

As Reported by the House State and Local Government Committee

134th General Assembly

Regular Session

2021-2022

Sub. H. B. No. 509

Representatives John, Fowler Arthur

Cosponsor: Representative Wiggam

A BILL

To amend sections 1716.05, 1716.08, 1716.99, 1
4717.05, 4723.01, 4723.08, 4723.091, 4723.092, 2
4723.72, 4723.73, 4723.75, 4723.79, 4723.88, 3
4725.16, 4725.17, 4725.171, 4725.19, 4725.34, 4
4725.48, 4725.51, 4725.52, 4725.53, 4729.12, 5
4732.14, 4732.141, 4732.142, 4757.02, 4757.22, 6
4757.27, 4757.301, 4765.55, 4779.03, 5126.22, 7
and 5126.25; to enact sections 4725.231, 8
4725.541, and 4798.05; and to repeal sections 9
4723.76 and 4779.18 of the Revised Code to 10
revise and streamline the state's occupational 11
regulations. 12

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1716.05, 1716.08, 1716.99, 13
4717.05, 4723.01, 4723.08, 4723.091, 4723.092, 4723.72, 4723.73, 14
4723.75, 4723.79, 4723.88, 4725.16, 4725.17, 4725.171, 4725.19, 15
4725.34, 4725.48, 4725.51, 4725.52, 4725.53, 4729.12, 4732.14, 16
4732.141, 4732.142, 4757.02, 4757.22, 4757.27, 4757.301, 17
4765.55, 4779.03, 5126.22, and 5126.25 be amended and sections 18
4725.231, 4725.541, and 4798.05 of the Revised Code be enacted 19

to read as follows: 20

Sec. 1716.05. (A) No person shall act as a fund-raising 21
counsel unless the person first has complied with the 22
requirements of this chapter and any rules adopted under this 23
chapter. 24

(B) Any fund-raising counsel that at any time has custody 25
of contributions from a solicitation shall do all of the 26
following: 27

~~(1) Register with the attorney general. Applications for 28
registration or renewal of registration shall be in writing, 29
under oath, and in the form prescribed by the attorney general, 30
and shall be accompanied by a fee in the amount of two hundred 31
dollars. Any corporation, partnership, association, or other 32
entity that intends to act as a fund raising counsel may 33
register for and pay a single fee of two hundred dollars on 34
behalf of all its members, officers, employees, and agents. In 35
that case, the names and addresses of all the officers, 36
employees, and agents of the fund raising counsel and all other 37
persons with whom the fund raising counsel has contracted to 38
work under its direction shall be listed in the application. The 39
application shall contain any other information that the 40
attorney general may require. The registration or renewal of 41
registration shall be for a period of one year or part of one 42
year and shall expire on the thirty first day of March of each 43
year. All fees prescribed in this division shall be paid into 44
the state treasury to the credit of the charitable law fund 45
established under section 109.32 of the Revised Code. 46~~

~~(2) At the time of making an application for registration 47
or renewal of registration, file with and have approved by the 48
attorney general a bond in which the fund raising counsel shall 49~~

~~be the principal obligor, in the sum of twenty five thousand- 50
dollars, with one or more sureties authorized to do business in- 51
this state. The fund raising counsel shall maintain the bond in- 52
effect as long as the registration is in effect; however, the- 53
liability of the surety under the bond shall not exceed an all- 54
time aggregate liability of twenty five thousand dollars. The- 55
bond, which may be in the form of a rider to a larger blanket- 56
liability bond, shall run to the state and to any person who may- 57
have a cause of action against the principal obligor of the bond- 58
for any liability arising out of a violation by the obligor of- 59
any provision of this chapter or any rule adopted pursuant to- 60
this chapter. 61~~

~~(3)~~ Not later than ninety days after a solicitation 62
campaign has been completed and on the anniversary of the 63
commencement of a solicitation campaign lasting more than one 64
year, furnish an accounting of all contributions collected and 65
expenses paid, to the charitable organization with which the 66
fund-raising counsel has contracted. The accounting shall be in 67
writing and shall be retained by the charitable organization for 68
three years. The fund-raising counsel shall file a copy of the 69
accounting with the attorney general not later than seven days 70
after it is furnished to the charitable organization. 71

~~(4)~~ (2) Not later than two days after receipt of each 72
contribution, deposit the entire amount of the contribution in 73
an account at a bank or other federally insured financial 74
institution which shall be in the name of the charitable 75
organization with which the fund-raising counsel has contracted. 76
Each contribution collected by the fund-raising counsel shall be 77
solely in the name of that charitable organization. The 78
charitable organization shall have sole control of all 79
withdrawals from the account and the fund-raising counsel shall 80

not be given the authority to withdraw any deposited funds from 81
the account. 82

~~(5)~~ (3) During each solicitation campaign and for not less 83
than three years after its completion, maintain the following 84
records that shall be made available to the attorney general 85
upon the attorney general's request: 86

(a) A record of each contribution that at any time is in 87
the custody of the fund-raising counsel, including the name and 88
address of each contributor and the date and amount of the 89
contribution, provided that the attorney general shall not 90
disclose that information except to the extent necessary for 91
investigative or law enforcement purposes; 92

(b) The location of each bank or financial institution in 93
which the fund-raising counsel has deposited revenue from the 94
solicitation campaign and the account number of each account in 95
which the deposits were made. 96

(c) Unless otherwise provided in this section, any change 97
in any information filed with the attorney general pursuant to 98
this section shall be reported in writing to the attorney 99
general within seven days after the change occurs. 100

(d) No person shall serve as a fund-raising counsel, or be 101
a member, officer, employee, or agent of any fund-raising 102
counsel, who has been convicted of a disqualifying offense as 103
determined in accordance with section 9.79 of the Revised Code. 104

(e) The information provided under this section to the 105
attorney general by a fund-raising counsel shall be included in 106
the reports and files required to be compiled and maintained by 107
the attorney general pursuant to divisions (E) and (F) of 108
section 1716.08 of the Revised Code. 109

(F) If a fund-raising counsel fails to comply in a timely 110
or complete manner with any of the requirements under this 111
section, the fund-raising counsel is liable for and, in addition 112
to any fee required in this section, shall pay two hundred 113
dollars for each late filing. Each ~~registration, renewal of~~ 114
~~registration, bond, or~~ accounting shall be considered a separate 115
filing for the purposes of this section. Any fees required by 116
this section are in addition to, and not in place of, penalties 117
prescribed in this chapter. 118

Sec. 1716.08. (A) Every contract entered into by any 119
professional solicitor with any charitable organization shall be 120
in writing, shall clearly state the respective obligations of 121
the professional solicitor and the charitable organization, and 122
shall contain the percentage of the gross revenue from the 123
solicitation campaign that the charitable organization will 124
receive. That percentage shall be either a fixed percentage of 125
the gross revenue or a reasonable estimate of the percentage of 126
the gross revenue, subject to and in accordance with divisions 127
(A) (1), (2), and (3) of this section. 128

(1) If the compensation of the professional solicitor is 129
contingent upon the number of contributions or the amount of 130
revenue received from the solicitation campaign, the stated 131
percentage of the gross revenue that the charitable organization 132
will receive shall be a fixed percentage of the gross revenue. 133

(2) If the compensation of the professional solicitor is 134
not contingent upon the number of contributions or the amount of 135
revenue received from the solicitation campaign, the stated 136
percentage of the gross revenue that the charitable organization 137
will receive shall be a reasonable estimate of the percentage of 138
the gross revenue, and the contract shall include the following: 139

(a) The assumptions upon which the estimate is based, 140
which assumptions shall be based upon all of the relevant facts 141
known to the professional solicitor regarding the solicitation 142
to be conducted and the past performance of the solicitation 143
campaigns conducted by the professional solicitor; 144

(b) A provision that the charitable organization is 145
guaranteed a percentage of the gross revenue that is not less 146
than ninety per cent of the amount of the reasonable estimate of 147
that percentage. 148

(3) The stated percentages prescribed in divisions (A) (1) 149
and (2) of this section shall exclude any amount that the 150
charitable organization, pursuant to the contract entered into 151
with the professional solicitor, will pay as expenses of the 152
solicitation campaign, including the costs of merchandise or 153
services sold or events staged. 154

(B) A professional solicitor shall comply with, and shall 155
be responsible for complying or causing compliance with each of 156
the following requirements: 157

(1) Prior to verbally requesting a contribution, or 158
contemporaneously with and accompanying a written request for a 159
contribution, the following shall be clearly and conspicuously 160
disclosed at the point of solicitation: 161

(a) The name of the professional solicitor as it is on 162
file with the attorney general and a statement that the 163
solicitation is being conducted by the person as a professional 164
solicitor; 165

(b) The name and address of each charitable organization 166
on behalf of which all or any part of the contribution collected 167
will be used. If the charitable organization has not received 168

from the internal revenue service a determination letter that is 169
currently in effect, stating that the organization is exempt 170
from federal income taxation under section 501(a) and described 171
in section 501(c) (3) of the Internal Revenue Code, the 172
particular charitable purpose or purposes to be advanced with 173
the funds raised shall be disclosed. 174

(2) If requested by the person being solicited, the 175
professional solicitor shall inform that person of the fixed 176
percentage of the gross revenue or the reasonable estimate of 177
the percentage of the gross revenue, as prescribed in division 178
(A) of this section, that the charitable organization will 179
receive as a benefit from the solicitation campaign. 180

(C) A professional solicitor shall not represent that any 181
part of the contributions received will be given or donated to 182
any other charitable organization unless that charitable 183
organization has given its written and signed consent pursuant 184
to division (D) (2) (g) of section 1716.07 of the Revised Code. 185

(D) (1) A professional solicitor shall not represent that 186
tickets to any event will be donated for use by another person, 187
unless the following requirements are complied with: 188

(a) The professional solicitor shall have the written 189
commitments from persons stating that they will accept donated 190
tickets and specifying the number of tickets they are willing to 191
accept. 192

(b) The written commitments are filed with the attorney 193
general prior to any solicitation. 194

(2) The contributions solicited for donated tickets shall 195
not be more than the amount representing the number of ticket 196
commitments received from persons and filed with the attorney 197

general pursuant to division (D)(1) of this section.	198
(3) Not later than seven calendar days prior to the date of the event, the professional solicitor shall give all donated tickets to each person that made the written commitment to accept them.	199 200 201 202
(E) The attorney general shall prepare an annual report setting forth the activities of all professional solicitors and all fund-raising counsel that at any time have custody of contributions from a solicitation who are required to comply with the provisions of this chapter and any rules adopted under the provisions of this chapter. The report is a public record open to public inspection under section 149.43 of the Revised Code.	203 204 205 206 207 208 209 210
(F) The attorney general shall maintain a file for each registered professional solicitor and <u>each</u> fund-raising counsel that at any time has custody of contributions from a solicitation. In that file, he <u>the attorney general</u> shall place all information received by him <u>the attorney general</u> from those registered professional solicitors or <u>those</u> fund-raising counsel and any letters received from citizens and charitable organizations regarding the work of the professional fund raiser or fund-raising counsel. The files are public records open to public inspection under section 149.43 of the Revised Code.	211 212 213 214 215 216 217 218 219 220
Sec. 1716.99. (A) Whoever violates any provision of sections 1716.02 to 1716.17 of the Revised Code, other than division (A)(1) of section 1716.14 of the Revised Code, is guilty of a misdemeanor of the first degree.	221 222 223 224
Each occurrence of a solicitation of a contribution from any person in violation of any provision of sections 1716.02 to	225 226

1716.17 of the Revised Code, other than division (A) (1) of 227
section 1716.14 of the Revised Code, is considered a separate 228
offense. 229

(B) (1) Whoever violates division (A) (1) of section 1716.14 230
of the Revised Code is guilty of solicitation fraud and shall be 231
punished as provided in divisions (B) (2) to (4) of this section. 232

(2) Except as otherwise provided in division (B) (4) of 233
this section, division (B) (3) of this section applies to 234
solicitation fraud, and solicitation fraud is one of the 235
following: 236

(a) Except as otherwise provided in divisions (B) (2) (b) to 237
(d) of this section, a misdemeanor of the first degree or, if 238
the offender previously has been convicted of or pleaded guilty 239
to a theft offense or a violation of division (A) (1) of section 240
1716.14 of the Revised Code, a felony of the fifth degree. 241

(b) If the value of the contribution or contributions made 242
in the violation is one thousand dollars or more but less than 243
seven thousand five hundred dollars, a felony of the fifth 244
degree or, if the offender previously has been convicted of or 245
pleaded guilty to a theft offense or a violation of division (A) 246
(1) of section 1716.14 of the Revised Code, a felony of the 247
fourth degree. 248

(c) If the value of the contribution or contributions made 249
in the violation is seven thousand five hundred dollars or more 250
but less than one hundred fifty thousand dollars, a felony of 251
the fourth degree or, if the offender previously has been 252
convicted of or pleaded guilty to a theft offense or a violation 253
of division (A) (1) of section 1716.14 of the Revised Code, a 254
felony of the third degree. 255

(d) If the value of the contribution or contributions made 256
in the violation is one hundred fifty thousand dollars or more, 257
a felony of the third degree. 258

(3) When an offender commits a series of offenses in 259
violation of division (A) (1) of section 1716.14 of the Revised 260
Code as part of a common scheme or plan to defraud multiple 261
victims, all of the offenses may be tried as a single offense. 262
If the offenses are tried as a single offense, the value of the 263
contributions for purposes of determining the value as required 264
by division (B) (2) of this section is the aggregate value of all 265
contributions involved in all offenses in the common scheme or 266
plan to defraud multiple victims. In prosecuting a single 267
offense under this division, it is not necessary to separately 268
allege and prove each offense in the series. Rather, it is 269
sufficient to allege and prove that the offender, within a given 270
span of time, committed one or more offenses as part of a common 271
scheme or plan to defraud multiple victims as described in this 272
division. 273

(4) If the victim of the offense is an elderly person or 274
disabled adult, division (B) (4) of this section and section 275
2913.61 of the Revised Code apply to solicitation fraud, and 276
solicitation fraud is one of the following: 277

(a) Except as otherwise provided in divisions (B) (4) (b) to 278
(d) of this section, a felony of the fifth degree; 279

(b) If the value of the contributions made in the 280
violation is one thousand dollars or more and is less than seven 281
thousand five hundred dollars, a felony of the fourth degree; 282

(c) If the value of the contributions made in the 283
violation is seven thousand five hundred dollars or more and is 284

less than thirty-seven thousand five hundred dollars, a felony 285
of the third degree; 286

(d) If the value of the contributions made in the 287
violation is thirty-seven thousand five hundred dollars or more, 288
a felony of the second degree. 289

(C) Any person who is found guilty of any act or omission 290
prohibited under this chapter shall forfeit the bond described 291
in section ~~1716.05~~ or 1716.07 of the Revised Code to the state 292
treasury to the credit of the charitable law fund established 293
under section 109.32 of the Revised Code and shall be prohibited 294
from registering with the attorney general or from serving as a 295
fund-raising counsel or professional solicitor in this state for 296
a period of five years after conviction. 297

Sec. 4717.05. (A) Any person who desires to be licensed as 298
an embalmer shall apply to the board of embalmers and funeral 299
directors on a form provided by the board. The applicant shall 300
include with the application an initial license fee as set forth 301
in section 4717.07 of the Revised Code and evidence, verified by 302
oath and satisfactory to the board, that the applicant meets all 303
of the following requirements: 304

