical licensing examination prepared by the national board of podiatric medical examiners.

(B) "Board" means the state medical board of Ohio.

(C) "CPME" means the council on podiatric medical education.

(D) "Examination in podiatric medicine and surgery" means the examination to determine competency to practice podiatric medicine and surgery under section 4731.52 of the Revised Code.

(E) "License" means a license to practice podiatric medicine and surgery issued under section 4731.56 of the Revised Code.

(F) "NBPME" means the national board of podiatric medical examiners

(G) "PMLexis" means the podiatric medical licensing examination prepared by the national board of podiatric medical examiners.

(H) "Training Program" means an internship, residency, or clinical fellowship program that meets the requirements of division (A)(2) of section 4731.573 of the Revised Code.

TO BE RESCINDED

*** DRAFT - NOT YET FILED ***

4731-12-01

Preliminary education for licensure in podiatric medicine and surgery.

Production of a diploma from a college of podiatric medicine and surgery in good standing as determined by the board at the time the diploma was issued constitutes prima facie evidence that the individual has completed the requisite preliminary education under section 4731.53 of the Revised Code.

4731-12-02

Preliminary education for licensure and standing of colleges of podiatric surgery and medicine.

(A) For the purposes of sections 4731.52 and 4731.572 of the Revised Code, and rule 4731-12-07 of the Administrative Code, a college of podiatric medicine and surgery in the United States shall be defined as being in good standing if, at the time the diploma was issued, the institution was accredited by the CPME or its predecessor accrediting organizations.

(B) Production of a diploma from a college of podiatric medicine and surgery in good standing, at the time the diploma was issued, constitutes prima facie evidence that an applicant for a license has met the requirements of divisions (A)(1)(b) and (A)(1)(c) of section 4731.52 of the Revised Code. An applicant producing a diploma from a college of podiatric medicine and surgery located outside the United States must present evidence sufficient to establish to the board's satisfaction that the educational program met or exceeded the standards established by the CPME.

TO BE RESCINDED

*** DRAFT - NOT YET FILED ***

4731-12-02

Standing of colleges of podiatric surgery and medicine.

- (A) A college of podiatric medicine and surgery in the United States shall be defined as being in good standing at the time the diploma was issued for the purposes of section 4731.53 of the Revised Code if the institution is accredited by the "Council on Podiatric Medical Education," or its predecessor accrediting organizations as determined by the board.
- (B) To meet the requirement of section 4731.53 of the Revised Code that an applicant present a diploma from a college of podiatric medicine and surgery in good standing as defined by the board at the time the diploma was issued, an applicant presenting a diploma from a college located outside the United States must present evidence sufficient to establish to the board's satisfaction that the educational program completed at such school meets or exceeds the standards established by the "Council on Podiatric Medical Education" for colleges of podiatric medicine and surgery in the United States.

*** DRAFT - NOT YET FILED ***

4731-12-03

Podiatric Examination.

(A) The examination in podiatric medicine and surgery shall be all parts of the APMLE. An applicant shall have passed all parts and achieved a recognized passing performance on each part.

TO BE RESCINDED

*** DRAFT - NOT YET FILED ***

4731-12-03

Eligibility for the examination in podiatric medicine and surgery; passing average.

- (A) An applicant for a certificate to practice podiatric medicine and surgery is eligible for consideration to take the examination in podiatric medicine and surgery if, in addition to meeting the other requirements of sections 4731.52 and 4731.53 of the Revised Code, the applicant holds a diploma from a college in good standing as defined in rule 4731-12-02 of the Administrative Code.

- (B) The examination in podiatric medicine and surgery shall consist of parts I, II and III of the national board of podiatric medical examiners examination. . Prior to applying for a certificate to practice podiatric medicine and surgery, and prior to sitting for part III of the national board of podiatric medical examiners examination, an applicant shall have passed parts I and II of the national board of podiatric medical examiners examination.

