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Policy Committee

9:15 a.m. – Conference Room 336, 30 East Broad Street, Columbus, OH

- I. Minutes Review
- II. Legislative Update
- III. Items for Fiscal Years 2020-2021 Budget
- IV. Rule Review Update
- V. Rules for Initial Circulation
 - a. 4731-7-01, Notice of Meetings and 4731-9-01, Record of Board Meetings
 - b. 4731-4-01 and 4731-4-02, Criminal Background Checks

Revised Code Section	Explain Issue	Proposed Resolution	Other Concerns
4731.14(B)	Licensure approval	Removing the six vote requirement and establishing internal management rules- pharmacy board for reference	
4731.222 and various others	Not all license types have the type of language found in 4731.222 for initial issuance and/or restoration a license. Also, Statute makes all restorations subject to 4731.222. Really only concerned about individuals who may not have been practicing at all while Ohio license has been expired. Also should make clear that the two years is immediately preceding date of application	Need to add initial and/or restoration fitness to practice language for ACU, OM, AA, RA, PA, LD, RCP, GC. Also language should combine initial and restoration two year clinical practice. I.e. "An applicant seeking issuance of a license or certificate, or restoration of a license or certificate...who for more than two years, immediately preceding the date of application has not been engaged..."	
4731.299	Expedited statute needs clarification and/or review of requirements including malpractice claim limitation language	Amend statute accordingly once eligibility requirements are reviewed.	
4731.282 and corresponding section in regards to CME credit for volunteering	Currently a 100 hour requirement. By rule, 60 hours can be category 2. Category 2 continuing education requirements are difficult to audit. Physicians are also doing more than the required category one requirement to maintain certification	Change the statutory requirement to 50 hours. Note that the requirement for the hours to be all category 1 can be set out in statute or done by rule. Volunteer statute needs to be changed so that 1/3 of hours can't be fulfilled by volunteering	
4731.04 and 4731.291	Statute is not clear that an accredited clinical fellowship is acceptable GME	Add clinical fellowship to 4731.04(C)(1) and 4731.291(A)(2)(a)	
4731.19(A)(3)c)	Not clear if license must have been held for five years immediately preceding application	Add clarifying language	
4730.14, possibly 4730.49	PA CME requirement not aligned with PA certification requirements	Eliminate specific CME requirements and require maintenance of certification (which requires CME in order to do so). Similar language to that of 4774.06 as applicable to RAs	
Various	Now that paper based renewal has been eliminated, both staggered and date-certain renewal is unnecessary.	Eliminate specific schedule of renewal. Licenses/permits are good for for one or two years, as applicable, from date of issuance	
Various	Need to update all license types from "certificate" to "license"		
4731.292	Limited Certificates	Rescind the ORC	
4731.291	Training Certificates	Add a 30 day late period for Training certificates accompanied by 50.00 late fee	
4731.43	PA personally furnished samples	Removes the supervising physician's ability to limit the PA's personally furnishing of drug samples. It gives the PA free reign to personally furnish packaged samples that are not controlled substances.	
4731.02(H)	PA volunteer work	Amend Section 4730.02(H) to read similar to that of Section 4730.04. Section 4730.04 authorizes a PA to provide care in Ohio in an emergency or disaster without the participation of the supervising physician. Instead, the PA practices under the supervision of the medical director of the emergency or disaster. If similar language were added to Section 4730.02(H), the medical director would determine the scope of practice of the PA, and the PA could render services that are within the normal course of practice and expertise of the medical director at the emergency or disaster site.	
4761.06	Respiratory Care CME	Include the option of a civil penalty as an alternative to discipline for failure to timely complete continuing education. Explore options of allowing for all CME statutes.	
4730.19	Fining for supervision agreement violations must be pursuant to a 119 proceeding	Use similar language for CME audit to provide for a non-disciplinary, administrative resolution process for supervision agreement violations	

Legal Dept. Rules Schedule

As of 1/25/19

To February Board for Adoption

4761 Chapter – 1st group

To February Policy Committee

4731-7-01 4731-9-01

4731-4-01 4731-4-02

To February Licensure Committee

4730 – PA Rules

Sent for Initial Comment – deadline 2/8/19

4731-35-01 4731-35-02

Rules at CSI

4731-18 Chapter (anti-trust review)

Comment deadline 11/22/18

4731-1-08

Comment deadline (resubmitted)

4731-1-24

Comment deadline 8/24/17

4731-1-01 4731-1-13

4731-1-11 4731-1-18

4731-1-19

Comment Deadline 5/31/18

4731-31-01

Comment Deadline 7/13/18

4731-18-01 4731-25-08

4731-34-01

Comment Deadline 8/20/18

4731-27-01 4731-27-02

4731-27-03

Comment Deadline 10/12/18

4731-1-02 4731-1-05

4731-6 Chapter 4759 Chapter

Comment Deadline 1/29/19

4731-16-16 4731-24-03

4731-24-01 4731-24-04

4731-24-02

At JCARR- Hearing 11/28/18

4730-4-01 4731-33-01

4730-4-03 4731-33-03

4730-4-04 4731-33-04

4731-11-12

At JCARR- Hearing 2/27/19

4778-1-02 4778-2-01

4778-1-02.1 4778-2-02

4778-1-05

4778-1-06

At JCAAR – no change – jurisdiction ends 4/24/19

4778-1-01 4778-1-03

Anticipated Schedule for 2019 Policy Committee

January: Consult Agreements – sent for initial comment–deadline 2/8/19

February: 4731-7-01 (Method of Notice of Meetings) ;4731-9-01 (Record of Board Meetings) ;4731-4-01;4731-4-02 (Criminal Records Checks) – to February Policy Committee

March: Military Rules for all License Types

April: Dietetics Rules

May: MAT Detox Rule

June: Respiratory Care Rules – 4761 – 2nd group

July: 4731-11-03; 4731-11-04; 4731-11-041;4731-11-05; 4731-11-11 (Controlled Substance Rules)

