

4731-30-04

Maintenance of List of Disqualifying Criminal Offenses.

- (A) For purposes of this rule, “list of disqualifying criminal offenses” is the list of specific criminal offenses authorized by section 9.79 of the Revised Code for which a conviction, judicial finding of guilt, or plea of guilty may disqualify an individual from obtaining an initial license to practice under chapters 4730., 4731., 4759., 4760., 4761., 4762., 4774., or 4778. of the Revised Code.
- (B) For purposes of this rule, “board” means the state medical board of Ohio, a licensing authority under section 9.79(A) of the Revised Code.
- (C) At least once per calendar year, the Board shall review the list of disqualifying criminal offenses. As part of the review, the board may approve the addition, deletion or modification of specific criminal offenses on the list of disqualifying criminal offenses.
- (D) The board shall make the list of disqualifying criminal offenses available to the public on the board’s website.

The internal management rule set forth below is being circulated for comments from interested parties. This is a new rule.

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House Bill 263, signed into law on January 9, 2021, requires all licensing authorities to establish by October 9, 2021, “a list of specific criminal offenses for which a conviction, judicial finding of guilt, or plea of guilty may disqualify an individual from obtaining an initial license.” When reviewing an initial license application, the licensing authority may only consider criminal offenses which are on this list. The ability of the licensing authority to consider criminal offenses on the list is time limited for most convictions, except for offenses of violence and sexually oriented offenses.

The proposed internal management rule requires the Medical Board to annually review the list of disqualifying criminal offenses and as part of that review, the Medical Board may approve the addition, deletion, or modification of specific criminal offenses on the list.