- (C) An applicant shall obtain diplomate or passing status with the national board of podiatric medical examiners on parts I, II and III of the national board examination in order to be considered as having passed the examination in podiatric medicine and surgery.

4731-12-04

Eligibility for licensure.

The board shall issue a license to each individual who meets all applicable requirements under section 4731.52 of the Revised Code, and who passes the examination in podiatric medicine and surgery in accordance with rule 4731-12-03 of the Administrative Code, or has passed one of the following examinations:

(A) The "PMLexis" administered between June 12, 1990 and December 4, 2000, in addition to the holding of a passing status or diplomate status with the NBPME.

(B) An examination of a state of the United States, United States territory, or district administered before June 12, 1990, that was, in part, a written examination and

(1) Taken without previous or subsequent failure of the examination offered by the NBPME ; and

(2) Taken without previous or subsequent failure of the PMLexis or part III of the APMLE.

TO BE RESCINDED

*** DRAFT - NOT YET FILED ***

4731-12-04

Eligibility for licensure in podiatric medicine and surgery by endorsement from another state.

- (A) An applicant for a license to practice podiatric medicine and surgery who holds a license from another state, United States territory, or the District of Columbia, shall be eligible for licensure consideration without examination if, in addition to any other requirements of sections 4731.51 to 4731.61 of the Revised Code and Chapter 4731-12 of the Administrative Code, the requirements of paragraphs (B) to (E) of this rule are met.
- (B) If the license being endorsed is based upon an examination administered between June 12, 1990 and December 4, 2000, the license shall be based upon the passing of the "PMLexis" in addition to the holding of a passing status or diplomate status with the national board of podiatric medical examiners.
- (C) If the license being endorsed is based upon an examination administered after December 4, 2000, the license shall be based on passing parts I, II and III of the national board of podiatric medical examiners examination.
- (D) If the license being endorsed is based upon an examination administered before June 12, 1990, it shall have been:
- (1) Administered by the state, United States territory, or district issuing the license, and, have been in part, a written examination;
 - (2) Taken without having failed the national board of podiatric medical examiners examination unless an intervening passing status or diplomate status on that examination has been achieved; and
 - (3) Taken without having failed to achieve a minimum passing score on the PMLexis or part III of the national board of podiatric medical examiners examination unless an intervening passing status on that examination has been achieved. For purposes of this rule, a minimum passing score will be that figure recommended by the national board of podiatric medical examiners/federation of podiatric medical boards.
- (E) An applicant for endorsement licensure shall file an application in the manner provided in section 4731.52 of Revised Code, furnish satisfactory proof that he or she is more than eighteen years of age and of good moral character and provide other facts and materials as the board requires.
- (F) The license being endorsed shall be current and in good standing and shall be a full and unlimited license to practice podiatric medicine and surgery. An exception may

be made by the board in those cases where an applicant cannot renew his or her license in the other jurisdiction for purposes of endorsement due to residency or similar requirements.

4731-12-05

Application procedures for licensure in podiatric medicine and surgery; investigation.

- (A) Pursuant to division (A) of section 4731.52 of the Revised Code, all applicants for a license shall submit to the board an application under oath in the manner determined by the board, and provide such other facts and materials as the board requires. No application shall be considered submitted to the board until the appropriate fee has been received by the board.
- (B) No application 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.
- (C) The board reserves the right to thoroughly investigate all materials submitted as part of an application . The board may contact individual 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) If an applicant for any license or certificate issued under section 4731.56, 4731.572, or 4731.573, 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.
- (E) If the application process extends for a period longer than six months, the board may require updated information as it deems necessary.
- (F) No application being investigated under section 4731.22 of the Revised Code, may be withdrawn without approval of the board.
- (G) Application fees are not refundable.

TO BE RESCINDED

*** DRAFT - NOT YET FILED ***

4731-12-05

Application procedures for licensure in podiatric medicine and surgery; investigation.