(1) The applicant is at least eighteen years of age. 305

(2) The applicant holds at least a bachelor's degree from 306
a college or university authorized to confer degrees by the 307
department of higher education or the comparable legal agency of 308
another state in which the college or university is located and 309
submits an official transcript from that college or university 310
with the application. 311

(3) The applicant has satisfactorily completed at least 312
twelve months of instruction in a prescribed course in mortuary 313

science as approved by the board and has presented to the board 314
a certificate showing successful completion of the course. The 315
course of mortuary science college training may be completed 316
either before or after the completion of the educational 317
standard set forth in division (A) (2) of this section. 318

(4) The applicant has been certified by the board prior to 319
beginning an embalmer apprenticeship. 320

(5) The applicant has satisfactorily completed at least 321
one year of apprenticeship under an embalmer licensed in this 322
state and has participated in embalming at least twenty-five 323
dead human bodies. 324

(6) The applicant, upon meeting the educational standards 325
provided for in divisions (A) (2) and (3) of this section and 326
completing the apprenticeship required in division (A) (5) of 327
this section, has completed the examination for an embalmer's 328
license required by the board. 329

(B) Upon receiving satisfactory evidence verified by oath 330
that the applicant meets all the requirements of division (A) of 331
this section, the board shall issue the applicant an embalmer's 332
license. 333

(C) Any person who desires to be licensed as a funeral 334
director shall apply to the board on a form prescribed by the 335
board. The application shall include an initial license fee as 336
set forth in section 4717.07 of the Revised Code and evidence, 337
verified by oath and satisfactory to the board, that the 338
applicant meets all of the following requirements: 339

(1) Except as otherwise provided in division (D) of this 340
section, the applicant has satisfactorily met all the 341
requirements for an embalmer's license as described in divisions 342

(A) (1) to (3) of this section. 343

(2) The applicant has been certified by the board prior to 344
beginning a funeral director apprenticeship. 345

(3) The applicant, following mortuary science college 346
training described in division (A) (3) of this section, has 347
satisfactorily completed a one-year apprenticeship under a 348
licensed funeral director in this state and has participated in 349
directing at least twenty-five funerals. 350

(4) The applicant has satisfactorily completed the 351
examination for a funeral director's license as required by the 352
board. 353

(D) In lieu of mortuary science college training required 354
for a funeral director's license under division (C) (1) of this 355
section, the applicant may substitute a satisfactorily completed 356
two-year apprenticeship under a licensed funeral director in 357
this state assisting that person in directing at least fifty 358
funerals. 359

(E) Upon receiving satisfactory evidence that the 360
applicant meets all the requirements of division (C) of this 361
section, the board shall issue to the applicant a funeral 362
director's license. 363

(F) A funeral director or embalmer may request the funeral 364
director's or embalmer's license be placed on inactive status by 365
submitting to the board a form prescribed by the board and such 366
other information as the board may request. A funeral director 367
or embalmer may not place the funeral director's or embalmer's 368
license on inactive status unless the funeral director or 369
embalmer is in good standing with the board and is in compliance 370
with applicable continuing education requirements. A funeral 371

director or embalmer who is granted inactive status is 372
prohibited from participating in any activity for which a 373
funeral director's or embalmer's license is required in this 374
state. A funeral director or embalmer who has been granted 375
inactive status is exempt from the continuing education 376
requirements under section 4717.09 of the Revised Code during 377
the period of the inactive status. 378

(G) A funeral director or embalmer who has been granted 379
inactive status may not return to active status for at least two 380
years following the date that the inactive status was granted. 381
Following a period of at least two years of inactive status, the 382
funeral director or embalmer may apply to return to active 383
status upon completion of all of the following conditions: 384

(1) The funeral director or embalmer files with the board 385
a form prescribed by the board seeking active status and 386
provides any other information as the board may request; 387

(2) The funeral director or embalmer takes and passes the 388
Ohio laws examination for each license being activated; 389

(3) The funeral director or embalmer pays a reactivation 390
fee to the board in the amount of one hundred forty dollars for 391
each license being reactivated. 392

(H) A person enrolled at a college or university 393
authorized to confer degrees by the department of higher 394
education or the comparable agency of another state in which the 395
college or university is located may apply to be a funeral 396
director apprentice, embalmer apprentice, or combined funeral 397
director and embalmer apprentice. 398

Sec. 4723.01. As used in this chapter: 399

(A) "Registered nurse" means an individual who holds a 400

current, valid license issued under this chapter that authorizes 401
the practice of nursing as a registered nurse. 402

(B) "Practice of nursing as a registered nurse" means 403
providing to individuals and groups nursing care requiring 404
specialized knowledge, judgment, and skill derived from the 405
principles of biological, physical, behavioral, social, and 406
nursing sciences. Such nursing care includes: 407

(1) Identifying patterns of human responses to actual or 408
potential health problems amenable to a nursing regimen; 409

(2) Executing a nursing regimen through the selection, 410
performance, management, and evaluation of nursing actions; 411

(3) Assessing health status for the purpose of providing 412
nursing care; 413

(4) Providing health counseling and health teaching; 414

(5) Administering medications, treatments, and executing 415
regimens authorized by an individual who is authorized to 416
practice in this state and is acting within the course of the 417
individual's professional practice; 418

(6) Teaching, administering, supervising, delegating, and 419
evaluating nursing practice. 420

(C) "Nursing regimen" may include preventative, 421
restorative, and health-promotion activities. 422

(D) "Assessing health status" means the collection of data 423
through nursing assessment techniques, which may include 424
interviews, observation, and physical evaluations for the 425
purpose of providing nursing care. 426

(E) "Licensed practical nurse" means an individual who 427

holds a current, valid license issued under this chapter that 428
authorizes the practice of nursing as a licensed practical 429
nurse. 430

(F) "The practice of nursing as a licensed practical 431
nurse" means providing to individuals and groups nursing care 432
requiring the application of basic knowledge of the biological, 433
physical, behavioral, social, and nursing sciences at the 434
direction of a registered nurse or any of the following who is 435
authorized to practice in this state: a physician, physician 436
assistant, dentist, podiatrist, optometrist, or chiropractor. 437
Such nursing care includes: 438

(1) Observation, patient teaching, and care in a diversity 439
of health care settings; 440

(2) Contributions to the planning, implementation, and 441
evaluation of nursing; 442

(3) Administration of medications and treatments 443
authorized by an individual who is authorized to practice in 444
this state and is acting within the course of the individual's 445
professional practice on the condition that the licensed 446
practical nurse is authorized under section 4723.17 of the 447
Revised Code to administer medications; 448

(4) Administration to an adult of intravenous therapy 449
authorized by an individual who is authorized to practice in 450
this state and is acting within the course of the individual's 451
professional practice, on the condition that the licensed 452
practical nurse is authorized under section 4723.18 or 4723.181 453
of the Revised Code to perform intravenous therapy and performs 454
intravenous therapy only in accordance with those sections; 455

(5) Delegation of nursing tasks as directed by a 456

registered nurse;	457
(6) Teaching nursing tasks to licensed practical nurses	458
and individuals to whom the licensed practical nurse is	459
authorized to delegate nursing tasks as directed by a registered	460
nurse.	461
(G) "Certified registered nurse anesthetist" means an	462
advanced practice registered nurse who holds a current, valid	463
license issued under this chapter and is designated as a	464
certified registered nurse anesthetist in accordance with	465
section 4723.42 of the Revised Code and rules adopted by the	466
board of nursing.	467
(H) "Clinical nurse specialist" means an advanced practice	468
registered nurse who holds a current, valid license issued under	469
this chapter and is designated as a clinical nurse specialist in	470
accordance with section 4723.42 of the Revised Code and rules	471
adopted by the board of nursing.	472
(I) "Certified nurse-midwife" means an advanced practice	473
registered nurse who holds a current, valid license issued under	474
this chapter and is designated as a certified nurse-midwife in	475
accordance with section 4723.42 of the Revised Code and rules	476
adopted by the board of nursing.	477
(J) "Certified nurse practitioner" means an advanced	478
practice registered nurse who holds a current, valid license	479
issued under this chapter and is designated as a certified nurse	480
practitioner in accordance with section 4723.42 of the Revised	481
Code and rules adopted by the board of nursing.	482
(K) "Physician" means an individual authorized under	483
Chapter 4731. of the Revised Code to practice medicine and	484
surgery or osteopathic medicine and surgery.	485

(L) "Collaboration" or "collaborating" means the 486
following: 487

(1) In the case of a clinical nurse specialist or a 488
certified nurse practitioner, that one or more podiatrists 489
acting within the scope of practice of podiatry in accordance 490
with section 4731.51 of the Revised Code and with whom the nurse 491
has entered into a standard care arrangement or one or more 492
physicians with whom the nurse has entered into a standard care 493
arrangement are continuously available to communicate with the 494
clinical nurse specialist or certified nurse practitioner either 495
in person or by electronic communication; 496

(2) In the case of a certified nurse-midwife, that one or 497
more physicians with whom the certified nurse-midwife has 498
entered into a standard care arrangement are continuously 499
available to communicate with the certified nurse-midwife either 500
in person or by electronic communication. 501

(M) "Supervision," as it pertains to a certified 502
registered nurse anesthetist, means that the certified 503
registered nurse anesthetist is under the direction of a 504
podiatrist acting within the podiatrist's scope of practice in 505
accordance with section 4731.51 of the Revised Code, a dentist 506
acting within the dentist's scope of practice in accordance with 507
Chapter 4715. of the Revised Code, or a physician, and, when 508
administering anesthesia, the certified registered nurse 509
anesthetist is in the immediate presence of the podiatrist, 510
dentist, or physician. 511

(N) "Standard care arrangement" means a written, formal 512
guide for planning and evaluating a patient's health care that 513
is developed by one or more collaborating physicians or 514
podiatrists and a clinical nurse specialist, certified nurse- 515

midwife, or certified nurse practitioner and meets the 516
requirements of section 4723.431 of the Revised Code. 517

(O) "Advanced practice registered nurse" means an 518
individual who holds a current, valid license issued under this 519
chapter that authorizes the practice of nursing as an advanced 520
practice registered nurse and is designated as any of the 521
following: 522

(1) A certified registered nurse anesthetist; 523

(2) A clinical nurse specialist; 524

(3) A certified nurse-midwife; 525

(4) A certified nurse practitioner. 526

(P) "Practice of nursing as an advanced practice 527
registered nurse" means providing to individuals and groups 528
nursing care that requires knowledge and skill obtained from 529
advanced formal education, training, and clinical experience. 530
Such nursing care includes the care described in section 4723.43 531
of the Revised Code. 532

(Q) "Dialysis care" means the care and procedures that a 533
dialysis technician or dialysis technician intern is authorized 534
to provide and perform, as specified in section 4723.72 of the 535
Revised Code. 536

(R) "Dialysis technician" means an individual who holds a 537
current, valid certificate to practice as a dialysis technician 538
issued under section 4723.75 of the Revised Code. 539

(S) "Dialysis technician intern" means an individual who 540
~~holds a current, valid certificate to practice as a~~ has not 541
~~passed the dialysis technician intern issued under certification~~ 542
examination required by section 4723.75-4723.751 of the Revised 543

Code, but who has successfully completed a dialysis training 544
program approved by the board of nursing under section 4723.74 545
of the Revised Code within the previous eighteen months. 546

(T) "Certified community health worker" means an 547
individual who holds a current, valid certificate as a community 548
health worker issued under section 4723.85 of the Revised Code. 549

(U) "Medication aide" means an individual who holds a 550
current, valid certificate issued under this chapter that 551
authorizes the individual to administer medication in accordance 552
with section 4723.67 of the Revised Code; 553

(V) "Nursing specialty" means a specialty in practice as a 554
certified registered nurse anesthetist, clinical nurse 555
specialist, certified nurse-midwife, or certified nurse 556
practitioner. 557

(W) "Physician assistant" means an individual who is 558
licensed to practice as a physician assistant under Chapter 559
4730. of the Revised Code. 560

Sec. 4723.08. (A) The board of nursing may impose fees not 561
to exceed the following limits: 562

(1) For application for licensure by examination or 563
endorsement to practice nursing as a registered nurse or as a 564
licensed practical nurse, seventy-five dollars; 565

(2) For application for licensure to practice nursing as 566
an advanced practice registered nurse, one hundred fifty 567
dollars; 568

~~(3) For application for a dialysis technician intern-~~ 569
~~certificate, the amount specified in rules adopted under section-~~ 570
~~4723.79 of the Revised Code;—~~ 571

(4) —For application for a dialysis technician certificate,	572
the amount specified in rules adopted under section 4723.79 of	573
the Revised Code;	574
(5) — <u>(4)</u> For providing, pursuant to division (B) of section	575
4723.271 of the Revised Code, written verification of a nursing	576
license, dialysis technician certificate, medication aide	577
certificate, or community health worker certificate to another	578
jurisdiction, fifteen dollars;	579
(6) — <u>(5)</u> For providing, pursuant to division (A) of section	580
4723.271 of the Revised Code, a replacement copy of a wall	581
certificate suitable for framing as described in that division,	582
twenty-five dollars;	583
(7) — <u>(6)</u> For renewal of a license to practice as a	584
registered nurse or licensed practical nurse, sixty-five	585
dollars;	586
(8) — <u>(7)</u> For renewal of a license to practice as an	587
advanced practice registered nurse, one hundred thirty-five	588
dollars;	589
(9) — <u>(8)</u> For renewal of a dialysis technician certificate,	590
the amount specified in rules adopted under section 4723.79 of	591
the Revised Code;	592
(10) — <u>(9)</u> For processing a late application for renewal of	593
a nursing license or dialysis technician certificate, fifty	594
dollars;	595
(11) — <u>(10)</u> For application for authorization to approve	596
continuing education programs and courses from an applicant	597
accredited by a national accreditation system for nursing, five	598
hundred dollars;	599

~~(12)~~ (11) For application for authorization to approve 600
continuing education programs and courses from an applicant not 601
accredited by a national accreditation system for nursing, one 602
thousand dollars; 603

~~(13)~~ (12) For each year for which authorization to approve 604
continuing education programs and courses is renewed, one 605
hundred fifty dollars; 606

~~(14)~~ (13) For application for approval to operate a 607
dialysis training program, the amount specified in rules adopted 608
under section 4723.79 of the Revised Code; 609

~~(15)~~ (14) For reinstatement of a lapsed license or 610
certificate issued under this chapter, one hundred dollars 611
except as provided in section 5903.10 of the Revised Code; 612

~~(16)~~ (15) For processing a check returned to the board by 613
a financial institution, twenty-five dollars; 614

~~(17)~~ (16) The amounts specified in rules adopted under 615
section 4723.88 of the Revised Code pertaining to the issuance 616
of certificates to community health workers, including fees for 617
application for a certificate, renewal of a certificate, 618
processing a late application for renewal of a certificate, 619
reinstatement of a lapsed certificate, application for approval 620
of a community health worker training program for community 621
health workers, and renewal of the approval of a training 622
program for community health workers. 623

(B) Each quarter, for purposes of transferring funds under 624
section 4743.05 of the Revised Code to the nurse education 625
assistance fund created in section 3333.28 of the Revised Code, 626
the board of nursing shall certify to the director of budget and 627
management the number of licenses renewed under this chapter 628

during the preceding quarter and the amount equal to that number 629
times five dollars. 630