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
4730-1-01	Regulation of Physician Assistants - Definitions	12/9/15 11/8/15	03/09/16	03/09/16	03/11/16	05/11/16	08/02/17		06/20/18	07/24/18		09/12/18	09/30/18	09/30/23
4730-1-02	Physician Assistant Practice	04/12/16		04/13/16	04/15/16	06/08/16	08/02/17		06/20/18	07/24/18			09/30/18	rescinded
4730-1-03	Duties of a Supervising Physician	04/12/16		04/13/16	04/15/16	06/08/16	08/02/17		06/20/18	07/24/18			09/30/18	rescinded
4730-1-04	Supervision	04/12/16		04/13/16	04/15/16	06/08/16	08/02/17		06/20/18	07/24/18			09/30/18	rescinded
4730-1-05	Quality Assurance System	12/09/15	03/09/16	03/09/16	12/22/17 3/11/2016	03/14/18	04/02/18		06/20/18	07/24/18				08/07/23
4730-1-06	Licensure as a physician assistant	12/9/15 11/4/2015		04/13/16	6/20/17 4/15/2016	7/12/17 6/8/2016	8/2/2017		07/02/18 6/20/2018	07/24/18		09/12/18	09/30/18	09/30/23
4730-1-06.1	Military provisions related to certificate to practice as a physician assistant								06/20/18	07/24/18				09/30/20
4730-1-07	Miscellaneous Provisions	12/09/15		04/13/16	04/15/16	06/08/16	08/02/17		06/20/18	07/24/18		09/12/18	09/30/18	09/30/23
4730-1-08	Physician assistant delegation of medical tasks and administration of drugs	11/04/15		11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4730-2-01	Physician Delegated Prescriptive Authority - Definitions	05/10/16			05/13/16	08/10/16	08/02/17		06/20/18	07/24/18		09/12/18	Amended 9/30/18	03/19/19
4730-2-02	Educational Requirements for Prescriptive Authority	12/09/15	03/09/16	03/09/16	03/11/16	05/11/16	08/02/17		06/20/18	07/24/18			09/30/18	rescinded
4730-2-03	Application for a Provisional Certificate to Prescribe	04/12/16	04/13/16		04/15/16	06/08/16	08/02/17		06/20/18	07/24/18			09/30/18	rescinded
4730-2-04	Period of on-site supervision of physician-delegated prescriptive authority	05/10/16			12/22/17	03/14/18	04/02/18		08/20/18	09/26/18		11/14/18	11/30/18	11/15/23
4730-2-05	Addition of valid prescriber number after initial licensure	05/10/16			12/22/17	03/14/18	04/02/18		08/20/18	09/26/18		11/14/18	11/30/18	11/15/23
4730-2-06	Physician Assistant Formulary	05/10/16			05/13/16									06/30/19
4730-2-07	Standards for Prescribing	05/10/16			05/13/16	08/10/16	08/02/17		06/20/18	07/24/18			Amended 9/30/18	06/30/19
4730-2-08	Standards for Personally Furnishing Drugs and Therapeutic Devices	05/10/16			05/13/16	08/10/16	08/02/17		06/20/18	07/24/18			09/30/18	rescinded
4730-2-09	Standards for Personally Furnishing Samples of Drugs and Therapeutic Devices	05/10/16			05/13/16	08/10/16	08/02/17		06/20/18	07/24/18			09/30/18	rescinded
4730-2-10	Standards and Procedures for use of OARRS		03/09/16	03/09/16	03/11/16	05/11/16	08/02/17		06/20/18	07/24/18		09/12/18	09/30/18	09/30/23
4730-3-01	Criminal Records Checks - (For Physician Assistants) - Definitions	04/12/16		04/13/16	04/15/16	06/08/16	08/02/17		06/20/18	07/24/18			Amended 9/30/18	06/30/19

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4730-3-02	Criminal Records Checks	04/12/16		04/13/16	04/15/16	06/08/16	08/02/17		06/20/18	07/24/18			Amended 9/30/18	06/30/19
4730-4-01	Definitions				02/21/18	07/11/18	08/03/18		10/24/18	11/28/18				
4730-4-03	Office Based Treatment for Opioid addiction				02/21/18	07/11/18	08/03/18		10/24/18	11/28/18				
4730-4-04	Medication assisted treatment using naltrexone				02/21/18	07/11/18	08/03/18		10/24/18	11/28/18				
4731-1-01	Limited Practitioners - Definition of Terms	07/13/16			5/15/17 7/13/2016	7/12/17 9/14/2016	08/07/17						01/24/12	01/24/17
4731-1-02	Application of Rules Governing Limited Branches of Medicine or Surgery			12/10/14 05/13/15	05/14/18	09/14/16	09/24/18		07/01/15			09/09/15	09/30/15	09/30/20
4731-1-03	General Prohibitions	07/13/16			07/13/16	09/14/16	09/26/17		08/31/18			no change		08/31/23
4731-1-04	Scope of Practice: Mechanotherapy	04/13/16		04/13/16	04/15/16	09/14/16	09/26/17		12/12/18 9/24/2018	10/25/18		12/12/18	12/31/18	12/31/23
4731-1-05	Scope of Practice: Massage Therapy	07/13/16			6/20/18 7/13/2016	09/14/16	9/24/18 9/26/2017		09/24/18	10/25/18		12/12/18	12/31/18	12/31/23
4731-1-06	Scope of Practice: Naprapathy	04/13/16		04/13/16	04/15/16	09/14/16	09/26/17		08/31/18			no change		08/31/23
4731-1-07	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	07/13/16				09/14/16	09/26/17		09/24/18	10/25/18		12/12/18	12/31/18	12/31/23
4731-1-08	Continuing Cosmetic Therapy Education Requirements for Registration or Reinstatement of a License to Practice Cosmetic Therapy	10/10/18			07/18/18	09/14/16	10/31/18 2/20/2018							12/31/17
4731-1-09	Cosmetic Therapy Curriculum Requirements	07/13/16			07/13/16	09/14/16	09/26/17		08/31/18			no change		08/31/23
4731-1-10	Distance Education	07/13/16			07/13/16	09/14/16	09/26/17		09/24/18	10/25/18	01/09/19	01/09/19	01/31/19	01/31/24
4731-1-11	Application and Certification	07/13/16			5/15/17 7/13/2016	07/12/17 9/14/2016	08/07/17							01/24/17
4731-1-12	Examination	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/16/16	09/19/16	10/19/16	11/09/16	11/30/16	11/30/21
4731-1-13	Examination Failure; Additional Training	07/13/16			5/15/17 7/13/2016	7/12/17 9/14/2016	08/07/17							01/24/17
4731-1-14	<i>Preliminary Education Certificate</i>					09/14/16								<i>rescinded</i>
4731-1-15	Determination of Standing of School, College or Institution	07/13/16			07/13/16	09/14/16	09/26/17		09/24/18	10/25/18		12/12/18	12/31/18	12/31/23

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4731-1-16	Massage Therapy curriculum rule (Five year review)	2/10/16 12/9/2015	12/09/15	12/09/15	6/20/18 12/11/2015 5	02/10/16	8/24/18 3/7/2016	05/11/16	10/24/18 8/16/2016	11/28/18 9/19/2016	01/09/19 10/19/16	1/9/19 11/9/2016	01/31/19	11/30/21
4731-1-17	Instructional Staff	07/13/16			07/13/16	09/14/16	09/26/17		09/24/18	10/25/18				01/24/17
4731-1-18	Grounds for Suspension, Revocation or Denial of Certificate of Good Standing, Hearing Rights	07/13/16			5/15/17 7/13/2016	7/12/17 9/14/2016	08/07/17							01/24/17
4731-1-19	Probationary Status	07/13/16			5/15/17 7/13/2016	7/12/17 9/14/2016	08/07/17							01/24/17
4731-1-23	Home Study Schools													rescinded
4731-1-24	Massage Therapy Continuing Education		03/09/16	2nd - 3/29/17 3/9/2016	03/09/16		10/26/16							
4731-1-25	Determination of Equiv. Military Educ. For CT/MT		04/08/15	05/13/15	07/23/15		07/23/15		7/1/2015 9/24/15	11/02/15	12/09/15	12/09/15	12/31/15	12/31/20
4731-2-01	Public Notice of Rules Procedure	10/14/15	10/14/15	10/14/15	04/15/16	06/08/16		11/08/17 7/12/2017	09/19/17	10/25/17			12/07/17	12/07/22
4731-4-01	Criminal Records Checks - Definitions													06/29/19
4731-4-02	Criminal Records Checks													06/29/19
4731-5-01	Admission to Examinations	05/11/16			2/8/17 5/13/2016	07/13/16			06/09/17	no change				06/09/22
4731-5-02	Examination Failure; Inspection and Regrading	05/11/16			2/8/17 5/13/2016	07/13/16			06/09/17	no change				06/09/22
4731-5-03	Conduct During Examinations	05/11/16			2/8/17 5/13/2016	07/13/16			06/09/17	no change				06/09/22
4731-5-04	Termination of Examinations	05/11/16			2/8/17 5/13/2016	07/13/16			06/09/17	no change				06/09/22
4731-6-01	Medical or Osteopathic Licensure: Definitions	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-6-02	Preliminary Education for Medical and Osteopathic Licensure	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		06/09/17	no change				06/09/22
4731-6-03	Eligibility for the Medical and Osteopathic Examination	05/11/16			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		06/09/17	no change				06/09/22
4731-6-04	Demonstration of proficiency in spoken English	05/11/16			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		06/09/17	no change				06/09/22