- (A) All applicants for licensure in podiatric medicine and surgery shall file an application in the manner provided in section 4731.52 of the Revised Code, and provide such other facts and materials as the board requires including proof of completion of a minimum of one year of postgraduate training in a podiatric internship, residency or clinical fellowship program accredited by the "Council on Podiatric Medical Education."
- (B) No application shall be considered filed until the appropriate fee has been received by the board.
- (C) No application 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 and any other forms required to be submitted pursuant to paragraph (A) of rule 4731-4-02 of the Administrative Code.
- (D) All application materials submitted to the board by applicants for licensure in podiatric medicine and surgery will be thoroughly investigated. The board will contact individual 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.
- (E) Applications to take the examination for licensure in podiatric medicine and surgery in Ohio shall be filed at the board offices not less than sixty days prior to the first day of the examination. Under special circumstances, later filing may be permitted at the discretion of the board.

TO BE RESCINDED

*** DRAFT - NOT YET FILED ***

4731-12-06

Visiting podiatric faculty certificates.

- (A) For purposes of section 4731.572 of the Revised Code, the following definitions apply:
- (1) "Approved college of podiatric medicine and surgery in good standing" means a college of podiatric medicine and surgery accredited by the "Council on Podiatric Medical Education," or its predecessor accrediting organizations.
 - (2) "A current, unrestricted license" means a license or other authority granted by the appropriate entity or governmental body which lawfully permits the applicant to practice podiatric medicine and surgery without governmental restriction or limitation.
- (B) The duties of the applicant shall be set forth upon the application and approved by the board.
- (C) By signing the application for a visiting podiatric faculty certificate, the dean of the school and the medical director of each affiliated teaching hospital are responsible for assuring that the holder of the certificate does not engage in practice outside its scope. They are further responsible for reporting to the board any belief that practice outside its scope has occurred.
- (D) An individual shall be granted only one visiting podiatric faculty certificate, and shall be ineligible to apply for its renewal .

4731-12-07

Podiatric training certificates.

(A) A training certificate is mandatory for participation in a training program unless the participant holds a license to practice podiatric medicine and surgery. The participation in the program prior to receiving an acknowledgment letter or a training certificate from the board is the unlicensed practice of medicine pursuant to section 4731.34 of the Revised Code.

(B) An individual may not begin participation in a training program unless the individual has been issued a diploma from a college of podiatric medicine and surgery in good standing.

(C) Evidence that the applicant for a training certificate has been accepted or appointed to a training program meeting the requirements of division (A)(2) of section 4731.573 of the Revised Code must include a certification from the training program of both of the following:

(1) The training program will verify that the applicant has been issued a diploma before permitting the applicant to begin participation in the training program; and

(2) The training program will notify the board if a holder of a training certificate has not been issued a diploma before the start date of the training program.

(D) The holder of a training certificate shall immediately notify the board in writing if the holder has not been issued a diploma before the start date of the training program.

(E) Upon the board's receipt of an application for a training certificate, or upon the board's receipt of written notice from an applicant for a license that the applicant intends to participate in a training program, and after verifying that the applicant has paid the appropriate fee, the board may issue to the applicant an acknowledgment letter. Fees are neither refundable nor transferable.

(1) Upon receipt of that acknowledgment letter, the applicant may begin participating in the training program that meets the requirements of section 4731.573 of the Revised Code, and this chapter of the Administrative Code, to which the applicant has been appointed while the application is being processed. The acknowledgment letter will serve as proof that the board has received the application and that the applicant is entitled to continue participation in the training program.

(2) If an applicant has not received an acknowledgment letter or training certificate from the board within forty-five days after submitting an application, then the applicant shall immediately inform the board and the director of his or her training program in writing.