(C) The board may charge a participant in a board- 631
sponsored continuing education activity an amount not exceeding 632
fifteen dollars for each activity. 633

(D) The board may contract for services pertaining to the 634
process of providing written verification of a license or 635
certificate when the verification is performed for purposes 636
other than providing verification to another jurisdiction. The 637
contract may include provisions pertaining to the collection of 638
the fee charged for providing the written verification. As part 639
of these provisions, the board may permit the contractor to 640
retain a portion of the fees as compensation, before any amounts 641
are deposited into the state treasury. 642

Sec. 4723.091. (A) An individual who applies for licensure 643
under section 4723.09 of the Revised Code; issuance of a 644
certificate under section 4723.651, 4723.75, ~~4723.76,~~ or 4723.85 645
of the Revised Code; reactivation of a license, under division 646
(D) of section 4723.24 of the Revised Code, that has been 647
inactive for at least five years; or reinstatement of a license, 648
under division (D) of section 4723.24 of the Revised Code, that 649
has lapsed for at least five years shall submit a request to the 650
bureau of criminal identification and investigation for a 651
criminal records check of the applicant. The request shall be 652
made in accordance with section 109.572 of the Revised Code. 653

(B) An applicant requesting a criminal records check under 654
division (A) of this section shall also ask the superintendent 655
of the bureau of criminal identification and investigation to 656
request that the federal bureau of investigation send to the 657
superintendent any information the federal bureau of 658

investigation has with respect to the applicant. 659

(C) On receipt of all items required for the commencement 660
of a criminal records check pursuant to division (A) of this 661
section, the bureau of criminal identification and investigation 662
shall conduct a criminal records check of the applicant. On the 663
completion of the criminal records check, the bureau shall send 664
the results to the board of nursing. 665

(D) The results of a criminal records check conducted 666
pursuant to a request made under division (A) of this section, 667
and any report containing those results, are not public records 668
for purposes of section 149.43 of the Revised Code and shall not 669
be made available to any person or for any purpose other than 670
the following: 671

(1) The results may be made available to any person for 672
use in determining under section 4723.09, 4723.651, 4723.75, 673
~~4723.76,~~ or 4723.85 of the Revised Code whether the individual 674
who is the subject of the check should be granted a license or 675
certificate under this chapter or whether any temporary permit 676
granted to the individual under ~~either of the following has~~ 677
~~terminated automatically.~~ 678

~~(a) Section section 4723.09 of the Revised Code,~~ 679

~~(b) Section 4723.76 of the Revised Code as that section~~ 680
~~existed at any time before March 20, 2013 has terminated~~ 681
~~automatically.~~ 682

(2) The results may be made available to any person for 683
use in determining under division (D) of section 4723.24 of the 684
Revised Code whether the individual who is the subject of the 685
check should have the individual's license or certificate 686
reactivated or reinstated. 687

(3) The results may be made available to any person for 688
use in determining under section 4723.28 of the Revised Code 689
whether the individual who is the subject of the check should be 690
subject to disciplinary action in accordance with that section. 691

(4) The results may be made available to the individual 692
who is the subject of the check or that individual's 693
representative. 694

Sec. 4723.092. The board of nursing shall not refuse to 695
issue a license under section 4723.09 of the Revised Code or a 696
certificate under section 4723.651, 4723.75, ~~4723.76,~~ or 4723.85 697
of the Revised Code because of a conviction of, plea of guilty 698
to, a judicial finding of guilt of, a judicial finding of guilt 699
resulting from a plea of no contest to, or a judicial finding of 700
eligibility for a pretrial diversion or similar program or for 701
intervention in lieu of a conviction for a criminal offense 702
unless the refusal is in accordance with section 9.79 of the 703
Revised Code. 704

Sec. 4723.72. (A) A dialysis technician or dialysis 705
technician intern may engage in dialysis care by doing the 706
following: 707

(1) Performing and monitoring dialysis procedures, 708
including initiating, monitoring, and discontinuing dialysis; 709

(2) Drawing blood; 710

(3) Administering medications as specified in division (C) 711
of this section when the administration is essential to the 712
dialysis process; 713

(4) Responding to complications that arise during 714
dialysis. 715

(B) (1) Subject to divisions (B) (2) and (3) of this 716
section, a dialysis technician or dialysis technician intern may 717
provide the dialysis care specified in division (A) of this 718
section only if the care has been delegated to the technician or 719
intern by a physician, physician assistant, or registered nurse 720
and the technician or intern is under the supervision of a 721
physician, physician assistant, or registered nurse. Supervision 722
requires that the dialysis technician or dialysis technician 723
intern be in the immediate presence of a physician, physician 724
assistant, or registered nurse. 725

(2) In accordance with division (E) of section 4723.73 of 726
the Revised Code, a dialysis technician intern shall not provide 727
dialysis care in a patient's home. 728

(3) In the case of dialysis care provided in a patient's 729
home by a dialysis technician, both of the following apply: 730

(a) The technician shall be supervised in accordance with 731
the rules adopted under section 4723.79 of the Revised Code for 732
supervision of dialysis technicians who provide dialysis care in 733
a patient's home. 734

(b) Division ~~(D) (5)~~ (D) (6) of section 4723.73 of the 735
Revised Code does not allow a dialysis technician who provides 736
dialysis care in a patient's home to provide dialysis care that 737
is not authorized under this section. 738

(C) A dialysis technician or dialysis technician intern 739
may administer only the following medications as ordered by a 740
licensed health professional authorized to prescribe drugs as 741
defined in section 4729.01 of the Revised Code and in accordance 742
with the standards for the delegation of dialysis care 743
established in division (B) of this section and in rules adopted 744

under section 4723.79 of the Revised Code: 745

(1) Intradermal lidocaine or other single therapeutically 746
equivalent local anesthetic for the purpose of initiating 747
dialysis treatment; 748

(2) Intravenous heparin or other single therapeutically 749
equivalent anticoagulant for the purpose of initiating and 750
maintaining dialysis treatment; 751

(3) Intravenous normal saline; 752

(4) Patient-specific dialysate, to which the technician or 753
intern may add electrolytes but no other additives or 754
medications; 755

(5) Oxygen. 756

Sec. 4723.73. (A) No person who does not hold a current, 757
valid certificate issued under section 4723.75 or renewed under 758
section 4723.77 of the Revised Code shall do either of the 759
following: 760

(1) Claim to the public to be a dialysis technician; 761

(2) Use the title "Ohio certified dialysis technician," 762
the initials "OCDT," or any other title or initials to represent 763
that the person is authorized to perform dialysis care as a 764
dialysis technician. 765

(B) No person who ~~does has not hold a current, valid~~ 766
~~dialysis technician intern certificate issued under~~ successfully 767
completed a dialysis training program approved by the board of 768
nursing under section 4723.76-4723.74 of the Revised Code within 769
the previous eighteen months shall do either of the following: 770

(1) Claim to the public to be a dialysis technician 771

intern; 772

(2) Use the title "dialysis technician intern," the 773
initials "DTI," or any other title or initials to represent that 774
the person is authorized to perform dialysis care as a dialysis 775
technician intern. 776

(C) No dialysis technician or dialysis technician intern 777
shall engage in dialysis care in a manner that is inconsistent 778
with section 4723.72 of the Revised Code. 779

(D) No person other than a dialysis technician or dialysis 780
technician intern shall engage in the dialysis care that is 781
authorized by section 4723.72 of the Revised Code, unless the 782
person is one or more of the following: 783

(1) A registered nurse or licensed practical nurse; 784

(2) A physician; 785

(3) A physician assistant; 786

(4) A student performing dialysis care under the 787
supervision of an instructor as an integral part of a dialysis 788
training program approved by the board of nursing under section 789
4723.74 of the Revised Code; 790

~~(4)~~ (5) A dialysis patient who has been trained to engage 791
in the dialysis care with little or no professional assistance 792
by completing a medicare-approved self-dialysis or home dialysis 793
training program; 794

~~(5)~~ (6) A family member or friend of a dialysis patient 795
who engages in self-dialysis or home dialysis, and the person 796
engages in the dialysis care by assisting the patient in 797
performing the self-dialysis or home dialysis, after the person 798
providing the assistance has completed a medicare-approved self- 799

dialysis or home dialysis training program for the particular 800
dialysis patient being assisted. 801

(E) No dialysis technician intern shall do either of the 802
following: 803

(1) Serve as a trainer or preceptor in a dialysis training 804
program; 805

(2) Provide dialysis care in a patient's home. 806

(F) No person shall operate a dialysis training program, 807
unless the program is approved by the board of nursing under 808
section 4723.74 of the Revised Code. 809

Sec. 4723.75. (A) The board of nursing shall issue a 810
certificate to practice as a dialysis technician to an applicant 811
if the following conditions are met: 812

(1) The application is submitted to the board in 813
accordance with rules adopted under section 4723.79 of the 814
Revised Code and includes both of the following: 815

(a) The fee established in rules adopted under section 816
4723.79 of the Revised Code; 817

(b) The name and address of each approved dialysis 818
training program in which the applicant has enrolled and the 819
dates during which the applicant was enrolled in each program. 820

(2) The applicant meets the requirements established by 821
the board's rules. 822

(3) The applicant demonstrates competency to practice as a 823
dialysis technician, as specified in division (B) of this 824
section. 825

(4) In the case of an applicant who entered a dialysis 826

training program on or after June 1, 2003, the results of a 827
criminal records check conducted in accordance with section 828
4723.091 of the Revised Code demonstrate that the applicant is 829
not ineligible for certification in accordance with section 830
4723.092 of the Revised Code. 831

(B) For an applicant to demonstrate competence to practice 832
as a dialysis technician, one of the following must apply: 833

(1) The applicant has successfully completed a dialysis 834
training program approved by the board under section 4723.74 of 835
the Revised Code and meets both of the following requirements: 836

(a) Has performed dialysis care for a dialysis provider 837
for not less than six months immediately prior to the date of 838
application; 839

(b) Has passed a certification examination demonstrating 840
competence to perform dialysis care not later than eighteen 841
months after successfully completing a dialysis training program 842
approved by the board under section 4723.74 of the Revised Code. 843

(2) The applicant does all of the following: 844

(a) Has a testing organization approved by the board 845
submit evidence satisfactory to the board that the applicant 846
passed an examination, in another jurisdiction, that 847
demonstrates the applicant's competence to provide dialysis 848
care; 849

(b) Submits evidence satisfactory to the board that the 850
applicant has been employed to perform dialysis care in another 851
jurisdiction for not less than six months immediately prior to 852
the date of application for certification under this section; 853

(c) Submits evidence satisfactory to the board that the 854

applicant completed at least two hours of education directly 855
related to this chapter and the rules adopted under it. 856

(C) An applicant who does not pass the certification 857
examination described in division (B) (1) (b) of this section 858
within the time period prescribed in that division may continue 859
to pursue certification by repeating the entire training and 860
application process, including doing all of the following: 861

(1) Enrolling in and successfully completing a dialysis 862
training program approved by the board; 863

(2) Submitting a request to the bureau of criminal 864
identification and investigation for a criminal records check 865
and check of federal bureau of investigation records pursuant to 866
section 4723.091 of the Revised Code; 867

~~(3) Submitting an application for a dialysis technician-~~ 868
~~intern certificate in accordance with section 4723.76 of the~~ 869
~~Revised Code;~~ 870

~~(4) Demonstrating competence to perform dialysis care in~~ 871
accordance with division (B) of this section. 872

Sec. 4723.79. The board of nursing shall adopt rules to 873
administer and enforce sections 4723.71 to 4723.79 of the 874
Revised Code. The board shall adopt the rules in accordance with 875
Chapter 119. of the Revised Code. The rules shall establish or 876
specify all of the following: 877

(A) The application process, fee, and requirements for 878
approval, reapproval, and withdrawing the approval of a dialysis 879
training program under section 4723.74 of the Revised Code. The 880
requirements shall include standards that must be satisfied 881
regarding curriculum, length of training, and instructions in 882
patient care. 883

(B) The application process, fee, and requirements for issuance of a dialysis technician certificate under section 4723.75 of the Revised Code, except that the amount of the fee shall be no greater than the fee charged under division (A) (1) of section 4723.08 of the Revised Code;	884 885 886 887 888
(C) The application process, fee, and requirements for issuance of a dialysis technician intern certificate under section 4723.76 of the Revised Code;	889 890 891
(D) The process for approval of testing organizations under section 4723.751 of the Revised Code;	892 893
(E) (D) Subjects to be included in a certification examination pursuant to section 4723.751 of the Revised Code;	894 895
(F) (E) The schedule, fees, and continuing education requirements for renewal of a dialysis technician certificate under section 4723.77 of the Revised Code, except that the amount of the fee for renewal shall be no greater than the fee charged under division (A) (10) <u>(A) (9)</u> of section 4723.08 of the Revised Code;	896 897 898 899 900 901
(G) (F) Standards for approval of continuing education programs and courses for dialysis technicians;	902 903
(H) (G) Standards for the administration of medication by dialysis technicians and dialysis technician interns under section 4723.72 of the Revised Code;	904 905 906
(I) (H) Standards and procedures for the supervision of dialysis technicians who provide dialysis care in a patient's home, including monthly home visits by a registered nurse to monitor the quality of the dialysis care;	907 908 909 910
(J) (I) Any other procedures or requirements necessary for	911

the administration and enforcement of sections 4723.71 to 912
4723.79 of the Revised Code. 913

Sec. 4723.88. The board of nursing, in accordance with 914
Chapter 119. of the Revised Code, shall adopt rules to 915
administer and enforce sections 4723.81 to 4723.87 of the 916
Revised Code. The rules shall establish all of the following: 917

(A) Standards and procedures for issuance of community 918
health worker certificates; 919

(B) Standards for evaluating the competency of an 920
individual who applies to receive a certificate on the basis of 921
having been employed in a capacity substantially the same as a 922
community health worker before the board implemented the 923
certification program; 924

(C) Standards and procedures for renewal of community 925
health worker certificates, including the continuing education 926
requirements that must be met for renewal; 927

(D) Standards governing the performance of activities 928
related to nursing care that are delegated by a registered nurse 929
to certified community health workers. In establishing the 930
standards, the board shall specify limits on the number of 931
certified community health workers a registered nurse may 932
supervise at any one time. 933

(E) Standards and procedures for assessing the quality of 934
the services that are provided by certified community health 935
workers; 936

(F) Standards and procedures for denying, suspending, and 937
revoking a community health worker certificate, including 938
reasons for imposing the sanctions that are substantially 939
similar to the reasons that sanctions are imposed under section 940