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4731-6-05	Format of Medical and Osteopathic Examination	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		06/09/17	08/31/17	08/31/22
4731-6-07	Passing Average on Examination	05/11/16			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		06/09/17	no change				06/09/22
4731-6-10	Clinical Competency Examination	05/11/16			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		06/09/17	08/31/17	06/09/22
4731-6-14	Examination for physician licensure	1/10/18 5/11/2016			2/26/18 2/8/2017	07/13/16	09/25/18		06/09/17	no change				04/29/19
4731-6-15	Eligibility for Licensure of National Board Diplomats and Medical Council of Canada Licentiates	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		06/09/17	no change				06/09/22
4731-6-16	Eligibility for Medical or Osteopathic Licensure by Endorsement of Licenses Granted by Other States	1/10/18 5/11/2016			2/26/18 2/8/2017	07/13/16	09/25/18		06/09/17	no change				04/29/19
4731-6-20	<i>Requests for medical or osteopathic licensure application</i>													<i>rescinded</i>
4731-6-21	Application Procedures for Certificate Issuance; Investigation; Notice of Hearing Rights	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-6-22	Abandonment and Withdrawal of Medical and Osteopathic Licensure Applications	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-6-30	Training Certificates	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-6-31	Limited Preexamination Registration and Limited Certification	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		06/09/17	no change				06/09/22
4731-6-32	Visiting Faculty Certificates	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-6-33	Special Activity Certificates	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22

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4731-6-34	Volunteer's Certificates	1/10/18 5/11/2016			2/26/18 2/8/17 5/13/2016	07/13/16	09/25/18		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-6-35	Processing applications from service members, veterans, or spouses of service members or veterans.	01/10/18		05/13/15	2/26/18 2/8/2017		9/25/18 1/8/2015		06/09/17	no change		09/09/15	09/30/15	09/30/20
4731-7-01	Method of Notice of Meetings												12/31/15	12/31/20
4731-8-01	Personal Information Systems												no change	04/21/21
4731-8-02	Definitions												no change	04/21/21
4731-8-03	Procedures for accessing confidential personal information												no change	04/21/21
4731-8-04	Valid reasons for accessing confidential personal information												no change	04/21/21
4731-8-05	Confidentiality Statutes	3/9/16 1/13/2016			01/15/16			04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-8-06	Restricting & Logging access to confidential personal information	3/9/16 1/13/2016			01/15/16			04/13/16	04/21/16					04/21/21
4731-9-01	Record of Board Meetings; Recording, Filming, and Photographing of Meetings		08/13/14	8/13/14 5/13/15			01/08/15		07/01/15			09/09/15	09/30/15	09/30/20
4731-10-01	Definitions	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		02/02/18					02/02/23
4731-10-02	Requisite Hours of Continuing Medical Education for License Renewal or Reinstatement	06/08/16	06/08/16	06/08/16	6/20/17 6/9/2016	08/10/16	09/26/17					05/09/18	05/31/18	05/31/23
4731-10-03	CME Waiver	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		02/02/18			05/09/18	05/31/18	05/31/23
4731-10-04	Continuing Medical Education Requirements for Restoration of a License	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17					05/09/18	05/31/18	05/31/23
4731-10-05	Out-of-State Licensees	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		02/02/18			05/09/18	05/31/18	05/31/23
4731-10-06	Licensure After Cutoff for Preparation of Registration Notices	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		02/02/18			05/09/18	05/31/18	05/31/23
4371-10-07	Internships, Residencies and Fellowships	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		02/02/18			05/09/18	05/31/18	05/31/23
4371-10-08	Evidence of Continuing Medical Education	06/08/16	06/08/16	06/08/16	6/20/17 6/9/2016	08/10/16	09/26/17					05/09/18	05/31/18	05/31/23
4731-10-09	Continuing Medical Education Requirement for Mid-term Licensees	06/08/16	06/08/16	06/08/16	6/20/17 6/9/2016	08/10/16	09/26/17					05/09/18	05/31/18	05/31/23

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4731-10-10	Continuing Medical Education Requirements Following License Restoration	06/08/16	06/08/16	06/08/16	6/20/17 6/9/2016	08/10/16	09/26/17					05/09/18	05/31/18	05/31/23
4731-10-11	Telemedicine Certificates	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		02/02/18			05/09/18	05/31/18	05/31/23
4731-11-01	Controlled substances; General Provisions Definitions		revision 3/11/15	8/13/2014 4/13/16	5/11/18 Revision 4/13/17 revision 9/19/16 1/22/15 4/15/16	6/13/18 6/8/2016	05/11/17 7/5/2016	11/08/17	Refiles 10/16/18 refiled 8/20/18 refiled 9/19/17 refiled 6- 16-17 refiled 2/8/17 9/26/18 10/25/17 1/13/17 07/26/17 11/3/2016 12/8/2016			12/12/18	12/23/18	12/07/22
4731-11-02	Controlled Substances - General Provisions			10/8/14 05/13/15	5/11/18 Revision 4/13/17	06/13/18	05/11/17 1/8/2015		Refiled 10/16/18 8/20/18 6/16/17 9/26/18 8/24/15 07/26/17 7/1/2015 11/2/2015		10/14/15	12/12/18	12/23/18	12/31/20
4731-11-03	Schedule II Controlled Substance Stimulants			10/8/14 5/13/15			01/08/15		8/24/15 7/1/2015	11/02/15	10/14/15	10/14/2015	12/31/15	12/31/20
4731-11-04	Controlled Substances: Utilization for Weight Reduction			11/12/14 05/13/15			01/08/15		1/5/16 8/24/15 7/1/2015	11/02/15	10/14/15		02/29/16	02/28/21
4731-11-04.1	Controlled substances: Utilization for chronic weight management			9/10/14 05/13/15			01/08/15		8/24/15 7/1/2015	11/02/15	10/14/15	10/14/15	12/31/15	12/31/20
4731-11-05	Use of Drugs to Enhance Athletic Ability			10/8/14 05/13/15			01/08/15		8/24/15 7/1/2015	11/02/15	12/09/15	12/09/15	12/31/15	12/31/20
4731-11-06	<i>Waivers for new uses</i>													<i>rescinded</i>
4731-11-07	Research Utilizing Controlled Substances			9/10/14 05/13/15			01/08/15		07/01/15			09/09/15	09/30/15	09/30/20
4731-11-08	Utilizing Controlled Substances for Self and Family Members	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/17/16					08/17/21