(3) An acknowledgment letter issued under this rule shall authorize participation in a training program for one hundred twenty days, unless prior to that time the

4731-12-07

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board:

(a) Issues the certificate; or

(b) Issues an order in accordance with Ohio law suspending without a prior hearing the authority to participate; or

(c) Accepts a withdrawal of the application; or

(d) Issues a notice of opportunity for hearing in accordance with Chapter 119. of the Revised Code, in which case the authority to participate shall continue until the board's issuance of a final order granting or denying the application, or until the end of the training year, whichever comes first; or

(e) In the case of an applicant for a license, advises the applicant in writing that a substantial question of a violation of this chapter or the rules adopted under it exists and that investigation is continuing, in which case the authority to participate shall continue until one of the following occur:

(i) The board issues a license; or

(ii) The board issues a final order in accordance with Chapter 119. of the Revised Code; or

(iii) The training year ends.

Except as provided in this rule, participation in a training program pursuant to an acknowledgment letter cannot be renewed or extended beyond one hundred twenty days.

(F) If at the end of one hundred twenty days following issuance of an acknowledgment letter to an applicant for a training certificate the board has commenced but not yet concluded investigation or inquiry into issues of possible violations of Chapter 4731. of the Revised Code, it shall issue a training certificate to the applicant but shall not be deemed to have waived any issues which would constitute grounds to impose discipline under Chapter 4731. of the Revised Code.

(G) If the applicant or training certificate holder changes training programs, the board must be notified in writing immediately. A new application need not be completed and a new training certificate will not be issued. The training certificate will continue to be valid until its date of expiration.

(H) A person who holds a suspended license to practice podiatric medicine and surgery is not eligible for a training certificate. Such a person must restore that license in accordance with sections 4731.222 and 4731.281 of the Revised Code before

beginning postgraduate training in Ohio. A person whose license to practice podiatric medicine and surgery has been permanently revoked or permanently denied is ineligible to participate in a training program in Ohio.

TO BE RESCINDED
*** DRAFT - NOT YET FILED ***

4731-12-07

Podiatric training certificates.

- (A) Upon the board's receipt of an application for a training certificate, or upon the board's receipt of written notice from an applicant for a certificate to practice podiatric medicine and surgery under section 4731.53 of the Revised Code, that the applicant intends to participate in a training program described in paragraph (A) of this rule, and after verifying that the applicant has paid the appropriate fee, the board will issue to the applicant an acknowledgment letter. Upon receipt of that acknowledgment letter the applicant may begin participating in the program that meets the requirements of section 4731.573 of the Revised Code, and this chapter of the Administrative Code, to which he or she has been appointed while the application is being processed. That acknowledgment letter will serve as proof that the board has received the application and that the applicant is entitled to continue participation in the training program. If an applicant has not received an acknowledgment letter from the board within forty-five days of submitting an application, then the applicant shall immediately inform the board and the director of his or her training program in writing.
- (B) An acknowledgment letter issued under this rule shall authorize participation in a training program for one hundred and twenty days, unless prior to that time the board:
- (1) Issues the certificate; or
 - (2) Issues an order in accordance with Ohio law suspending without a prior hearing the authority to participate; or
 - (3) Accepts a withdrawal of the application; or
 - (4) Issues a notice of opportunity for hearing in accordance with Chapter 119. of the Revised Code, in which case the authority to participate shall continue until the board's issuance of a final order granting or denying the application, or until the end of the training year, whichever comes first; or
 - (5) In the case of an applicant for a certificate under section 4731.53 of the Revised Code, advises the applicant in writing that a substantial question of a violation of this chapter or the rules adopted under it exists and that investigation is continuing, in which case the authority to participate shall continue until one of the following occur:
 - (a) The board issues a certificate; or
 - (b) The board issues a final order in accordance with Chapter 119. of the

Revised Code; or

(c) The training year ends.

Except as provided above, participation in a training program pursuant to an acknowledgment letter cannot be renewed or extended beyond one hundred twenty days.