4723.28 of the Revised Code;	941
(G) Standards and procedures for approving and renewing the board's approval of training programs that prepare individuals to become certified community health workers. In establishing the standards, the board shall specify the minimum components that must be included in a training program, shall require that all approved training programs offer the standardized curriculum, and shall ensure that the curriculum enables individuals to use the training as a basis for entering programs leading to other careers, including nursing education programs.	942 943 944 945 946 947 948 949 950 951
(H) Standards for approval of continuing education programs and courses for certified community health workers;	952 953
(I) Standards and procedures for withdrawing the board's approval of a training program, refusing to renew the approval of a training program, and placing a training program on provisional approval;	954 955 956 957
(J) Amounts for each fee that may be imposed under division (A) (17) <u>(A) (16)</u> of section 4723.08 of the Revised Code;	958 959
(K) Any other standards or procedures the board considers necessary and appropriate for the administration and enforcement of sections 4723.81 to 4723.87 of the Revised Code.	960 961 962
Sec. 4725.16. (A) (1) Each certificate of licensure for the practice of optometry, topical ocular pharmaceutical agents certificate, and therapeutic pharmaceutical agents certificate issued by the state vision professionals board shall expire annually <u>on the last day of December of each even-numbered year,</u> and may be renewed in accordance with this section and the standard renewal procedure established under Chapter 4745. of	963 964 965 966 967 968 969

the Revised Code.	970
(2) An optometrist seeking to continue to practice	971
optometry shall file with the board an application for license	972
renewal. The application shall be in such form and require such	973
pertinent professional biographical data as the board may	974
require.	975
(3) (a) Except as provided in division (A) (3) (b) of this	976
section, in the case of an optometrist seeking renewal who holds	977
a therapeutic pharmaceutical agents certificate and who	978
prescribes or personally furnishes analgesic controlled	979
substances authorized pursuant to section 4725.091 of the	980
Revised Code that are opioid analgesics, as defined in section	981
3719.01 of the Revised Code, the optometrist shall certify to	982
the board whether the optometrist has been granted access to the	983
drug database established and maintained by the state board of	984
pharmacy pursuant to section 4729.75 of the Revised Code.	985
(b) The requirement in division (A) (3) (a) of this section	986
does not apply if any of the following is the case:	987
(i) The state board of pharmacy notifies the state vision	988
professionals board pursuant to section 4729.861 of the Revised	989
Code that the certificate holder has been restricted from	990
obtaining further information from the drug database.	991
(ii) The state board of pharmacy no longer maintains the	992
drug database.	993
(iii) The certificate holder does not practice optometry	994
in this state.	995
(c) If an optometrist certifies to the state vision	996
professionals board that the optometrist has been granted access	997
to the drug database and the board finds through an audit or	998

other means that the optometrist has not been granted access, 999
the board may take action under section 4725.19 of the Revised 1000
Code. 1001

(B) All licensed optometrists shall annually complete 1002
continuing education in subjects relating to the practice of 1003
optometry, to the end that the utilization and application of 1004
new techniques, scientific and clinical advances, and the 1005
achievements of research will assure comprehensive care to the 1006
public. The board shall prescribe by rule the continuing 1007
optometric education that licensed optometrists must complete. 1008
The length of study shall be twenty-five clock hours each year 1009
of the biennial licensing period, including ten clock hours of 1010
instruction in pharmacology to be completed by all licensed 1011
optometrists. 1012

Unless the continuing education required under this 1013
division is waived or deferred under division (D) of this 1014
section, the continuing education must be completed during the 1015
~~twelve-month~~ twenty-four-month period beginning on the first day 1016
of October occurring before the optometrist's current license 1017
was issued and ending on the last day of September of the year 1018
that the optometrist's license expires. If the board receives 1019
notice from a continuing education program indicating that an 1020
optometrist completed the program after the last day of 1021
September of the year that the optometrist's license expires, 1022
and the optometrist wants to use the continuing education 1023
completed after that day to renew the license ~~that expires on~~ 1024
~~the last day of December of that year~~, the optometrist shall pay 1025
the penalty specified under section 4725.34 of the Revised Code 1026
for late completion of continuing education. 1027

At least once annually, the board shall post on its web 1028

site and shall mail, or send by electronic mail, to each 1029
licensed optometrist a list of courses approved in accordance 1030
with standards prescribed by board rule. Upon the request of a 1031
licensed optometrist, the executive director of the board shall 1032
supply a list of additional courses that the board has approved 1033
subsequent to the most recent web site posting, electronic mail 1034
transmission, or mailing of the list of approved courses. 1035

(C) (1) ~~Annually, not~~ Not later than the first day of 1036
November of each even-numbered year, the board shall mail or 1037
send by electronic mail a notice regarding license renewal to 1038
each licensed optometrist who may be eligible for renewal. The 1039
notice shall be sent to the optometrist's most recent electronic 1040
mail or mailing address shown in the board's records. If the 1041
board knows that the optometrist has completed the required 1042
continuing optometric education for the ~~year~~ yearbiennium, the board 1043
may include with the notice an application for license renewal. 1044

(2) Filing a license renewal application with the board 1045
shall serve as notice by the optometrist that the continuing 1046
optometric education requirement has been successfully 1047
completed. If the board finds that an optometrist has not 1048
completed the required continuing optometric education, the 1049
board shall disapprove the optometrist's application. The 1050
board's disapproval of renewal is effective without a hearing, 1051
unless a hearing is requested pursuant to Chapter 119. of the 1052
Revised Code. 1053

(3) The board shall refuse to accept an application for 1054
renewal from any applicant whose license is not in good standing 1055
or who is under disciplinary review pursuant to section 4725.19 1056
of the Revised Code. 1057

(4) Notice of an applicant's failure to qualify for 1058

renewal shall be served upon the applicant by mail. The notice 1059
shall be sent not later than the fifteenth day of November of an 1060
even-numbered year to the applicant's last address shown in the 1061
board's records. 1062

(D) In cases of certified illness or undue hardship, the 1063
board may waive or defer for up to twelve months the requirement 1064
of continuing optometric education, except that in such cases 1065
the board may not waive or defer the continuing education in 1066
pharmacology required to be completed by optometrists who hold 1067
topical ocular pharmaceutical agents certificates or therapeutic 1068
pharmaceutical agents certificates. The board shall waive the 1069
requirement of continuing optometric education for any 1070
optometrist who is serving on active duty in the armed forces of 1071
the United States or a reserve component of the armed forces of 1072
the United States, including the Ohio national guard or the 1073
national guard of any other state or who has received an initial 1074
certificate of licensure during the nine-month period which 1075
ended on the last day of September of an even-numbered year. 1076

(E) An optometrist whose renewal application has been 1077
approved may renew each certificate held by paying to the 1078
treasurer of state the fees for renewal specified under section 1079
4725.34 of the Revised Code. On payment of all applicable fees, 1080
the board shall issue a renewal of the optometrist's certificate 1081
of licensure, topical ocular pharmaceutical agents certificate, 1082
and therapeutic pharmaceutical agents certificate, as 1083
appropriate. 1084

(F) Not later than the fifteenth day of December of each 1085
even-numbered year, the board shall mail or send by electronic 1086
mail a second notice regarding license renewal to each licensed 1087
optometrist who may be eligible for renewal but did not respond 1088

to the notice sent under division (C)(1) of this section. The 1089
notice shall be sent to the optometrist's most recent electronic 1090
mail or mailing address shown in the board's records. If an 1091
optometrist fails to file a renewal application after the second 1092
notice is sent, the board shall send a third notice regarding 1093
license renewal prior to any action under division (I) of this 1094
section to classify the optometrist's certificates as 1095
delinquent. 1096

(G) The failure of an optometrist to apply for license 1097
renewal or the failure to pay the applicable ~~annual~~ renewal fees 1098
on or before the date of expiration, shall automatically work a 1099
forfeiture of the optometrist's authority to practice optometry 1100
in this state. 1101

(H) The board shall accept renewal applications and 1102
renewal fees that are submitted from the first day of January to 1103
the last day of April of the odd-numbered year next succeeding 1104
the date of expiration. An individual who submits such a late 1105
renewal application or fee shall pay the late renewal fee 1106
specified in section 4725.34 of the Revised Code. 1107

(I)(1) If the certificates issued by the board to an 1108
individual have expired and the individual has not filed a 1109
complete application during the late renewal period, the 1110
individual's certificates shall be classified in the board's 1111
records as delinquent. 1112

(2) Any optometrist subject to delinquent classification 1113
may submit an application to the board for reinstatement. For 1114
reinstatement to occur, the applicant must meet all of the 1115
following conditions: 1116

(a) Submit to the board evidence of compliance with board 1117

rules requiring continuing optometric education in a sufficient 1118
number of hours to make up for any delinquent compliance; 1119

(b) Pay the renewal fees for the ~~year~~biennium in which 1120
application for reinstatement is made and the reinstatement fee 1121
specified under division (A) (8) of section 4725.34 of the 1122
Revised Code; 1123

(c) Pass all or part of the licensing examination accepted 1124
by the board under section 4725.11 of the Revised Code as the 1125
board considers appropriate to determine whether the application 1126
for reinstatement should be approved; 1127

(d) If the applicant has been practicing optometry in 1128
another state or country, submit evidence that the applicant's 1129
license to practice optometry in the other state or country is 1130
in good standing. 1131

(3) The board shall approve an application for 1132
reinstatement if the conditions specified in division (I) (2) of 1133
this section are met. An optometrist who receives reinstatement 1134
is subject to the continuing education requirements specified 1135
under division (B) of this section for the year in which 1136
reinstatement occurs. 1137

Sec. 4725.17. (A) An optometrist who intends not to 1138
continue practicing optometry in this state due to retirement or 1139
a decision to practice in another state or country may apply to 1140
the state vision professionals board to have the certificates 1141
issued to the optometrist placed on inactive status. Application 1142
for inactive status shall consist of a written notice to the 1143
board of the optometrist's intention to no longer practice in 1144
this state. The board may not accept an application submitted 1145
after the applicant's certificate of licensure and any other 1146

certificates have expired. The board may approve an application 1147
for placement on inactive status only if the applicant's 1148
certificates are in good standing and the applicant is not under 1149
disciplinary review pursuant to section 4725.19 of the Revised 1150
Code. 1151

(B) An individual whose certificates have been placed on 1152
inactive status may submit an application to the board for 1153
reinstatement. For reinstatement to occur, the applicant must 1154
meet all of the following conditions: 1155

(1) Pay the renewal fees for the ~~year~~biennium in which 1156
application for reinstatement is made and the reinstatement fee 1157
specified under division (A) (9) of section 4725.34 of the 1158
Revised Code; 1159

(2) Pass all or part of the licensing examination accepted 1160
by the board under section 4725.11 of the Revised Code as the 1161
board considers appropriate, if the board considers examination 1162
necessary to determine whether the application for reinstatement 1163
should be approved; 1164

(3) If the applicant has been practicing optometry in 1165
another state or country, submit evidence of being in the active 1166
practice of optometry in the other state or country and evidence 1167
that the applicant's license to practice in the other state or 1168
country is in good standing. 1169

(C) The board shall approve an application for 1170
reinstatement if the conditions specified in division (B) of 1171
this section are met. An optometrist who receives reinstatement 1172
is subject to the continuing education requirements specified 1173
under section 4725.16 of the Revised Code for the year in which 1174
reinstatement occurs. 1175

Sec. 4725.171. (A) An optometrist who discontinued 1176
practicing optometry in this state due to retirement or a 1177
decision to practice in another state or country before the 1178
state vision professionals board accepted applications for 1179
placement of certificates to practice on inactive status 1180
pursuant to section 4725.17 of the Revised Code may apply to the 1181
board to have the optometrist's certificates reinstated. The 1182
board may accept an application for reinstatement only if, at 1183
the time the optometrist's certificates expired, the 1184
certificates were in good standing and the optometrist was not 1185
under disciplinary review by the board. 1186

(B) For reinstatement to occur, the applicant must meet 1187
all of the following conditions: 1188

(1) Pay the renewal fees for the ~~year~~-biennium in which 1189
application for reinstatement is made and the reinstatement fee 1190
specified under division (A)(10) of section 4725.34 of the 1191
Revised Code; 1192

(2) Pass all or part of the licensing examination accepted 1193
by the board under section 4725.11 of the Revised Code as the 1194
board considers appropriate, if the board considers examination 1195
necessary to determine whether the application for reinstatement 1196
should be approved; 1197

(3) If the applicant has been practicing optometry in 1198
another state or country, submit evidence of being in the active 1199
practice of optometry in the other state or country and evidence 1200
that the applicant's license to practice in the other state or 1201
country is in good standing. 1202

(C) The board shall approve an application for 1203
reinstatement if the conditions specified in division (B) of 1204

this section are met. An optometrist who receives reinstatement 1205
is subject to the continuing education requirements specified 1206
under section 4725.16 of the Revised Code for the year in which 1207
reinstatement occurs. 1208

Sec. 4725.19. (A) In accordance with Chapter 119. of the 1209
Revised Code and by an affirmative vote of a majority of its 1210
members, the state vision professionals board, for any of the 1211
reasons specified in division (B) of this section, shall refuse 1212
to grant a certificate of licensure to practice optometry to an 1213
applicant and may, with respect to a licensed optometrist, do 1214
one or more of the following: 1215

(1) Suspend the operation of any certificate of licensure, 1216
topical ocular pharmaceutical agents certificate, or therapeutic 1217
pharmaceutical agents certificate, or all certificates granted 1218
by it to the optometrist; 1219

(2) Permanently revoke any or all of the certificates; 1220

(3) Limit or otherwise place restrictions on any or all of 1221
the certificates; 1222

(4) Reprimand the optometrist; 1223

(5) Impose a monetary penalty. If the reason for which the 1224
board is imposing the penalty involves a criminal offense that 1225
carries a fine under the Revised Code, the penalty shall not 1226
exceed the maximum fine that may be imposed for the criminal 1227
offense. In any other case, the penalty imposed by the board 1228
shall not exceed five hundred dollars. 1229

(6) Require the optometrist to take corrective action 1230
courses. 1231

The amount and content of corrective action courses shall 1232

be established by the board in rules adopted under section 1233
4725.09 of the Revised Code. 1234

(B) Except as provided in division (E) of this section, 1235
the sanctions specified in division (A) of this section may be 1236
taken by the board for any of the following reasons: 1237

(1) Committing fraud in passing the licensing examination 1238
or making false or purposely misleading statements in an 1239
application for a certificate of licensure; 1240

(2) Being at any time guilty of immorality, regardless of 1241
the jurisdiction in which the act was committed; 1242

(3) Being guilty of dishonesty or unprofessional conduct 1243
in the practice of optometry; 1244

(4) Being at any time guilty of a felony, regardless of 1245
the jurisdiction in which the act was committed; 1246

(5) Being at any time guilty of a misdemeanor committed in 1247
the course of practice, regardless of the jurisdiction in which 1248
the act was committed; 1249

(6) Violating the conditions of any limitation or other 1250
restriction placed by the board on any certificate issued by the 1251
board; 1252

(7) Engaging in the practice of optometry as provided in 1253
division (A) (1), (2), or (3) of section 4725.01 of the Revised 1254
Code when the certificate authorizing that practice is under 1255
suspension, in which case the board shall permanently revoke the 1256
certificate; 1257

(8) Being denied a license to practice optometry in 1258
another state or country or being subject to any other sanction 1259
by the optometric licensing authority of another state or 1260

country, other than sanctions imposed for the nonpayment of	1261
fees;	1262
(9) Departing from or failing to conform to acceptable and	1263
prevailing standards of care in the practice of optometry as	1264
followed by similar practitioners under the same or similar	1265
circumstances, regardless of whether actual injury to a patient	1266
is established;	1267
(10) Failing to maintain comprehensive patient records;	1268
(11) Advertising a price of optical accessories, eye	1269
examinations, or other products or services by any means that	1270
would deceive or mislead the public;	1271
(12) Being addicted to the use of alcohol, stimulants,	1272
narcotics, or any other substance which impairs the intellect	1273
and judgment to such an extent as to hinder or diminish the	1274
performance of the duties included in the person's practice of	1275
optometry;	1276
(13) Engaging in the practice of optometry as provided in	1277
division (A) (2) or (3) of section 4725.01 of the Revised Code	1278
without authority to do so or, if authorized, in a manner	1279
inconsistent with the authority granted;	1280
(14) Failing to make a report to the board as required by	1281
division (A) of section 4725.21 or section 4725.31 of the	1282
Revised Code;	1283
(15) Soliciting patients from door to door or establishing	1284
temporary offices, in which case the board shall suspend all	1285
certificates held by the optometrist;	1286
(16) Except as provided in division (D) of this section:	1287
(a) Waiving the payment of all or any part of a deductible	1288

or copayment that a patient, pursuant to a health insurance or 1289
health care policy, contract, or plan that covers optometric 1290
services, would otherwise be required to pay if the waiver is 1291
used as an enticement to a patient or group of patients to 1292
receive health care services from that optometrist. 1293