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4731-11-09	Prescribing to persons the physician has never personally examined.	03/09/16	revision 3/26/15 3/11/15 10/8/14	revision 9/19/16 1/14/15 05/13/15 10/8/14 4/13/16	1/22/2015 4/15/16	06/08/16	07/05/16		refiled 2/8/17 refiled (res & new) 1/13/17 11/3/2016	12/08/16			03/23/17	03/23/22
4731-11-11	Standards and procedures for review of "Ohio Automated Rx Reporting System" (OARRS).		revision 3/25/15 3/11/15	revision 1/14/15 05/13/15 10/8/14	7/23/15 1/22/2015		07/23/15		09/24/15	11/02/15	12/09/15	12/09/15	12/31/15	12/31/20
4731-11-12	<i>Office-Based Opioid Treatment</i>			08/31/14			rescind filing 8/3/18 3/28/2014		10/24/18 10/20/14	11/28/18 11/24/14		01/14/15	01/31/15	01/31/20
4731-11-13	Prescribing of Opioid Analgesics for Acute Pain				04/13/17		05/11/17			07/26/17		filed 8/21/17	08/31/17	08/31/22
4731-11-14	Prescribing for subacute and chronic pain				05/11/18	06/13/18	06/14/18		Refiled 10/16/18 8/20/2018	09/26/18		12/12/18	12/23/18	12/23/23
4731-12-01	Preliminary Education for Licensure in Podiatric Medicine and Surgery	02/10/16	02/10/16	02/10/16	7/13/16 2/12/2016	04/13/16	07/11/16	09/14/16	03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-02	Standing of Colleges of Podiatric Surgery and Medicine	02/10/16	02/10/16	02/10/16	7/13/16 2/12/2016	04/13/16	07/11/16	09/14/16	03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-03	Eligibility for the Examination in Podiatric Surgery and Medicine (see note below)	02/10/16	02/10/16	02/10/16	7/13/16 2/12/2016	04/13/16	07/11/16	09/14/16	04/19/17	NA				04/19/22
4731-12-04	Eligibility of Licensure in Podiatric Medicine and Surgery by Endorsement from Another State	02/10/16	02/10/16	02/10/16	7/13/16 2/12/2016	04/13/16	07/11/16	09/14/16	03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-05	Application Procedures for Licensure in Podiatric Medicine and Surgery, Investigation, Notice of Hearing Rights.	02/10/16	02/10/16	02/10/16	7/13/16 2/12/2016	04/13/16	07/11/16	09/14/16	03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-06	Visiting Podiatric Faculty Certificates	02/10/16	02/10/16	02/10/16	7/13/16 2/12/2016	04/13/16	07/11/16	09/14/16	03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-07	Podiatric Training Certificates	02/10/16	02/10/16	02/10/16	7/13/16 2/12/2016	04/13/16	07/11/16		03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-13-01	Conduct of Hearings - Representative; Appearances	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21

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4731-13-02	Filing Request for Hearing	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-03	Authority and Duties of Hearing Examiners	11/04/15	11/04/15	11/04/15	11/6/2015		7/31/17 2/1/2016	6/13/18 4/13/2016	6/20/18 5/5/2016	7/24/18 6/13/2016		09/12/18	09/30/18	07/31/21
4731-13-04	Consolidation	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-05	Intervention	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-06	Continuance of Hearing	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	5/5/2016 8/4/16	06/13/16		09/14/16	09/30/16	09/30/21
4731-13-07	Motions	11/04/15	11/04/15	11/04/15	11/6/2015		7/31/17 2/1/2016	6/13/18 4/13/2016	6/20/18 5/5/2016	07/24/18		09/12/18	09/30/18	04/21/21
4731-13-07.1	Form and page limitations for briefs and memoranda				12/12/16		07/31/17	06/13/18	06/20/18	07/24/18	09/12/18	09/12/18	09/30/18	09/30/23
4731-13-08	Filing	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-09	Service	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-10	Computation and Extension of Time	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-11	Notice of Hearings	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-12	Transcripts	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-13	Subpoenas for Purposes of Hearing	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-14	Mileage Reimbursement and Witness Fees	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-15	Reports and Recommendations	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-16	Reinstatement or Restoration of Certificate	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-17	Settlements, Dismissals, and Voluntary Surrenders	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-18	Exchange of Documents and Witness Lists	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-16-19	<i>Prehearing conference</i>													<i>rescinded</i>
4731-13-20	Depositions in Lieu of Live Testimony and Transcripts in place of Prior Testimony	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-20.1	Electronic Testimony								05/05/16	06/13/16			07/31/16	07/31/21
4731-13-21	Prior Action by the State Medical Board	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-22	Stipulation of Facts	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-23	Witnesses	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	5/5/2016 8/4/16	06/13/16			09/14/16	09/30/21
4731-13-24	Conviction of a Crime	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-25	Evidence	11/04/15	11/04/15				02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-26	Broadcasting and Photographing Administrative Hearings	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21

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4731-13-27	Sexual Misconduct Evidence	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-28	Supervision of Hearing Examiners	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-29	<i>Requirements for pre-hearing exchange of information</i>													<i>rescinded</i>
4731-13-30	Prehearing Conference	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-31	Transcripts of Prior Testimony	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-32	Prior Statements of the Respondent	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-33	Physician's Desk Physician	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-34	Ex Parte Communication	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-13-35	Severability	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	04/21/16	--				04/21/21
4731-13-36	Disciplinary Actions	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	04/13/16	05/05/16	06/13/16			07/31/16	07/31/21
4731-14-01	Pronouncement of Death	11/04/15	11/04/15	11/04/15	11/06/15		02/01/16	03/09/16	03/15/16	04/20/16			06/30/16	06/30/21
4731-15-01	Licensee Reporting Requirement; Exceptions	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		11/17/17					11/17/22
4731-15-02	Healthcare Facility Reporting Requirement	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		11/17/17					11/17/22
4731-15-03	Malpractice Reporting Requirement	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		11/17/17					11/17/22
4731-15-04	Professional Society Reporting	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		11/17/17					11/17/22
4731-15-05	Liability; Reporting Forms; Confidentially and Disclosure	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	07/31/17		11/17/17					11/17/22
4731-16-01	Rules governing impaired physicians and approval of treatments programs - Definitions	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-02	General Procedures in Impairment Cases	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-03	<i>Mental or physical impairment</i>													<i>rescinded</i>
4731-16-04	Other Violations	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-05	Examinations	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-06	Consent Agreements and Orders for Reinstatement of Impaired Practitioners	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-07	Treatment Provider Program Obligations	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-08	Criteria for Approval	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-09	Procedures for Approval	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-10	Aftercare Contracts	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22
4731-16-11	Revocation, Suspension, or Denial of Certificate of Good Standing	06/08/16	06/08/16	06/08/16	06/09/16	08/10/16	08/29/17		11/17/17					11/17/22