- (C) If at the end of one hundred and twenty days following issuance of an acknowledgment letter to an applicant for a training certificate the board has commenced but not yet concluded investigation or inquiry into issues of possible violations of Chapter 4731. of the Revised Code, it shall issue a training certificate to the applicant but shall not be deemed to have waived any issues which would constitute grounds to impose discipline under Chapter 4731. of the Revised Code.
- (D) If the applicant or training certificate holder changes training programs before the end of the training year while maintaining the same finishing date of his or her post graduate training year (e.g., June thirtieth), the board must be notified in writing immediately. A new application need not be completed. However, acknowledgment by the board of receipt of written notification of change in training programs will be required prior to starting the new training program. The new training certificate will only be valid for the remainder of the training year for which the applicant has been issued a current certificate.
- (E) A training certificate shall be valid for one training year, but may, at the discretion of the board, be renewed annually for a maximum of five years. Renewal applications are mailed approximately April first for those who initiated their training on July first. Interns, residents, or clinical fellows who began their training after July first of the training year will be mailed their renewal application approximately three months prior to the expiration of their training certificate.
- (F) This rule and section 4731.573 of the Revised Code do not apply to or prohibit any graduate of a podiatric school or college from performing those acts that may be prescribed by or incidental to participation in an accredited podiatric internship, residency, or fellowship program accredited by the "Council on Podiatric Medical Education."
- (G) A person who holds a suspended certificate to practice podiatric medicine and surgery under section 4731.53 of the Revised Code is not eligible for a training certificate. Such a person must restore that certificate in accordance with sections 4731.222 and 4731.281 of the Revised Code before beginning postgraduate training in Ohio. A person whose certificate has been permanently revoked or permanently

denied is ineligible to participate in postgraduate training in Ohio.

From: [Anderson, Kimberly](#)
To: [Samuel Makanjuola](#)
Subject: RE: Comments on podiatry licensure rules
Date: Wednesday, April 27, 2022 1:29:00 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Dr. Makanjuola:

Thank you for your comments. They will be shared with the Medical Board.

Kimberly Anderson
Chief Legal Counsel
State Medical Board of Ohio
30 East Broad Street, 3rd Floor
Columbus, Ohio 43215
o: 614-466-7207
c: 614-230-9077
Kimberly.Anderson@med.ohio.gov



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From: Samuel Makanjuola <smakanju@kent.edu>
Sent: Wednesday, April 27, 2022 1:28 PM
To: Anderson, Kimberly <Kimberly.Anderson@med.ohio.gov>
Subject: Comments on podiatry licensure rules

I have reviewed the proposed rescind and proposed new 4731-12-01 through 4731-12-07 and would like to comment that I am in full support of the current proposed changes as they seem to clarify and simplify the process. They also bring various aspects up to date with current Podiatric training and processes.

As a note, I look forward to further changes to scope of practice to further reflect up to date Podiatric training.

Thank you.

Dr. Samuel Makanjuola DPM, PGY-1
Podiatric Medicine & Surgery
UH Regional Hospitals

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OHIO PODIATRIC MEDICAL ASSOCIATION, DBA
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MICHAEL MATHY, CAE, EXECUTIVE DIRECTOR

May 6, 2022

Kimberly Anderson
Chief Legal Counsel
State Medical Board of Ohio
30 East Broad Street, 3rd Floor
Columbus, Ohio 43215

Dear Ms. Anderson,

On behalf of our over 600 members across the state, the Ohio Foot and Ankle Medical Association (OHFAMA) appreciates the opportunity to submit comments on proposed language on several rules relating to the licensing of podiatric physicians and surgeons.

Overall, the proposed rules streamline and modify existing rules to reflect recent changes to state statutes and current practices in podiatric education and training.

OHFAMA is pleased to see rules relating to application procedures (4731-12-05) and podiatric training certificates (4731-12-07) being modified to be more consistent with similar rules governing our colleagues who trained at allopathic and osteopathic medical schools.

We have no recommended changes or additions to proposed rules 4731-12-01 through 4731-12-07 at this time.

Thank you again for the opportunity to provide input on the proposed podiatry licensure rules. Please contact me at 614-457-6269 or via email at mmathy@ohfama.org if we can be of further assistance.

Sincerely,

Michael Mathy, CAE
Executive Director