(b) Advertising that the optometrist will waive the 1294
payment of all or any part of a deductible or copayment that a 1295
patient, pursuant to a health insurance or health care policy, 1296
contract, or plan that covers optometric services, would 1297
otherwise be required to pay. 1298

(17) Failing to comply with the requirements in section 1299
3719.061 of the Revised Code before issuing for a minor a 1300
prescription for an analgesic controlled substance authorized 1301
pursuant to section 4725.091 of the Revised Code that is an 1302
opioid analgesic, as defined in section 3719.01 of the Revised 1303
Code; 1304

(18) Violating the rules adopted under section 4725.66 of 1305
the Revised Code; 1306

(19) A pattern of continuous or repeated violations of 1307
division (E) (2) or (3) of section 3963.02 of the Revised Code. 1308

(C) Any person who is the holder of a certificate of 1309
licensure, or who is an applicant for a certificate of licensure 1310
against whom is preferred any charges, shall be furnished by the 1311
board with a copy of the complaint and shall have a hearing 1312
before the board in accordance with Chapter 119. of the Revised 1313
Code. 1314

(D) Sanctions shall not be imposed under division ~~(B) (17)~~ 1315
(B) (16) of this section against any optometrist who waives 1316
deductibles and copayments: 1317

(1) In compliance with the health benefit plan that 1318
expressly allows such a practice. Waiver of the deductibles or 1319
copayments shall be made only with the full knowledge and 1320
consent of the plan purchaser, payer, and third-party 1321
administrator. Documentation of the consent shall be made 1322
available to the board upon request. 1323

(2) For professional services rendered to any other 1324
optometrist licensed by the board, to the extent allowed by 1325
sections 4725.01 to 4725.34 of the Revised Code and the rules of 1326
the board. 1327

(E) The board shall not refuse to grant a certificate of 1328
licensure to practice optometry to an applicant because of a 1329
conviction of or plea of guilty to an offense unless the refusal 1330
is in accordance with section 9.79 of the Revised Code. 1331

(F) If a violation described in this section has caused, 1332
is causing, or is about to cause substantial and material harm, 1333
the board may issue an order requiring that person to cease and 1334
desist from engaging in the violation. Notice of the order shall 1335
be mailed by certified mail, return receipt requested, 1336
immediately after its issuance to the person subject to the 1337
order and to all persons known to be involved in the violation. 1338
The board may thereafter publicize or otherwise make known to 1339
all interested parties that the order has been issued. 1340

The notice shall specify the particular act, omission, 1341
practice, or transaction that is subject to the cease-and-desist 1342
order and shall set a date, not more than fifteen days after the 1343
date of the order, for a hearing on the continuation or 1344
revocation of the order. The person shall comply with the order 1345
immediately upon receipt of notice of the order. 1346

The board may, on the application of a party and for good 1347
cause shown, continue the hearing. Chapter 119. of the Revised 1348
Code applies to the hearing to the extent that that chapter does 1349
not conflict with the procedures set forth in this section. The 1350
board shall, within fifteen days after objections are submitted 1351
to the hearing officer's report and recommendation, issue a 1352
final order either confirming or revoking the cease-and-desist 1353
order. The final order may be appealed as provided under section 1354
119.12 of the Revised Code. 1355

The remedy under this division is cumulative and 1356
concurrent with the other remedies available under this section. 1357

Sec. 4725.231. The state vision professionals board may 1358
issue a cease and desist order against any person engaging in 1359
the practice of optometry without having received a license 1360
under sections 4725.01 to 4725.34 of the Revised Code that the 1361
board reasonably suspects has violated, is currently violating, 1362
or is about to violate this chapter. The board's authority to 1363
issue a cease and desist order under this section is in addition 1364
to any action the board may take under section 4725.23 of the 1365
Revised Code. 1366

Sec. 4725.34. (A) The state vision professionals board 1367
shall charge the following nonrefundable fees: 1368

(1) ~~One~~ Three ~~hundred thirty~~ hundred ~~dollars~~ dollars for application for a 1369
certificate of licensure to practice optometry; 1370

(2) Forty-five dollars for application for a therapeutic 1371
pharmaceutical agents certificate, except when the certificate 1372
is to be issued pursuant to division (A) (3) of section 4725.13 1373
of the Revised Code, in which case the fee shall be thirty-five 1374
dollars; 1375

(3) One-Three hundred thirty dollars for renewal of a certificate of licensure to practice optometry;	1376
	1377
(4) Forty-five dollars for renewal of a topical ocular pharmaceutical agents certificate;	1378
	1379
(5) Forty-five dollars for renewal of a therapeutic pharmaceutical agents certificate;	1380
	1381
(6) One hundred twenty-five dollars for late completion or submission, or both, of continuing optometric education;	1382
	1383
(7) One hundred twenty-five dollars for late renewal of one or more certificates that have expired;	1384
	1385
(8) Seventy-five dollars for reinstatement of one or more certificates classified as delinquent under section 4725.16 of the Revised Code, multiplied by the number of years the one or more certificates have been classified as delinquent;	1386
	1387
	1388
	1389
(9) Seventy-five dollars for reinstatement of one or more certificates placed on inactive status under section 4725.17 of the Revised Code;	1390
	1391
	1392
(10) Seventy-five dollars for reinstatement under section 4725.171 of the Revised Code of one or more expired certificates;	1393
	1394
	1395
(11) Additional fees to cover administrative costs incurred by the board, including fees for replacing licenses issued by the board and providing rosters of currently licensed optometrists. Such fees shall be established at a regular meeting of the board and shall comply with any applicable guidelines or policies set by the department of administrative services or the office of budget and management.	1396
	1397
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	1402
(B) The board, subject to the approval of the controlling	1403

board, may establish fees in excess of the amounts specified in 1404
division (A) of this section if the fees do not exceed the 1405
amounts specified by more than fifty per cent. 1406

(C) All receipts of the board, from any source, shall be 1407
deposited in the state treasury to the credit of the 1408
occupational licensing and regulatory fund created in section 1409
4743.05 of the Revised Code. 1410

Sec. 4725.48. (A) Any person who desires to engage in 1411
optical dispensing shall file a properly completed application 1412
for an examination with the state vision professionals board or 1413
with the testing service the board has contracted with pursuant 1414
to section 4725.49 of the Revised Code. The application for 1415
examination shall be made using a form provided by the board and 1416
shall be accompanied by an examination fee the board shall 1417
establish by rule. 1418

(B) Any person who desires to engage in optical dispensing 1419
shall file a properly completed application for a license with 1420
the board with a licensure application fee of fifty-one hundred 1421
ninety-five dollars. 1422

No person shall be eligible to apply for a license under 1423
this division, unless the person is at least eighteen years of 1424
age, is free of contagious or infectious disease, has received a 1425
passing score, as determined by the board, on the examination 1426
administered under division (A) of this section, is a graduate 1427
of an accredited high school of any state, or has received an 1428
equivalent education and has successfully completed either of 1429
the following: 1430

(1) Two years of supervised experience under a licensed 1431
dispensing optician, optometrist, or physician engaged in the 1432

practice of ophthalmology, up to one year of which may be 1433
continuous experience of not less than thirty hours a week in an 1434
optical laboratory; 1435

(2) A two-year college level program in optical dispensing 1436
that has been approved by the board and that includes, but is 1437
not limited to, courses of study in mathematics, science, 1438
English, anatomy and physiology of the eye, applied optics, 1439
ophthalmic optics, measurement and inspection of lenses, lens 1440
grinding and edging, ophthalmic lens design, keratometry, and 1441
the fitting and adjusting of spectacle lenses and frames and 1442
contact lenses, including methods of fitting contact lenses and 1443
post-fitting care. 1444

(C) Any person who desires to obtain a license to practice 1445
as an ocularist shall file a properly completed application with 1446
the board accompanied by ~~the appropriate~~ an application fee of 1447
one hundred ninety-five dollars and proof that the applicant has 1448
met the requirements for licensure. The board shall establish, 1449
by rule, ~~the application fee and~~ the minimum requirements for 1450
licensure, including education, examination, or experience 1451
standards recognized by the board as national standards for 1452
ocularists. If the board requires a person to register with the 1453
board while gaining experience to meet the minimum experience 1454
requirement for licensure, the board shall not charge the person 1455
a fee to renew the registration. The board shall issue a license 1456
to practice as an ocularist to an applicant who satisfies the 1457
requirements of this division and rules adopted pursuant to this 1458
division. 1459

(D) (1) Subject to divisions (D) (3) and (4) of this 1460
section, the board shall not adopt, maintain, renew, or enforce 1461
any rule that precludes an individual from renewing a license as 1462

a dispensing optician issued under sections 4725.40 to 4725.59 1463
of the Revised Code due to any past criminal activity or 1464
interpretation of moral character, unless the individual has 1465
committed a crime of moral turpitude or a disqualifying offense 1466
as those terms are defined in section 4776.10 of the Revised 1467
Code. 1468

If the board denies an individual a license or license 1469
renewal, the reasons for such denial shall be put in writing. 1470

(2) The board may refuse to issue a license to an 1471
applicant because of a conviction of or plea of guilty to an 1472
offense if the refusal is in accordance with section 9.79 of the 1473
Revised Code. 1474

(3) In considering a renewal of an individual's license, 1475
the board shall not consider any conviction or plea of guilty 1476
prior to the initial licensing. However, the board may consider 1477
a conviction or plea of guilty if it occurred after the 1478
individual was initially licensed, or after the most recent 1479
license renewal. 1480

(4) The board may grant an individual a conditional 1481
license that lasts for one year. After the one-year period has 1482
expired, the license is no longer considered conditional, and 1483
the individual shall be considered fully licensed. 1484

(E) The board, subject to the approval of the controlling 1485
board, may establish examination fees in excess of the amount 1486
established by rule pursuant to this section, provided that such 1487
fees do not exceed those amounts established in rule by more 1488
than fifty per cent. 1489

Sec. 4725.51. (A) (1) Each license issued under sections 1490
4725.40 to 4725.59 of the Revised Code shall expire on the first 1491

day of January ~~in the~~ of each odd-numbered year ~~after it was~~ 1492
~~issued~~. Each person holding a valid, current license may apply 1493
to the state vision professionals board for the extension of the 1494
license under the standard renewal procedures of Chapter 4745. 1495
of the Revised Code. Each application for renewal shall be 1496
accompanied by a renewal fee ~~the board shall establish by rule of~~ 1497
one hundred ninety-five dollars. In addition, except as provided 1498
in division (A) (2) of this section, the application shall 1499
contain evidence that the applicant has completed continuing 1500
education within each year of the immediately preceding ~~one-year~~ 1501
two-year period as follows: 1502

(a) Licensed spectacle dispensing opticians shall have 1503
pursued both of the following in each year of the preceding two- 1504
year period, approved by the board: 1505

(i) Four hours of study in spectacle dispensing; 1506

(ii) Two hours of study in contact lens dispensing. 1507

(b) Licensed contact lens dispensing opticians shall have 1508
pursued eight hours of study in contact lens dispensing in each 1509
year of the preceding two-year period, approved by the board. 1510

(c) Licensed spectacle-contact lens dispensing opticians 1511
shall have pursued both of the following in each year of the 1512
preceding two-year period, approved by the board: 1513

(i) Four hours of study in spectacle dispensing; 1514

(ii) Eight hours of study in contact lens dispensing. 1515

(d) Licensed ocularists shall have pursued courses of 1516
study as prescribed by rule of the board. 1517

(2) An application for the initial renewal of a license 1518
issued under sections 4725.40 to 4725.55 of the Revised Code is 1519

not required to contain evidence that the applicant has 1520
completed the continuing education requirements of division (A) 1521
(1) of this section. 1522

(B) No person who fails to renew the person's license 1523
under division (A) of this section shall be required to take a 1524
qualifying examination under section 4725.48 of the Revised Code 1525
as a condition of renewal, provided that the application for 1526
renewal and proof of the requisite continuing education hours 1527
are submitted within ninety days from the date the license 1528
expired and the applicant pays the ~~annual~~-renewal fee and a 1529
penalty of seventy-five dollars. The board may provide, by rule, 1530
for an extension of the grace period for licensed dispensing 1531
opticians who are serving in the armed forces of the United 1532
States or a reserve component of the armed forces of the United 1533
States, including the Ohio national guard or the national guard 1534
of any other state and for waiver of the continuing education 1535
requirements or the penalty in cases of hardship or illness. 1536

(C) The board shall approve continuing education programs 1537
and shall adopt rules as necessary for approving the programs. 1538
The rules shall permit programs to be conducted either in person 1539
or through electronic or other self-study means. Approved 1540
programs shall be scheduled, sponsored, and conducted in 1541
accordance with the board's rules. 1542

(D) Any license given a grandfathered issuance or renewal 1543
between March 22, 1979, and March 22, 1980, shall be renewed in 1544
accordance with this section. 1545

Sec. 4725.52. Any licensed dispensing optician may 1546
supervise a maximum of three apprentices who shall be permitted 1547
to engage in optical dispensing only under the supervision of 1548
the licensed dispensing optician. 1549

To serve as an apprentice, a person shall register with 1550
the state vision professionals board on a form provided by the 1551
board and in the form of a statement giving the name and address 1552
of the supervising licensed dispensing optician, the location at 1553
which the apprentice will be employed, and any other information 1554
required by the board. For the duration of the apprenticeship, 1555
the apprentice shall register annually on the form provided by 1556
the board and in the form of a statement. 1557

Each apprentice shall pay an initial registration fee of 1558
twenty dollars. ~~For each registration renewal thereafter, each~~ 1559
The board shall not charge an apprentice shall pay a 1560
registration renewal fee of twenty dollars to renew the 1561
apprentice's registration. 1562

The board shall not deny registration as an apprentice 1563
under this section to any individual based on the individual's 1564
past criminal history or an interpretation of moral character 1565
unless the denial is for a disqualifying offense in accordance 1566
with section 9.79 of the Revised Code. In considering a renewal 1567
of an individual's registration, the board shall not consider 1568
any conviction or plea of guilty prior to the initial 1569
registration. However, the board may consider a conviction or 1570
plea of guilty if it occurred after the individual was initially 1571
registered, or after the most recent registration renewal. If 1572
the board denies an individual for a registration or 1573
registration renewal, the reasons for such denial shall be put 1574
in writing. Additionally, the board may grant an individual a 1575
conditional registration that lasts for one year. After the one- 1576
year period has expired, the registration is no longer 1577
considered conditional, and the individual shall be considered 1578
fully registered. 1579

A person who is gaining experience under the supervision 1580
of a licensed optometrist or ophthalmologist that would qualify 1581
the person under division (B) (1) of section 4725.48 of the 1582
Revised Code to take the examination for optical dispensing is 1583
not required to register with the board. 1584

Sec. 4725.53. (A) Except as provided in division (D) of 1585
this section, the state vision professionals board, by a 1586
majority vote of its members, may refuse to grant a license and, 1587
in accordance with Chapter 119. of the Revised Code, may suspend 1588
or revoke the license of a licensed dispensing optician or 1589
impose a fine or order restitution pursuant to division (B) of 1590
this section on any of the following grounds: 1591

(1) Conviction of a crime involving moral turpitude or a 1592
disqualifying offense as those terms are defined in section 1593
4776.10 of the Revised Code; 1594

(2) Obtaining or attempting to obtain a license by fraud 1595
or deception; 1596

(3) Obtaining any fee or making any sale of an optical aid 1597
by means of fraud or misrepresentation; 1598

(4) Habitual indulgence in the use of controlled 1599
substances or other habit-forming drugs, or in the use of 1600
alcoholic liquors to an extent that affects professional 1601
competency; 1602

(5) Finding by a court of competent jurisdiction that the 1603
applicant or licensee is incompetent by reason of mental illness 1604
and no subsequent finding by the court of competency; 1605

(6) Finding by a court of law that the licensee is guilty 1606
of incompetence or negligence in the dispensing of optical aids; 1607

(7) Knowingly permitting or employing a person whose license has been suspended or revoked or an unlicensed person to engage in optical dispensing;

(8) Permitting another person to use the licensee's license;

(9) Engaging in optical dispensing not pursuant to the prescription of a licensed physician or licensed optometrist, but nothing in this section shall prohibit the duplication or replacement of previously prepared optical aids, except contact lenses shall not be duplicated or replaced without a written prescription;

(10) Violation of sections 4725.40 to 4725.59 of the Revised Code;

(11) Waiving the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers optical dispensing services, would otherwise be required to pay if the waiver is used as an enticement to a patient or group of patients to receive health care services from that provider;

(12) Advertising that the licensee will waive the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers optical dispensing services, would otherwise be required to pay;

(13) Violating the code of ethical conduct adopted under section 4725.66 of the Revised Code.