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4731-19-01	Duty of License to Report HIV or HBV Infection; Confidentiality	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/16/16	09/19/16	10/19/16	Rescinded 11/9/201 6	11/30/16	Rescinded1 1/9/2016
4731-19-02	Licensee's Duty to Report Infection with HIV or HBV	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/16/16	09/19/16	10/19/16	Rescinded 11/9/201 6	11/30/16	Rescinded 11/9/2016
4731-19-03	Confidentiality; Reporting by Board	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/16/16	09/19/16	10/19/16	Rescinded 11/9/201 6	11/30/16	Rescinded1 1/9/2016
4731-19-04	Voluntary Compliance	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/16/16	09/19/16	10/19/16	Rescinded 11/9/201 6	11/30/16	Rescinded 11/9/2016
4731-19-05	Duty to Refrain from Certain Procedures	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/16/16	09/19/16	10/19/16	Rescinded 11/9/201 6	11/30/16	Rescinded1 1/9/2016
4731-19-06	Board Procedures	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/16/16	09/19/16	10/19/16	Rescinded 11/9/201 6	11/30/16	Rescinded 11/9/2016
4731-19-07	Confidential Monitoring Program	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16	05/11/16	08/16/16	09/19/16	10/19/16	Rescinded 11/9/201 6	11/30/16	Rescinded1 1/9/2016
4731-20-01	Surgery Privileges of Podiatrist - Definition of Foot	03/09/16	03/09/16	03/09/16	03/11/16	05/11/16	07/31/17	02/14/18				05/09/18	05/31/18	05/31/23
4731-20-02	Surgery: Ankle Joint	03/09/16	03/09/16	03/09/16	03/11/16		07/31/17	02/14/18				05/09/18	05/31/18	05/31/23
4731-21-01	Drug Treatment of Intractable Pain - Definitions	2/10/2016 3/8/16 4/12/16	02/10/16	03/09/16	7/13/16 3/11/201 6	06/13/18	6/14/18 7/11/201 6	10/19/16	Refiled 10/16/18 rescind filed 8/20/18 5/23/201 7	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-21-02	Utilizing Prescription Drugs for the Treatment of Intractable Pain	2/10/2016 3/8/16 4/12/16	02/10/16	03/09/16	7/13/16 3/11/201 6	06/13/18	6/14/18 7/11/201 6	10/19/16	Refiled 10/16/18 rescind filed 8/20/18 5/23/201 7	06/23/17		08/09/17	08/31/17	rescinded 12/23/18

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4731-21-03	Continuing Medical Education	2/10/2016 3/8/16 4/12/16	02/10/16	03/09/16	7/13/16 3/11/201 6	06/13/18	6	10/19/16	Refiled 10/16/18 rescind filed 8/20/18 5/23/201 7	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-21-04	Tolerance, Physical Dependence and Addiction	2/10/2016 3/8/16 4/12/16	02/10/16	03/09/16	7/13/16 3/11/201 6	06/13/18	6	10/19/16	Refiled 10/16/18 rescind filed 8/20/18 5/23/201 7	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-21-05	Violations	2/10/2016 3/8/16 4/12/16	02/10/16	03/09/16	7/13/16 3/11/201 6	06/13/18	6	10/19/16	Refiled 10/16/18 rescind filed 8/20/18 5/23/201 7	no change				rescinded 12/23/18
4731-21-06	Exceptions	2/10/2016 3/8/16 4/12/16	02/10/16	03/09/16	7/13/16 3/11/201 6	06/13/18	6	10/19/16	Refiled 10/16/18 rescind filed 8/20/18 5/23/201 7	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-22-01	Emeritus Registration - Definitions	2/10/2016 4/12/16	02/10/16	03/09/16	7/13/16 3/11/2016		07/11/16	09/14/16	(Revised 6-5-17 for XML version) 5/23/2017	06/23/17		08/09/17	08/31/17	08/31/22
4731-22-02	Application	2/10/2016 4/12/16	02/10/16	03/09/16	7/13/16 3/11/2016		07/11/16	09/14/16	05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-22-03	Status of Registrant	2/10/2016 4/12/16	02/10/16	03/09/16	7/13/16 3/11/2016		07/11/16	09/14/16	05/12/17					05/12/22
4731-22-04	Continuing Education Requirements	2/10/2016 4/12/16	02/10/16	03/09/16	7/13/16 3/11/2016		07/11/16	09/14/16	05/12/17					05/12/22
4731-22-05	Documentation of Status													rescinded
4731-22-06	Renewal of Cycle of Fees	2/10/2016 4/12/16	02/10/16	03/09/16	7/13/16 3/11/2016		07/11/16	09/14/16	05/12/17					05/12/22
4731-22-07	Change to Active Status	2/10/2016 4/12/16	02/10/16	03/09/16	7/13/16 3/11/2016		07/11/16	09/14/16	05/23/17	06/23/17		08/09/17	08/31/17	08/31/22

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
4731-27-03	Notice of termination of physician employment or physician leaving a practice, selling a practice, or retiring from the practice of medicine				05/11/18		08/03/18							06/29/19
4731-28-01	Mental or Physical Impairment	2/10/16 12/9/2015	12/09/15	12/09/15	12/11/15	02/10/16	03/07/16		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-28-02	Eligibility for confidential monitoring program				04/10/17		02/06/18		05/30/18	07/09/18		08/08/18	08/31/18	08/31/23
4731-28-03	Participation in the confidential monitoring program				04/10/17		02/06/18		05/30/18	07/09/18		08/08/18	08/31/18	08/31/23
4731-28-04	Disqualification from continued participation in the confidential monitoring program				04/10/17		02/06/18		05/30/18	07/09/18		08/08/18	08/31/18	08/31/23
4731-28-05	Termination of the participation agreement for the confidential monitoring program				04/10/17		02/06/18		05/30/18	07/09/18		08/08/18	08/31/18	08/31/23
4731-29-01	Standards and procedures for operation of a pain management clinic.	02/10/16			07/13/16		07/11/16	12/14/16	03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-30-01	Internal Management Definitions	09/12/18										09/12/18	09/23/18	
4731-30-02	Internal Management Board Metrics	09/12/18										09/12/18	09/23/18	
4731-31-01	Requirements for assessing and granting clearance for return to practice or competition. (concussion rule)	02/14/18		05/13/15	02/26/18		5/16/18 6/2/2015		09/08/15			09/09/15	09/18/15	09/18/20
4731-32-01	Definition of Terms						03/23/17		06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-32-02	Certificate to Recommend Medical Marijuana						03/23/17		06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-32-03	Standard of Care						03/23/17		06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-32-04	Suspension and Revocation of Certificate to Recommend						03/23/17		06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-32-05	Petition to Request Additional Qualifying Condition or Disease						03/23/17		06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-33-01	Definitions	02/14/18	02/14/18	02/14/18	02/21/18		08/03/18		10/24/18	11/28/18				
4731-33-03	Office-Based Treatment for Opioid Addiction	02/14/18	02/14/18	02/14/18	02/21/18		08/03/18		10/24/18	11/28/18				
4731-33-04	Medication Assisted Treatment Using Naltrexone						08/03/18		10/24/18	11/28/18				