(B) The board may impose a fine of not more than five hundred dollars for a first occurrence of an action that is grounds for discipline under this section and of not less than

five hundred nor more than one thousand dollars for a subsequent 1637
occurrence, or may order the licensee to make restitution to a 1638
person who has suffered a financial loss as a result of the 1639
licensee's failure to comply with sections 4725.40 to 4725.59 of 1640
the Revised Code. 1641

(C) Notwithstanding divisions (A) (11) and (12) of this 1642
section, sanctions shall not be imposed against any licensee who 1643
waives deductibles and copayments: 1644

(1) In compliance with the health benefit plan that 1645
expressly allows such a practice. Waiver of the deductibles or 1646
copays shall be made only with the full knowledge and consent of 1647
the plan purchaser, payer, and third-party administrator. Such 1648
consent shall be made available to the board upon request. 1649

(2) For professional services rendered to any other person 1650
licensed pursuant to this chapter to the extent allowed by this 1651
chapter and the rules of the board. 1652

(D) The board shall not refuse to grant a license to an 1653
applicant because of a conviction unless the refusal is in 1654
accordance with section 9.79 of the Revised Code. 1655

(E) If a violation described in this section has caused, 1656
is causing, or is about to cause substantial and material harm, 1657
the board may issue an order requiring that person to cease and 1658
desist from engaging in the violation. Notice of the order shall 1659
be mailed by certified mail, return receipt requested, 1660
immediately after its issuance to the person subject to the 1661
order and to all persons known to be involved in the violation. 1662
The board may thereafter publicize or otherwise make known to 1663
all interested parties that the order has been issued. 1664

The notice shall specify the particular act, omission, 1665

practice, or transaction that is subject to the cease-and-desist order and shall set a date, not more than fifteen days after the date of the order, for a hearing on the continuation or revocation of the order. The person shall comply with the order immediately upon receipt of notice of the order. 1666
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The board may, on the application of a party and for good cause shown, continue the hearing. Chapter 119. of the Revised Code applies to the hearing to the extent that that chapter does not conflict with the procedures set forth in this section. The board shall, within fifteen days after objections are submitted to the hearing officer's report and recommendation, issue a final order either confirming or revoking the cease-and-desist order. The final order may be appealed as provided under section 119.12 of the Revised Code. 1671
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The remedy under this division is cumulative and concurrent with the other remedies available under this section or section 4725.54 of the Revised Code. 1680
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Sec. 4725.541. The state vision professionals board may issue a cease and desist order against any person engaged in optical dispensing or ocularistry without having received a license under sections 4725.40 to 4725.59 of the Revised Code that the board reasonably suspects has violated, is currently violating, or is about to violate this chapter. The board shall notify the prosecuting attorney for the county in which the alleged unlicensed activity took place for additional action in accordance with section 4725.54 of the Revised Code. 1683
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Sec. 4729.12. A license issued by the state board of pharmacy under section 4729.08 or 4729.11 of the Revised Code entitles the individual to whom it is issued to practice as a pharmacist or as a pharmacy intern in this state until the next 1692
1693
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renewal date. 1696

Licenses shall be renewed according to the standard 1697
renewal procedure of Chapter 4745. of the Revised Code and rules 1698
adopted by the board under section 4729.26 of the Revised Code. 1699
Licenses are valid for the period specified in the rules, unless 1700
earlier revoked or suspended by the board. The period shall not 1701
exceed twenty-four months unless the board extends the period in 1702
the rules to adjust license renewal schedules. 1703

A pharmacist or pharmacy intern who desires to continue in 1704
the practice of pharmacy shall file with the board an 1705
application in such form and containing such data as the board 1706
may require for renewal of a license. In the case of a 1707
pharmacist who dispenses or plans to dispense controlled 1708
substances in this state, the pharmacist shall certify, as part 1709
of the application, that the pharmacist has been granted access 1710
to the drug database established and maintained by the board 1711
pursuant to section 4729.75 of the Revised Code, unless the 1712
board has restricted the pharmacist from obtaining further 1713
information from the database or the board no longer maintains 1714
the database. If the pharmacist certifies to the board that the 1715
applicant has been granted access to the drug database and the 1716
board finds through an audit or other means that the pharmacist 1717
has not been granted access, the board may take action under 1718
section 4729.16 of the Revised Code. 1719

An application filed under this section for renewal of a 1720
license may not be withdrawn without the approval of the board. 1721

~~If~~ The board shall renew an applicant's license if the 1722
board finds ~~that an~~ all of the following: 1723

(A) The applicant's license has not been revoked or placed 1724

under suspension~~and that the~~. 1725

(B) The applicant has paid the renewal fee~~7~~. 1726

(C) If the applicant is a pharmacist, the applicant has 1727
completed thirty hours of continued pharmacy education in the 1728
previous two years in accordance with ~~the any~~ rules of the 1729
board~~, and~~. 1730

(D) The applicant is entitled to continue in the practice 1731
of pharmacy~~, the board shall renew the applicant's license~~. 1732

When a license has expired but an application is made 1733
within three years after the expiration of the license, the 1734
applicant's license shall be renewed without further examination 1735
if the applicant meets the requirements of this section and pays 1736
the fee designated under division (A) (5) of section 4729.15 of 1737
the Revised Code. 1738

A pharmacist or pharmacy intern who fails to renew the 1739
pharmacist's or intern's license by the renewal date prescribed 1740
by the board shall not engage in the practice of pharmacy until 1741
a valid license is issued by the board. 1742

Sec. 4732.14. (A) On or before the thirty-first day of 1743
August of each even-numbered year, each ~~person who holds an~~ 1744
~~active license issued by the state board of psychology licensed~~ 1745
psychologist shall register with the board in a format and 1746
manner prescribed by the board, giving the ~~person's~~ 1747
psychologist's name, address, license number, the continuing 1748
education information required by section 4732.141 of the 1749
Revised Code, and such other reasonable information as the board 1750
requires. The ~~person psychologist~~ shall pay to the board a 1751
biennial registration fee, as follows: 1752

(1) From ~~the effective date of this amendment~~ March 20, 1753

2014, through June 30, 2016, three hundred fifty dollars; 1754

(2) From July 1, 2016, through June 30, 2020, three 1755
hundred sixty dollars; 1756

(3) July 1, 2020, and thereafter three hundred sixty-five 1757
dollars. 1758

A ~~person~~psychologist licensed for the first time on or 1759
before the thirtieth day of September of an even-numbered year 1760
shall next be required to register on or before the thirtieth 1761
day of September of the next even-numbered year. 1762

(B) On or before the thirty-first day of August of each 1763
year that ends with a zero or a five, each school psychologist 1764
licensed by the state board of psychology shall register with 1765
the board in a format and manner prescribed by the board, giving 1766
the school psychologist's name, address, license number, the 1767
continuing education information required by section 4732.141 of 1768
the Revised Code, and such other reasonable information as the 1769
board requires. The school psychologist shall pay to the board a 1770
quinquennial registration fee of two hundred dollars. 1771

The board may adopt rules providing for reductions of the 1772
registration fee required by this section for school 1773
psychologists registering after their first registration period, 1774
if the initial registration was less than five years. 1775

(C) Before the first day of August of each even-numbered 1776
year, the board shall send a notice to each ~~license~~ 1777
holderlicensed psychologist, whether a resident or not, at the 1778
license holder'spsychologist's last provided official mailing 1779
address, that the license holder'spsychologist's continuing 1780
education compliance must be completed on or before the last day 1781
of August and the biennial registration form and fee are due on 1782

or before the last day of September. A license of any ~~license-~~ 1783
~~holder-psychologist~~ shall automatically expire if any of the 1784
following are not received on or before the thirtieth day of 1785
September of a renewal year: 1786

(1) The biennial registration fee; 1787

(2) The registration form; 1788

(3) A report of compliance with continuing education 1789
requirements. 1790

Within five years thereafter, the board may reinstate any 1791
expired psychologist license upon payment of the current 1792
registration fee and a penalty fee established by the board, not 1793
to exceed two hundred fifty dollars, and receipt of the 1794
registration form completed by the registrant in accordance with 1795
this section and section 4732.141 of the Revised Code or in 1796
accordance with any modifications authorized by the board under 1797
division ~~(F)~~ (G) of section 4732.141 of the Revised Code. 1798

The board may by rule waive the payment of the 1799
registration fee and completion of the continuing psychology 1800
education required by section 4732.141 of the Revised Code by a 1801
~~license holder-psychologist~~ when the ~~license holder-psychologist~~ 1802
is on active duty in the armed forces of the United States or a 1803
reserve component of the armed forces of the United States, 1804
including the Ohio national guard or the national guard of any 1805
other state. 1806

~~An individual~~ A psychologist who has had a license placed 1807
on retired status under section 4732.142 of the Revised Code may 1808
seek reinstatement of the license in accordance with rules 1809
adopted by the board. 1810

(D) Before the first day of August of each year that ends 1811

with a zero or a five, the board shall send a notice to each 1812
school psychologist licensed by the board, whether a resident or 1813
not, at the school psychologist's last provided official mailing 1814
address, that the school psychologist's continuing education 1815
compliance must be completed on or before the last day of August 1816
and the quinquennial registration form and fee are due on or 1817
before the last day of September. A license of any school 1818
psychologist shall automatically expire if any of the following 1819
are not received on or before the thirtieth day of September of 1820
a renewal year: 1821

(1) The quinquennial registration fee; 1822

(2) The registration form; 1823

(3) A report of compliance with continuing education 1824
requirements. 1825

Within five years thereafter, the board may reinstate any 1826
expired school psychologist license upon payment of the current 1827
registration fee and a penalty fee established by the board, not 1828
to exceed two hundred fifty dollars, and receipt of the 1829
registration form completed by the registrant in accordance with 1830
this section and section 4732.141 of the Revised Code or in 1831
accordance with any modifications authorized by the board under 1832
division (G) of section 4732.141 of the Revised Code. 1833

The board may by rule waive the payment of the 1834
registration fee and completion of the continuing psychology 1835
education required by section 4732.141 of the Revised Code by a 1836
school psychologist when the school psychologist is on active 1837
duty in the armed forces of the United States or a reserve 1838
component of the armed forces of the United States, including 1839
the Ohio national guard or the national guard of any other 1840

state. 1841

A school psychologist who has had a license placed on 1842
retired status under section 4732.142 of the Revised Code may 1843
seek reinstatement of the license in accordance with rules 1844
adopted by the board. 1845

~~(C)~~ (E) Each psychologist or school psychologist license 1846
holder shall notify the executive director of any change in the 1847
license holder's official mailing address, office address, or 1848
employment within sixty days of such change. 1849

Sec. 4732.141. (A) (1) Except as provided in division ~~(D)~~ 1850
(E) of this section, on or before the thirty-first day of August 1851
of each even-numbered year, each ~~person who holds a license~~ 1852
~~issued by the state board of psychology~~ licensed psychologist 1853
shall have completed, in the preceding two-year period, not less 1854
than twenty-three hours of continuing education in psychology, 1855
including not less than four hours of continuing education in 1856
one or more of the following: 1857

(a) Professional conduct; 1858

(b) Ethics; 1859

(c) The role of culture, ethnic identity, or both in the 1860
provision of psychological assessment, consultation, or 1861
psychological interventions, or a combination thereof. 1862

(2) Each ~~license holder~~ licensed psychologist shall 1863
certify to the board, at the time of biennial registration 1864
pursuant to section 4732.14 of the Revised Code and on the 1865
registration form prescribed by the board under that section, 1866
that in the preceding two years the ~~license holder~~ psychologist 1867
has completed continuing psychology education in compliance with 1868
this section. The board shall adopt rules establishing the 1869

procedure for a ~~license holder~~ psychologist to certify to the 1870
board and for properly recording with the Ohio psychological 1871
association ~~or the Ohio school psychologists association~~ 1872
completion of the continuing education. 1873

~~(B)~~ (B) (1) Except as provided in division (E) of this 1874
section, on or before the thirty-first day of August of each 1875
year that ends with a zero or a five, each school psychologist 1876
licensed by the state board of psychology shall have completed, 1877
in the preceding five-year period, not less than eighteen hours 1878
of continuing education in psychology, including not less than 1879
four hours of continuing education in one or more of the 1880
following: 1881

(a) Professional conduct; 1882

(b) Ethics; 1883

(c) The role of culture, ethnic identity, or both in the 1884
provision of psychological assessment, consultation, or 1885
psychological interventions, or a combination thereof. 1886

(2) Each school psychologist shall certify to the board, 1887
at the time of quinquennial registration pursuant to section 1888
4732.14 of the Revised Code and on the registration form 1889
prescribed by the board under that section, that in the 1890
preceding five years the school psychologist has completed 1891
continuing psychology education in compliance with this section. 1892
The board shall adopt rules establishing the procedure for a 1893
school psychologist to certify to the board and for properly 1894
recording with the Ohio school psychologists association 1895
completion of the continuing education. 1896

(C) Continuing psychology education may be applied to meet 1897
the requirement of ~~division~~ divisions (A) and (B) of this 1898

section if both of the following requirements are met: 1899

(1) It is obtained through a program or course approved by 1900
the state board of psychology, the Ohio psychological 1901
association, the Ohio association of black psychologists, or the 1902
American psychological association or, in the case of a school 1903
psychologist who holds a license issued under this chapter or a 1904
licensed psychologist with a school psychology specialty, by the 1905
state board of education, the Ohio school psychologists 1906
association, or the national association of school 1907
psychologists; 1908