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
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.			04/11/18	04/19/18		06/27/18							
4731-35-01	Consult Agreements				01/18/19									
4731-35-02	Standards for managing drug therapy				01/18/19									
4759-1-01	<i>Public notice of rule adoption</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-1-02	<i>Notice of board meeting</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-1-03	<i>Personal information systems</i>			04/11/18	04/19/18	07/11/18	09/25/18							To Be rescinded
4759-2-01	Definitions			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-3-01	<i>Duties of Board members</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-3-02	<i>Executive secretary/executive director</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-3-03	<i>Minutes of board meetings</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-3-04	<i>Cooperation and communication with professional organizations</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-3-05	<i>Advisory committees</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-3-06	<i>Parliamentary procedures</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-3-07	<i>Adjudication hearings</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-4-01	Applications			04/11/18	04/19/18	07/11/18	09/25/18							
4759-4-02	Preprofessional experience			04/11/18	04/19/18	07/11/18	09/25/18							
4759-4-03	Examination			04/11/18	04/19/18	07/11/18	09/25/18							
4759-4-05	<i>Licensure by reciprocity</i>													To be rescinded
4759-4-06	<i>Status categories</i>													To be rescinded
4759-4-07	<i>Failure to maintain licensure</i>													To be rescinded
4759-4-08	Limited permit			04/11/18	04/19/18	07/11/18	09/25/18							
4759-4-09	License certificates and permits			04/11/18	04/19/18	07/11/18	09/25/18							
4759-4-10	<i>Prorated initial license fee</i>													To be rescinded
4759-4-11	<i>Criminal records check</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
4759-4-12	Consideration of military experience, education, training and term of service			04/11/18	04/19/18	07/11/18	09/25/18							
4759-4-13	Temporary license for military spouse			04/11/18	04/19/18	07/11/18	09/25/18							
4759-5-01	Supervision of persons claiming exemption			04/11/18	04/19/18	07/11/18	09/25/18							
4759-5-02	Student practice exemption			04/11/18	04/19/18	07/11/18	09/25/18							
4759-5-03	Plan of treatment exemption			04/11/18	04/19/18	07/11/18	09/25/18							
4759-5-04	Additional nutritional activities exemption			04/11/18	04/19/18	07/11/18	09/25/18							
4759-5-05	Distribution of literature exemption			04/11/18	04/19/18	07/11/18	09/25/18							
4759-5-06	Weight control program exemption			04/11/18	04/19/18	07/11/18	09/25/18							
4759-6-01	Standards of practice innutrition care			04/11/18	04/19/18	07/11/18	09/25/18							
4759-6-02	Standards of professional performance			04/11/18	04/19/18	07/11/18	09/25/18							
4759-6-03	Interpretation of standards			04/11/18	04/19/18	07/11/18	09/25/18							
4759-7-01	<i>Filing of complaints</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-01	<i>Representatives; appearances communications; applicability</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-02	<i>Filing Request for Hearing</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-03	<i>Notice of hearings</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-04	<i>Authority and duties of attorney hearing examiners</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-05	<i>Consolidation</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-06	<i>Intervention</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-07	<i>Continuance of Hearing</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-08	<i>Motions</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-09	<i>Filing</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-10	<i>Service on parties</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-11	<i>Computation and Extension of Time</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-12	<i>Transcripts</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
4759-8-13	<i>Subpoenas for Purposes of Hearing</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-14	<i>Mileage Reimbursement and Witness Fees</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-15	<i>Reports and Recommendations</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-16	<i>Exchange of Documents and Witness Lists</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-17	<i>Pre-hearing conference</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-18	<i>Requirements for pre-hearing exchange of information</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-19	<i>Status conference</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-20	<i>Depositions and transcripts of prior testimony</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-21	<i>Prior action by the board</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-22	<i>Stipulation of Facts</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-23	<i>Witnesses</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-24	<i>Conviction of a Crime</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-25	<i>Rules of evidence</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-26	<i>Broadcasting and Photographing Administrative Hearings</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-27	<i>Sexual misconduct evidence</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-28	<i>Reinstatement of license</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-8-29	<i>Settlements, Dismissals, and Voluntary Surrenders</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-9-01	<i>Severability</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-10-01	<i>Definitions</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-10-02	<i>Procedures for accessing confidential personal information</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-10-03	<i>Valid reasons for accessing confidential personal information</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>
4759-10-04	<i>Confidentiality Statutes</i>			04/11/18	04/19/18	07/11/18	09/25/18							<i>To be rescinded</i>

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
4759-10-05	<i>Restricting & Logging access to confidential personal information in computerized personal information systems</i>			04/11/18	04/19/18	07/11/18	09/25/18							To be rescinded
4759-11-01	Miscellaneous Provisions			04/11/18	04/19/18	07/11/18	09/25/18							
4761-1-01	<i>Public hearings on adoption, amendment, or rescission of rules: methods of public notice</i>													To be rescinded
4761-1-02	<i>Notice of board meetings</i>													To be rescinded
4761-2-01	<i>Board Organization</i>													To be rescinded
4761-2-02	<i>Personnel</i>													To be rescinded
4761-2-03	Board Records			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-2-05	<i>Personal information systems</i>													To be rescinded
4761-3-01	Definition of terms			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-4-01	Approval of educational programs			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-4-02	Monitoring of Ohio respiratory care educational programs								11/15/18	12/17/18				
4761-4-03	Recognition of military educational programs for active duty military members and/or military veterans								11/15/18	no change				11/15/23
4761-5-01	Waiver of licensing requirements pursuant to division (B) of section 4761.04 or the Revised Code													04/24/18
4761-5-02	Admission to the Ohio credentialing examination													05/06/15
4761-5-04	License application procedure													
4761-5-05	<i>Non-resident practice of respiratory care</i>													To be rescinded
4761-5-06	Respiratory care practice by polysomnographic technologists													12/31/17
4761-5-07	<i>Criminal records check</i>													To be rescinded
4761-6-01	Limited permit application procedure			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
4761-7-01	Original license or permit, identification card or electronic license verification			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-7-03	Scope of respiratory care defined								11/15/18	no change				11/15/23
4761-7-04	Supervision								11/15/18					11/15/23
4761-7-05	Administration of medicines								11/15/18	no change				11/15/23
4761-8-01	Renewal of license or permits													08/15/18
4761-8-02	<i>Licenses not in active practice</i>													<i>To be rescinded</i>
4761-9-01	Definition of respiratory care continuing education			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-9-02	Genera; RCCE requirements and reporting mechanism													
4761-9-03	Activities which do not meet the Ohio RCCE requirements			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-9-04	Ohio respiratory care law and professional ethics course criteria			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-9-05	Approved sources of RCCE			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-9-07	Auditing for compliance with RCCE requirements													
4761-10-01	Ethical and professional conduct			04/11/18	04/19/18	07/11/18	09/25/18		11/15/18	12/17/18				
4761-10-02	Proper use of credentials								11/15/18	no change				11/15/23
4761-10-03	Providing information to the Board													
4761-11-01	<i>Filing of complaints</i>													<i>To be rescinded</i>
4761-11-02	<i>Administrative procedure for refusal to issue or renew a license or permit, deny, suspend, or revoke a certificate or license</i>													<i>To be rescinded</i>
4761-11-03	<i>Board imposition of penalties</i>													<i>To be rescinded</i>
4761-11-04	<i>Representation; appearance; communication applicability</i>													<i>To be rescinded</i>
4761-11-05	<i>Authority and duties of the board or hearing examiner</i>													<i>To be rescinded</i>
4761-11-06	<i>Continuance of Hearing</i>													<i>To be rescinded</i>
4761-11-07	<i>Filing</i>													<i>To be rescinded</i>