(2) Completion of the program or course is recorded with 1909
the Ohio psychological association or the Ohio school 1910
psychologists association in accordance with rules adopted by 1911
the state board of psychology in accordance with ~~division~~ 1912
divisions (A) and (B) of this section. 1913

The state board of psychology may disapprove any program 1914
or course that has been approved by the Ohio psychological 1915
association, Ohio association of black psychologists, American 1916
psychological association, state board of education, Ohio school 1917
psychologists association, or national association of school 1918
psychologists. Such program or course may not be applied to meet 1919
the requirement of ~~division~~ divisions (A) and (B) of this 1920
section. 1921

~~(C)~~ (D) Each psychologist or school psychologist license 1922
holder shall be given a sufficient choice of continuing 1923
education programs or courses in psychology, including programs 1924
or courses on professional conduct and ethics when required 1925
under ~~division (A) (2)~~ divisions (A) (1) and (B) (1) of this 1926
section, to ensure that the license holder has had a reasonable 1927
opportunity to participate in programs or courses that are 1928

relevant to the license holder's practice in terms of subject 1929
matter and level. 1930

~~(D)~~ (E) The board shall adopt rules providing for 1931
reductions of the hours of continuing psychology education 1932
required by this section for license holders in their first 1933
registration period. 1934

~~(E)~~ (F) (1) Each ~~license holder~~ licensed psychologist shall 1935
retain in the ~~license holder's~~ psychologist's records for at 1936
least three years the receipts, vouchers, or certificates 1937
necessary to document completion of continuing psychology 1938
education. Proof of continuing psychology education recorded 1939
with the Ohio psychological association ~~or the Ohio school~~ 1940
~~psychologists association~~ in accordance with the procedures 1941
established pursuant to division (A) of this section shall serve 1942
as sufficient documentation of completion. With cause, the board 1943
may request the documentation from the ~~license~~ 1944
~~holder~~ psychologist. The board may review any continuing 1945
psychology education records recorded by the Ohio psychological 1946
association ~~or the Ohio school psychologists association~~. 1947

(2) Each school psychologist licensed by the state board 1948
of psychology shall retain in the school psychologist's records 1949
for at least eight years the receipts, vouchers, or certificates 1950
necessary to document completion of continuing psychology 1951
education. Proof of continuing psychology education recorded 1952
with the Ohio school psychologists association in accordance 1953
with the procedures established pursuant to division (B) of this 1954
section shall serve as sufficient documentation of completion. 1955
With cause, the board may request the documentation from the 1956
school psychologist. The board may review any continuing 1957
psychology education records recorded by the Ohio school 1958

psychologists association. 1959

~~(F)~~ (G) The board may excuse license holders, as a group 1960
or as individuals, from all or any part of the requirements of 1961
this section because of an unusual circumstance, emergency, or 1962
special hardship. 1963

~~(G)~~ (H) The state board of psychology shall approve one or 1964
more continuing education courses of study that assist 1965
psychologists and school psychologists in recognizing the signs 1966
of domestic violence and its relationship to child abuse. 1967
Psychologists and school psychologists are not required to take 1968
the courses. 1969

~~(H)~~ (I) The board may require a license holder to evidence 1970
completion of specific continuing education coursework as part 1971
of the process of registering or continuing to register a person 1972
working under the license holder's supervision under division 1973
(B) of section 4732.22 of the Revised Code and conducting 1974
psychological or psychological work or training supervision. 1975
Procedures for the completion, verification, and documentation 1976
of such continuing education shall be specified in rules adopted 1977
by the board. A license holder completing this continuing 1978
education may receive credit toward the four-hour requirement in 1979
~~division~~ divisions (A) (1) and (B) (1) of this section during the 1980
next continuing education period following the completion of 1981
this continuing education. 1982

Sec. 4732.142. (A) The holder of a license issued under 1983
this chapter who retires from the practice of psychology or 1984
school psychology may request during the ~~biennial~~ license 1985
registration process that the license holder's license be placed 1986
in "licensed psychologist-retired" or "licensed school 1987
psychologist-retired" status. Once the license is placed in 1988

retired status, the license holder shall not practice psychology 1989
or school psychology in this state. A license holder selecting 1990
this status shall pay to the state board of psychology a fee of 1991
fifty dollars. 1992

(B) Procedures for reinstating a retired license shall be 1993
established in rules adopted by the board. 1994

Sec. 4757.02. (A) Except as provided in division (C) of 1995
this section and section 4757.41 of the Revised Code: 1996

(1) No person shall engage in or claim to the public to be 1997
engaging in the practice of professional counseling for a fee, 1998
salary, or other consideration unless the person is currently 1999
licensed under this chapter as a licensed professional clinical 2000
counselor or licensed professional counselor. 2001

(2) No person shall practice or claim to the public to be 2002
practicing social work for a fee, salary, or other consideration 2003
unless the person is currently licensed under this chapter as an 2004
independent social worker or a social worker. 2005

(3) No person shall claim to the public to be a social 2006
work assistant unless the person is currently registered under 2007
this chapter as a social work assistant. 2008

(4) No person shall engage in the practice of marriage and 2009
family therapy or claim to the public to be engaging in the 2010
practice of marriage and family therapy unless the person is 2011
currently licensed under this chapter as a marriage and family 2012
therapist. 2013

(B) (1) No person shall use the title "licensed 2014
professional clinical counselor," "licensed professional 2015
counselor," or any other title or description incorporating the 2016
word "counselor" or any initials used to identify persons acting 2017

in those capacities unless currently authorized under this 2018
chapter by licensure to act in the capacity indicated by the 2019
title or initials. 2020

(2) No person shall use the title "social worker," 2021
"independent social worker," "social work assistant," or any 2022
other title or description incorporating the words "social 2023
worker" or any initials used to identify persons acting in those 2024
capacities unless the person is currently authorized by 2025
licensure or registration under this chapter to act in the 2026
capacity indicated by the title or initials. 2027

(3) No person shall use the title "marriage and family 2028
therapist" or any initials used to identify persons acting in 2029
that capacity unless the person is currently authorized by 2030
licensure under this chapter to act in the capacity indicated by 2031
the title or initials. 2032

(C) (1) Divisions (A) (1) to (3) of this section do not 2033
apply to the practice of marriage and family therapy by a person 2034
holding a valid license or temporary license as a marriage and 2035
family therapist under this chapter or holding a valid license 2036
as an independent marriage and family therapist under this 2037
chapter. 2038

(2) Division (A) (4) of this section does not apply to the 2039
following persons licensed or registered under this chapter: 2040
licensed professional clinical counselors, licensed professional 2041
counselors, independent social workers, social workers, and 2042
social work assistants. 2043

Sec. 4757.22. (A) The counselors professional standards 2044
committee of the counselor, social worker, and marriage and 2045
family therapist board shall issue a license to practice as a 2046

licensed professional clinical counselor to each applicant who 2047
submits a properly completed application, pays the fee 2048
established under section 4757.31 of the Revised Code, and meets 2049
the requirements specified in division (B) of this section. 2050

(B) (1) To be eligible for a licensed professional clinical 2051
counselor license, an individual must meet the following 2052
requirements: 2053

(a) The individual must hold a graduate degree in 2054
counseling as described in division (B) (2) of this section. 2055

(b) The individual must complete a minimum of ninety 2056
quarter hours or sixty semester hours of graduate credit in 2057
counselor training acceptable to the committee, including 2058
instruction in the following areas: 2059

(i) Clinical psychopathology, personality, and abnormal 2060
behavior; 2061

(ii) Evaluation of mental and emotional disorders; 2062

(iii) Diagnosis of mental and emotional disorders; 2063

(iv) Methods of prevention, intervention, and treatment of 2064
mental and emotional disorders. 2065

(c) The individual must complete, in either a private or 2066
clinical counseling setting, supervised experience in counseling 2067
that is of a type approved by the committee, is supervised by a 2068
licensed professional clinical counselor or other qualified 2069
professional approved by the committee, and is in the following 2070
amounts: 2071

(i) In the case of an individual holding only a master's 2072
degree, not less than two years of experience, which must be 2073
completed after the award of the master's degree; 2074

(ii) In the case of an individual holding a doctorate, not less than one year of experience, which must be completed after the award of the doctorate. 2075
2076
2077

(d) The individual must pass a field evaluation that meets the following requirements: 2078
2079

(i) Has been completed by the applicant's instructors, employers, supervisors, or other persons determined by the committee to be competent to evaluate an individual's professional competence; 2080
2081
2082
2083

(ii) Includes documented evidence of the quality, scope, and nature of the applicant's experience and competence in diagnosing and treating mental and emotional disorders. 2084
2085
2086

(e) The individual must pass an examination administered by the board for the purpose of determining ability to practice as a licensed professional clinical counselor. 2087
2088
2089

(2) To meet the requirement of division (B) (1) (a) of this section, a graduate degree in counseling obtained from a counseling program in this state after January 1, 2018, must be from one of the following: 2090
2091
2092
2093

(a) A counseling program accredited by the council for accreditation of counseling and related educational programs; 2094
2095

(b) A counseling education program approved by the board in accordance with rules adopted by the board under division ~~(G)~~ (F) of this section. 2096
2097
2098

(3) All of the following meet the educational requirements of division (B) (1) (b) of this section: 2099
2100

(a) A clinical mental health counseling program accredited by the council for accreditation of counseling and related 2101
2102

educational programs; 2103

~~(b) Until January 1, 2018, a mental health counseling program accredited by the council for accreditation of counseling and related educational programs;~~ 2104
2105
2106

~~(e)~~ A graduate degree in counseling issued by another state from a clinical mental health counseling program, a clinical rehabilitation counseling program, or an addiction counseling program that is accredited by the council for accreditation of counseling and related educational programs; 2107
2108
2109
2110
2111

~~(d)~~ (c) A counseling education program approved by the board in accordance with rules adopted under division ~~(G)~~ (F) of this section. 2112
2113
2114

(C) To be accepted by the committee for purposes of division (B) of this section, counselor training must include at least the following: 2115
2116
2117

(1) Instruction in human growth and development; counseling theory; counseling techniques; group dynamics, processing, and counseling; appraisal of individuals; research and evaluation; professional, legal, and ethical responsibilities; social and cultural foundations; and lifestyle and career development; 2118
2119
2120
2121
2122
2123

(2) Participation in a supervised practicum and clinical internship in counseling. 2124
2125

~~(D) The committee may issue a temporary license to an applicant who meets all of the requirements to be licensed under this section, pending the receipt of transcripts or action by the committee to issue a license to practice as a licensed professional clinical counselor.~~ 2126
2127
2128
2129
2130

~~(E)~~—An individual may not sit for the licensing 2131
examination unless the individual meets the educational 2132
requirements to be licensed under this section. An individual 2133
who is denied admission to the licensing examination may appeal 2134
the denial in accordance with Chapter 119. of the Revised Code. 2135

~~(F)~~—(E) The board shall adopt any rules necessary for the 2136
committee to implement this section. The rules shall do both of 2137
the following: 2138

(1) Establish criteria for the committee to use in 2139
determining whether an applicant's training should be accepted 2140
and supervised experience approved; 2141

(2) Establish course content requirements for qualifying 2142
counseling degrees issued by institutions in other states from 2143
clinical mental health counseling programs, clinical 2144
rehabilitation counseling programs, and addiction counseling 2145
programs that are not accredited by the council for 2146
accreditation of counseling and related educational programs. 2147

Rules adopted under this division shall be adopted in 2148
accordance with Chapter 119. of the Revised Code. 2149

~~(G)~~—~~(1)~~—(F) (1) The board may adopt rules to temporarily 2150
approve a counseling education program created after January 1, 2151
2018, that has not been accredited by the council for 2152
accreditation of counseling and related educational programs. If 2153
the board adopts rules under this division, the board shall do 2154
all of the following in the rules: 2155

(a) Create an application process under which a program 2156
administrator may apply to the board for approval of the 2157
program; 2158

(b) Identify the educational requirements that an 2159

individual must satisfy to receive a graduate degree in 2160
counseling from the approved program; 2161

(c) Establish a time period during which an individual may 2162
use an unaccredited degree granted under the program to satisfy 2163
the requirements of divisions (B)(1)(a) and (b) of this section; 2164

(d) Specify that, if the program is denied accreditation, 2165
a student enrolled in the program before the accreditation is 2166
denied may apply for licensure before completing the program 2167
and, on receiving a degree from the program, is considered to 2168
satisfy divisions (B)(1)(a) and (b) of this section. 2169

(2) A degree from a counseling education program approved 2170
by the board pursuant to the rules adopted under division ~~(G)(1)~~ 2171
(F)(1) of this section satisfies the requirements of divisions 2172
(B)(1)(a) and (b) of this section for the time period approved 2173
by the board. 2174

Sec. 4757.27. (A) The social workers professional 2175
standards committee of the counselor, social worker, and 2176
marriage and family therapist board shall issue a license as an 2177
independent social worker to each applicant who submits a 2178
properly completed application, pays the fee established under 2179
section 4757.31 of the Revised Code, and meets the requirements 2180
specified in division (B) of this section. An independent social 2181
worker license shall clearly indicate each academic degree 2182
earned by the person to whom it has been issued. 2183

(B) To be eligible for a license as an independent social 2184
worker, an individual must meet the following requirements: 2185

(1) The individual must hold a master's degree in social 2186
work from an educational institution accredited by the council 2187
on social work education or an educational institution in 2188

candidacy for accreditation by the council.	2189
(2) The individual must complete at least two years of post-master's degree social work experience supervised by an independent social worker.	2190 2191 2192
(3) The individual must pass an examination administered by the board for the purpose of determining ability to practice as an independent social worker.	2193 2194 2195
(C) The committee may issue a temporary license to an applicant who meets all of the requirements to be licensed under this section, pending the receipt of transcripts or action by the committee to issue a license as an independent social worker.	2196 2197 2198 2199 2200
(D) The board shall adopt any rules necessary for the committee to implement this section, including criteria for the committee to use in determining whether an applicant's training should be accepted and supervised experience approved. Rules adopted under this division shall be adopted in accordance with Chapter 119. of the Revised Code.	2201 2202 2203 2204 2205 2206
Sec. 4757.301. On receipt of an application for a license as a marriage and family therapist, the counselor, social worker, and marriage and family therapist board may issue a temporary license to an individual who qualifies under division (A) of section 4757.30 of the Revised Code for licensure as a marriage and family therapist or divisions (A) and (C) of section 4757.30 of the Revised Code for licensure as an independent marriage and family therapist, except that the individual is awaiting the next opportunity to take an examination required by the board under that division. The temporary license allows the holder to engage in the practice of	2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217

~~independent marriage and family therapy or marriage and family~~ 2218
therapy as appropriate and is valid from the date of issuance 2219
until the earlier of one year from that date, the date the 2220
applicant withdraws from taking the examination, the date the 2221
applicant is notified that the applicant failed the examination, 2222
or the date the applicant's license is issued under section 2223
4757.30 of the Revised Code. A temporary license may not be 2224
renewed. 2225