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
4761-11-08	Service													To be rescinded
4761-11-09	Computation and Extension of Time													To be rescinded
4761-11-10	Motions													To be rescinded
4761-11-11	Transcripts													To be rescinded
4761-11-12	Subpoenas for Purposes of Hearing													To be rescinded
4761-11-13	Mileage Reimbursement and Witness Fees													
4761-11-14	Reports and Recommendations													
4761-11-15	Exchange of Documents and Witness Lists													To be rescinded
4761-11-16	Depositions and transcripts of prior testimony													To be rescinded
4761-11-17	Witnesses													To be rescinded
4761-11-18	Expert testimony													To be rescinded
4761-11-19	Exhibits													To be rescinded
4761-12-01	Initial application fee													
4761-12-02	Renewal fees													To be rescinded
4761-12-03	Replacement of license or certificate													To be rescinded
4761-13-01	Definitions for accessing confidential personal information													To be rescinded
4761-13-02	Procedures for accessing confidential personal information													To be rescinded
4761-13-03	Valid reasons for accessing confidential personal information													To be rescinded
4761-13-04	Confidentiality Statutes													To be rescinded
4761-13-05	Restricting & Logging access to confidential personal information in computerized personal information systems													To be rescinded

Rule	Rule Description	Date to Committee	Comm approval	Board approval	Sent for Comment	Board Approval	CSI filing	Board Approval	JCARR filing	Rules Hearing	Board Review	Board Adoption	New Effective Date	Current Review Date
NOTE RE: 4731-12-03 for next review	what had been known as NBPME Parts I, II, and III will now be designated as the American Podiatric Medical Licensing Examination (APMLE) Parts I, II, and III													



MEMORANDUM

TO: Robert Giacalone, Acting Chair, Policy Committee
Members, Policy Committee

FROM: Sallie Debolt, Senior Counsel

RE: Rules 4731-7-01 and 4731-9-01, OAC

DATE: January 28, 2019

Rules 4731-7-01 (Method of notice of meetings) and 4731-9-01 (Record of board meetings; recording, filming, and photographing of meetings), have been reviewed for purposes of the five-year review.

4731-7-01 – Method of notice of meetings:

The rule is proposed to be amended by deletion of a stray “c” found in the last line of paragraph (B)(2), as follows: “upon e the meeting.”

4731-9-01 – Record of board meetings; recording, filming, and photographing of meetings

No changes to the rule are proposed.

REQUESTED ACTION: Please approve the draft rules 4731-7-01 and 4731-9-01, as presented or as further amended, to be circulated to interested parties for their input.

Chapter 4731-7 Notice of Meetings

4731-7-01 Method of notice of meetings.

(A) Any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings by:

- (1) Writing the state medical board of Ohio (hereinafter, "board") at its business address;
- (2) Calling the board at its business office during normal business hours;
- (3) Checking the board's public website.

(B) A representative of the news media may obtain notice of all special meetings by requesting that notice be provided and supplying a regular mail or electronic mail address.

(1) If a special meeting not of an emergency nature, the board shall notify all media representatives who have requested notice of the meeting by doing at least one of the following:

(a) Sending written notice, by regular mail or electronic mail, no later than twenty-four hours prior to the special meeting;

(b) Notifying representatives by telephone no later than twenty-four hours prior to the special meeting. Telephone notice shall be complete if a message has been left for the representative, or if, after reasonable effort, the board has been unable to provide telephone notice;

(c) Informing the representative personally no later than twenty-four hours prior to the special meeting.

(2) If a special meeting of an emergency nature requiring immediate official action is scheduled, the board shall notify all media representatives who have requested notice of such meeting of the time, place and purpose of the meeting by providing notice as described in paragraph (B)(2) of this rule, or by notifying the clerk of the state house press room. In such event, the notice shall be given immediately upon the meeting date and time being scheduled.

(C) Persons who have requested, in writing, advance notification of all meetings of the board at which specific public matters are scheduled to be discussed shall be placed on the board's agenda mailing list. The board shall, within a reasonable time prior to each meeting, send to those persons on the list either an agenda of the meeting by regular mail or a notice via electronic mail that the agenda is posted on the board's website. The board may assess a reasonable fee, not to exceed the cost of copying and mailing, for notices via regular mail.

Chapter 4731-9 Recordation of Meetings – NO CHANGES PROPOSED

4731-9-01 Record of board meetings; recording, filming, and photographing of meetings.

(A) The minutes of board meetings, upon approval by the board, shall constitute the official record of its proceedings. Audio recordings of meetings made for the purpose of facilitating the transcription of minutes shall be considered transitory documents.

(B) In order to promote the orderly transaction of business, any party intending to broadcast, televise, record, or photograph any board meeting shall provide written notice to the board within at least twenty-four hours prior to the scheduled meeting. The board shall not refuse permission to broadcast, televise, record, or photograph a meeting based solely upon a determination that prior written notice was not provided in a timely fashion.

(C) Board meetings may be broadcast, televised, recorded, or photographed consistent with the following standards:

(1) The presiding officer of the board or his or her designee shall designate a reasonable location or locations within the meeting room from which broadcasting, televising, recording, or photographing may take place;

(2) Broadcasting, televising, recording, or photographic equipment used at the board meeting shall be silent, unobtrusive, self-contained, and self-powered so as not to interfere with any individual's ability to hear, see or participate in the meeting and so as not to interfere with the orderly transaction of board business; and

(3) The presiding officer or his or her designee may terminate or limit the broadcasting, televising, recording, or photographing if it is determined that it is interfering with the orderly transaction of board business, is inhibiting a participant's presentation to the board, or is interfering with the dignity of the proceedings .

(D) For purposes of this rule, the word "record" includes, but is not limited to, the use of a court reporter or similar method to record the meeting via shorthand, machine (stentotype) shorthand, stenomask methods, or a similar method.



MEMORANDUM

TO: Robert Giacalone, Acting Chair, Policy Committee
Members, Policy Committee

FROM: Sallie Debolt, Senior Counsel

RE: Rules 4731-4-01 and 4731-4-02, OAC: Criminal records checks

DATE: January 25, 2019

The rules in Chapter 4731-4, OAC, have been reviewed by staff for purposes of the five-year review. Staff is recommending wording changes to incorporate all license types into the rules, simplify and clarify the language, and reflect current procedures.

4731-4-01 – Definitions:

- Paragraphs (A) and (B) are amended to list all license types.
- The reference is paragraph (C) is corrected to the correct division of Section 109.572, ORC.

4731-4-02 – Criminal records checks:

- Paragraph (A) is amended to list all license types.
- The language of paragraphs (A)(1) and (2) is simplified and amended to reflect current procedures.

As a result of including all license types in the above rules, the following rules on criminal records check requirements are proposed to be rescinded:

Chapter 4730-3: Physician assistants

Chapter 4774-2: Radiologist assistants

Rule 4778-2: Genetic counselors

Rule 4759-4-11: Dietitians

Note that Rule **4761-5-07** is on the agenda to be officially rescinded by the Medical Board on February 13, 2019, effective February 28, 2019.

REQUESTED ACTION: Please approve the draft rules 4731-4-01 and 4731-4-02, as presented or as further amended, and the rules to be rescinded to be circulated to interested parties for their input.

4731-4-01 Definitions.

(A) "Applicant for an initial license or certificate to practice" includes a person seeking an initial license or certificate to practice under Chapter 4730, an initial certificate to practice as a physician, massage therapist, or cosmetic therapist under Chapter 4731, of the Revised Code, as an anesthesiologist assistant under 4759., Chapter 4760. of the Revised Code, as an acupuncturist or oriental medicine practitioner under 4761., Chapter 4762., 4774., or 4778. of the Revised Code.

(B) "Applicant for a restored license or certificate to practice" includes a person seeking restoration of a license or certificate to practice pursuant to Chapter 4730., 4731., 4759., 4760., 4761., or 4762., 4774., or 4778. of the Revised Code.

(C) "Criminal records check" has the same meaning as in division (~~EE~~) of section 109.572 of the Revised Code.

(D) BCI means the "Ohio Bureau of Criminal Identification and Investigation."

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

4731-4-02 Criminal records checks.

(A) An applicant for an initial license or certificate to practice or for a restored license or certificate to practice pursuant to Chapter 4730., 4731., 4759., 4760., 4761., or 4762., 4774., or 4778. of the Revised Code, shall submit fingerprints, required forms, and required fees to BCI for completion of BCI and FBI 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 "National WebCheck" program (available at <http://www.ohioattorneygeneral.gov/>), ~~and~~ pay any processing fee charged by the entity, ~~and cause the entity to submit both of the following to BCI,~~ 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 for the BCI and FBI 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~~provide the forms required ~~for to complete~~ the criminal records checks ~~to the applicant's address.~~

Upon receipt of the forms, the applicant shall have ~~their~~his or her fingerprints processed, ~~and~~ pay any applicable processing fees ~~charged by the entity, and cause the entity to submit to BCI all of the following, with the "State Medical Board of Ohio" designated to receive the results:~~

~~(a) A fingerprint card bearing 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 for the BCI and FBI criminal records checks.~~

(B) The board shall maintain the criminal records check reports 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.

(D) In reviewing the results of criminal records checks 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.

RESCIND:

- Chapters 4730-3; 4774-2; and 4778-2
- Rule 4759-4-11

- Rule 4761-5-07 is filed with JCARR for rescission.

Chapter 4730-3 Criminal Records Checks TO BE RESCINDED**4730-3-01 Definitions.**

- (A) "Applicant for an license" means a person seeking an initial license to practice as a physician assistant pursuant to Chapter 4730. of the Revised Code.
- (B) "Applicant for a restored license" includes a person seeking restoration of a license to practice pursuant to Chapter 4730. of the Revised Code.
- (C) "Criminal records check" has the same meaning as in division (E) of section [109.572](#) of the Revised Code.
- (D) "BCI" means the "Ohio Bureau of Criminal Identification and Investigation."
- (E) "FBI" mean the "Federal Bureau of Investigation."

Effective: 9/30/2018

Five Year Review (FYR) Dates: 6/30/2019

Promulgated Under: [119.03](#)

Statutory Authority: [4730.07](#), [4776.03](#)

Rule Amplifies: [4730.10](#), [4730.14](#), [4776.02](#), [4776.03](#), [4776.04](#)

Prior Effective Dates: 09/30/2008, 06/30/2014

4730-3-02 Criminal records checks.

(A) An applicant for an initial license or for a restored license pursuant to Chapter 4730. of the Revised Code, shall submit fingerprints, required forms, and required fees to BCI for completion of BCI and FBI 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 "National WebCheck" program (available at <http://www.ohioattorneygeneral.gov/>) pay any processing fee charged by the entity, and cause the entity to submit both of the following to BCI, 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 for the BCI and FBI 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 the criminal records checks to the applicant's address.

Upon receipt of the forms, the applicant shall have their fingerprints processed, pay any processing fees charged by the entity and cause the entity to submit to BCI 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 for BCI and FBI criminal records checks.

(B) The board shall maintain the criminal records check reports 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.

(D) In reviewing the results of criminal records checks 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.

Effective: 9/30/2018

Five Year Review (FYR) Dates: 6/30/2019

Promulgated Under: [119.03](#)

Statutory Authority: [4730.07](#), [4776.03](#)

Rule Amplifies: [4730.101](#), [4730.14](#), [4730.28](#), [4776.02](#), [4776.03](#), [4776.04](#)

Prior Effective Dates: 09/30/2008, 06/30/2014

4759-4-11 Criminal records check. TO BE RESCINDED

(A) In addition to the requirements established in section [4759.06](#) of the Revised Code and agency 4759 of the Administrative Code, all applicants for an initial license or limited permit license to practice dietetics in the state of Ohio shall submit to a criminal records check conducted by the Ohio bureau of criminal identification and investigation in accordance with section [4759.06](#) 1 of the Revised Code.

(B) The results of the criminal records check shall be received by the board prior to the issuance of an initial license to practice and the records check shall have been conducted no earlier that twelve months prior to the filing of the application with the board.

(C) An applicant requesting a criminal records check shall provide the Ohio bureau of criminal identification and investigation with the applicant's name, address, and any other information required by the bureau of criminal identification for the purpose of completing the criminal records check. In the request the applicant shall ask the superintendent of the bureau of criminal identification and investigation to obtain any information it has pertaining to the applicant from the federal bureau of investigation.

(D) The applicant shall cause the results of the criminal records check to be forwarded directly to the "Ohio Board of Dietetics at 77 South High St., Columbus, Ohio, 43215-6119." The board shall only accept results of a criminal records check submitted directly to the board from the Ohio bureau of criminal identification and investigation.

(E) The applicant shall bear all costs associated with the required criminal records check as determined by the Ohio bureau of criminal identification and investigation, the federal bureau of investigation, and by any agency with authority to charge a fee for fingerprint impressions.

(F) Prior to issuance of a license, the board will in its discretion evaluate the results of the criminal records check and information from any other source to determine if the applicant is eligible for a license.

(G) The results of the criminal records check are a confidential record and are not a public record for the purposes of section [149.43](#) of the Revised Code. Pursuant to section [4776.04](#) of the Revised Code the results are available for inspection by the applicant or applicant's legal representative during regular business hours. A legal representative requesting inspection of an applicant's criminal records shall have an appropriately filed letter of representation on file in the board office prior to inspecting the applicant's records.

(H) Background check reports will be retained in the board office for one year from the date of it's receipt or final action is taken upon the applicant's license, or until such time as the report is no longer of administrative value.

R.C. [119.032](#) review dates: 12/20/2012 and 12/20/2017

Promulgated Under: [119.03](#)

Statutory Authority: [4759.05\(A\)](#)

Rule Amplifies: [4759.06](#), [4759.061](#)

Prior Effective Dates: 07/06/2009

Chapter 4774-2 Radiologist Assistants Criminal Records Check

4774-2-01 Definitions.

TO BE RESCINDED

- (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."

Five Year Review (FYR) Dates: 08/17/2016 and 08/17/2021

Promulgated Under: [119.03](#)

Statutory Authority: [4774.11](#), [4776.03](#)

Rule Amplifies: [4774.031](#), [4774.11](#), [4776.02](#), [4776.03](#), [4776.04](#)

Prior Effective Dates: 2/28/09

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.

Upon receipt of the forms the applicant shall have their fingerprints processed, pay any processing fees charged by the entity, and cause the entity 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.

Effective: 11/30/2016

Five Year Review (FYR) Dates: 08/16/2016 and 11/30/2021

Promulgated Under: [119.03](#)

Statutory Authority: [4774.11](#)

Rule Amplifies: [4774.031](#), [4774.11](#), [4776.02](#), [4776.03](#), [4776.04](#)

Prior Effective Dates: 2/28/09