Sec. 4765.55. (A) The executive director of the state 2226
board of emergency medical, fire, and transportation services, 2227
with the advice and counsel of the firefighter and fire safety 2228
inspector training committee of the state board of emergency 2229
medical, fire, and transportation services, shall assist in the 2230
establishment and maintenance by any state agency, or any 2231
county, township, city, village, school district, or educational 2232
service center of a fire service training program for the 2233
training of all persons in positions of any fire training 2234
certification level approved by the executive director, 2235
including full-time paid firefighters, part-time paid 2236
firefighters, volunteer firefighters, and fire safety inspectors 2237
in this state. The executive director, with the advice and 2238
counsel of the committee, shall adopt rules to regulate those 2239
firefighter and fire safety inspector training programs, and 2240
other training programs approved by the executive director. The 2241
rules may include, but need not be limited to, training 2242
curriculum, certification examinations, training schedules, 2243
minimum hours of instruction, attendance requirements, required 2244
equipment and facilities, basic physical requirements, and 2245
methods of training for all persons in positions of any fire 2246
training certification level approved by the executive director, 2247
including full-time paid firefighters, part-time paid 2248

firefighters, volunteer firefighters, and fire safety 2249
inspectors. The rules adopted to regulate training programs for 2250
volunteer firefighters shall not require more than thirty-six 2251
hours of training. 2252

The executive director, with the advice and counsel of the 2253
committee, shall provide for the classification and chartering 2254
of fire service training programs in accordance with rules 2255
adopted under division (B) of this section, and may take action 2256
against any chartered training program or applicant, in 2257
accordance with rules adopted under divisions (B)(4) and (5) of 2258
this section, for failure to meet standards set by the adopted 2259
rules. 2260

(B) The executive director, with the advice and counsel of 2261
the firefighter and fire safety inspector training committee of 2262
the state board of emergency medical, fire, and transportation 2263
services, shall adopt, and may amend or rescind, rules under 2264
Chapter 119. of the Revised Code that establish all of the 2265
following: 2266

(1) Requirements for, and procedures for chartering, the 2267
training programs regulated by this section; 2268

(2) Requirements for, and requirements and procedures for 2269
obtaining and renewing, an instructor certificate to teach the 2270
training programs and continuing education classes regulated by 2271
this section; 2272

(3) Requirements for, and requirements and procedures for 2273
obtaining and renewing, any of the fire training certificates 2274
regulated by this section; 2275

(4) Grounds and procedures for suspending, revoking, 2276
restricting, or refusing to issue or renew any of the 2277

certificates or charters regulated by this section, which	2278
grounds shall be limited to one of the following:	2279
(a) Failure to satisfy the education or training	2280
requirements of this section;	2281
(b) Conviction of a felony offense;	2282
(c) Conviction of a misdemeanor involving moral turpitude;	2283
(d) Conviction of a misdemeanor committed in the course of	2284
practice;	2285
(e) In the case of a chartered training program or	2286
applicant, failure to meet standards set by the rules adopted	2287
under this division.	2288
(5) Grounds and procedures for imposing and collecting	2289
fines, not to exceed one thousand dollars, in relation to	2290
actions taken under division (B) (4) of this section against	2291
persons holding certificates and charters regulated by this	2292
section, the fines to be deposited into the trauma and emergency	2293
medical services fund established under section 4513.263 of the	2294
Revised Code;	2295
(6) Continuing education requirements for certificate	2296
holders, including a requirement that credit shall be granted	2297
for in-service training programs conducted by local entities ; <u>.</u>	2298
<u>The continuing education requirements shall not require more</u>	2299
<u>than thirty-six hours of continuing education every three-year</u>	2300
<u>certification cycle.</u>	2301
(7) Procedures for considering the granting of an	2302
extension or exemption of fire service continuing education	2303
requirements;	2304
(8) Certification cycles for which the certificates and	2305

charters regulated by this section are valid. 2306

(C) The executive director, with the advice and counsel of 2307
the firefighter and fire safety inspector training committee of 2308
the state board of emergency medical, fire, and transportation 2309
services, shall issue or renew an instructor certificate to 2310
teach the training programs and continuing education classes 2311
regulated by this section to any applicant that the executive 2312
director determines meets the qualifications established in 2313
rules adopted under division (B) of this section, and may take 2314
disciplinary action against an instructor certificate holder or 2315
applicant in accordance with rules adopted under division (B) of 2316
this section. The executive director, with the advice and 2317
counsel of the committee, shall charter or renew the charter of 2318
any training program that the executive director determines 2319
meets the qualifications established in rules adopted under 2320
division (B) of this section, and may take disciplinary action 2321
against the holder of a charter in accordance with rules adopted 2322
under division (B) of this section. 2323

(D) The executive director shall issue or renew a fire 2324
training certificate for a firefighter, a fire safety inspector, 2325
or another position of any fire training certification level 2326
approved by the executive director, to any applicant that the 2327
executive director determines meets the qualifications 2328
established in rules adopted under division (B) of this section 2329
and may take disciplinary actions against a certificate holder 2330
or applicant in accordance with rules adopted under division (B) 2331
of this section. 2332

(E) Certificates issued under this section shall be on a 2333
form prescribed by the executive director, with the advice and 2334
counsel of the firefighter and fire safety inspector training 2335

committee of the state board of emergency medical, fire, and 2336
transportation services. 2337

(F) (1) The executive director, with the advice and counsel 2338
of the firefighter and fire safety inspector training committee 2339
of the state board of emergency medical, fire, and 2340
transportation services, shall establish criteria for evaluating 2341
the standards maintained by other states and the branches of the 2342
United States military for firefighter, fire safety inspector, 2343
and fire instructor training programs, and other training 2344
programs recognized by the executive director, to determine 2345
whether the standards are equivalent to those established under 2346
this section and shall establish requirements and procedures for 2347
issuing a certificate to each person who presents proof to the 2348
executive director of having satisfactorily completed a training 2349
program that meets those standards. 2350

(2) The executive director, with the committee's advice 2351
and counsel, shall adopt rules establishing requirements and 2352
procedures for issuing a fire training certificate in lieu of 2353
completing a chartered training program. 2354

(G) Nothing in this section invalidates any other section 2355
of the Revised Code relating to the fire training academy. 2356
Section 4765.11 of the Revised Code does not affect any powers 2357
and duties granted to the executive director under this section. 2358

(H) Notwithstanding any provision of division (B) (4) of 2359
this section to the contrary, the executive director shall not 2360
adopt rules for refusing to issue any of the certificates or 2361
charters regulated by this section to an applicant because of a 2362
criminal conviction unless the rules establishing grounds and 2363
procedures for refusal are in accordance with section 9.79 of 2364
the Revised Code. 2365

Sec. 4779.03. No person shall use the titles "licensed
orthotist," "licensed prosthetist," "licensed orthotist-
prosthetist," or "licensed pedorthist," the initials "L.O.,"
"L.P.," "L.O.P.," or "L.Ped.," or any other title or initials to
represent that the person is licensed to practice orthotics,
prosthetics, or pedorthics, unless the person holds a current,
valid license issued or renewed under this chapter.

~~No person shall use any title or initials to represent
that the person is licensed to practice orthotics, prosthetics,
orthotics and prosthetics, or pedorthics as a temporarily
licensed orthotist, prosthetist, or pedorthist, unless the
person holds a current, valid temporary license issued or
renewed under this chapter.~~

Sec. 4798.05. (A) Each occupational licensing board shall
prepare a report that includes the following information:

(1) The fee structure for each occupational license issued
by the board;

(2) Whether the fee structure can more competitively align
with Ohio's neighboring states;

(3) Whether the fee structure is a financial barrier to
licensure for some individuals or a financial burden on license
holders;

(4) Whether the board's process for issuing occupational
licenses could be improved by using the electronic licensing
system maintained by the department of administrative services
under section 125.18 of the Revised Code.

(B) Not later than six months after the effective date of
this section, each board shall submit the report required under
division (A) of this section to the following individuals:

<u>(1) The president of the senate;</u>	2395
<u>(2) The speaker of the house of representatives;</u>	2396
<u>(3) The chairperson of the standing committee of the senate responsible for reviewing occupational licensing boards under section 101.63 of the Revised Code;</u>	2397 2398 2399
<u>(4) The chairperson of the standing committee of the house of representatives responsible for reviewing occupational licensing boards under section 101.63 of the Revised Code.</u>	2400 2401 2402
<u>(C) If a board finds in its report that using the electronic licensing system maintained by the department of administrative services is more efficient for applicants and license holders, the board shall begin using the electronic licensing system as soon as practicable.</u>	2403 2404 2405 2406 2407
Sec. 5126.22. (A) Employees who hold the following positions in a county board of developmental disabilities are management employees:	2408 2409 2410
assistant superintendent	2411
director of business	2412
director of personnel	2413
adult services director	2414
workshop director	2415
habilitation manager	2416
director of residential services	2417
principal (director of children services)	2418
program or service supervisor	2419

plant manager	2420
production manager	2421
service and support administration supervisor	2422
investigative agent	2423
confidential employees as defined in section 4117.01 of the Revised Code	2424 2425
positions designated by the director of developmental disabilities as having managerial or supervisory responsibilities and duties	2426 2427 2428
positions designated by the county board in accordance with division (D) of this section.	2429 2430
(B) Employees who hold the following positions in a board are professional employees:	2431 2432
personnel licensed or certified pursuant to Chapter 3319. of the Revised Code	2433 2434
early intervention specialist	2435
physical development specialist	2436
habilitation specialist	2437
work adjustment specialist	2438
placement specialist	2439
vocational evaluator	2440
psychologist	2441
occupational therapist	2442
speech and language pathologist	2443

recreation specialist	2444
behavior management specialist	2445
physical therapist	2446
supportive home services specialist	2447
licensed practical nurse or registered nurse	2448
rehabilitation counselor	2449
doctor of medicine and surgery or of osteopathic medicine	2450
and surgery	2451
dentist	2452
service and support administrator	2453
conditional status service and support administrator	2454
social worker	2455
any position that is not a management position and for	2456
which the standards for certification established by the	2457
director of developmental disabilities under section 5126.25 of	2458
the Revised Code require a bachelor's or higher degree	2459
professional positions designated by the director	2460
professional positions designated by the county board in	2461
accordance with division (D) of this section.	2462
(C) Employees who hold positions in a board that are	2463
neither management positions nor professional positions are	2464
service employees. Service employee positions include:	2465
workshop specialist	2466
workshop specialist assistant	2467

contract procurement specialist	2468
community employment specialist	2469
any assistant to a professional employee certified to	2470
provide, or supervise the provision of, adult services or	2471
service and support administration	2472
<u>any assistant to a professional employee providing or</u>	2473
<u>supervising the provision of adult services</u>	2474
service positions designated by the director	2475
service positions designated by a county board in	2476
accordance with division (D) of this section.	2477
(D) A county board may designate a position only if the	2478
position does not include directly providing, or supervising	2479
employees who directly provide, service or instruction to	2480
individuals with developmental disabilities.	2481
(E) If a county board desires to have a position	2482
established that is not specifically listed in this section that	2483
includes directly providing, or supervising employees who	2484
directly provide, services or instruction to individuals with	2485
developmental disabilities, the board shall submit to the	2486
director a written description of the position and request that	2487
the director designate the position as a management,	2488
professional, or service position under this section. The	2489
director shall consider each request submitted under this	2490
division and respond within thirty days. If the director	2491
approves the request, the director shall designate the position	2492
as a management, professional, or service position.	2493
(F) A county board shall not terminate its employment of	2494
any management, professional, or service employee solely because	2495

a position is added to or eliminated from those positions listed 2496
in this section or because a position is designated or no longer 2497
designated by the director or a county board. 2498

Sec. 5126.25. (A) The director of developmental 2499
disabilities shall adopt rules under division (C) of this 2500
section establishing uniform standards and procedures for the 2501
certification and registration of persons, other than the 2502
persons described in division (I) of this section, who are 2503
seeking employment with or are employed by either of the 2504
following: 2505

(1) A county board of developmental disabilities; 2506

(2) An entity that contracts with a county board to 2507
operate programs and services for individuals with developmental 2508
disabilities. 2509

(B) No person shall be employed in a position for which 2510
certification or registration is required pursuant to the rules 2511
adopted under this section without the certification or 2512
registration that is required for that position. The person 2513
shall not be employed or shall not continue to be employed if 2514
the required certification or registration is denied, revoked, 2515
or not renewed. 2516

(C) The director shall adopt rules in accordance with 2517
Chapter 119. of the Revised Code as the director considers 2518
necessary to implement and administer this section, including 2519
rules establishing all of the following: 2520

(1) Positions of employment that are subject to this 2521
section and, for each position, whether a person must receive 2522
certification or receive registration to be employed in that 2523
position; 2524

(2) Requirements that must be met to receive the 2525
certification or registration required to be employed in a 2526
particular position, including standards regarding education, 2527
specialized training, and experience, taking into account the 2528
needs of individuals with developmental disabilities and the 2529
specialized techniques needed to serve them, except that the 2530
rules shall not require a person designated as a service 2531
employee under section 5126.22 of the Revised Code to have or 2532
obtain a bachelor's or higher degree; 2533

(3) Procedures to be followed in applying for initial 2534
certification or registration and for renewing the certification 2535
or registration. 2536

(4) Requirements that must be met for renewal of 2537
certification or registration, which may include continuing 2538
education and professional training requirements; 2539

(5) Subject to section 5126.23 of the Revised Code, 2540
grounds for which certification or registration may be denied, 2541
suspended, or revoked and procedures for appealing the denial, 2542
suspension, or revocation. 2543

(D) Each person seeking certification or registration for 2544
employment shall apply in the manner established in rules 2545
adopted under this section. 2546

(E) (1) Except as provided in division (E) (2) of this 2547
section, the superintendent of each county board is responsible 2548
for taking all actions regarding certification and registration 2549
of employees, other than the position of superintendent, ~~early-~~ 2550
~~intervention supervisor,~~ early intervention specialist, or 2551
investigative agent. For the position of superintendent, ~~early-~~ 2552
~~intervention supervisor,~~ early intervention specialist, or 2553

investigative agent, the director of developmental disabilities 2554
is responsible for taking all such actions. 2555

Actions that may be taken by the superintendent or 2556
director include issuing, renewing, denying, suspending, and 2557
revoking certification and registration. All actions shall be 2558
taken in accordance with the rules adopted under this section. 2559

The superintendent may charge a fee to persons applying 2560
for certification or registration. The superintendent shall 2561
establish the amount of the fee according to the costs the 2562
county board incurs in administering its program for 2563
certification and registration of employees. 2564

A person subject to the denial, suspension, or revocation 2565
of certification or registration may appeal the decision. The 2566
appeal shall be made in accordance with the rules adopted under 2567
this section. 2568

(2) Pursuant to division (C) of section 5126.05 of the 2569
Revised Code, the superintendent may enter into a contract with 2570
any other entity under which the entity is given authority to 2571
carry out all or part of the superintendent's responsibilities 2572
under division (E) (1) of this section. 2573

(F) A person with valid certification or registration 2574
under this section on the effective date of any rules adopted 2575
under this section that increase the standards applicable to the 2576
certification or registration shall have such period as the 2577
rules prescribe, but not less than one year after the effective 2578
date of the rules, to meet the new certification or registration 2579
standards. 2580

(G) A person with valid certification or registration is 2581
qualified to be employed according to that certification or 2582

registration by any county board or entity contracting with a 2583
county board. 2584

(H) The director shall monitor county boards to ensure 2585
that their employees and the employees of their contracting 2586
entities have the applicable certification or registration 2587
required under this section and that the employees are 2588
performing only those functions they are authorized to perform 2589
under the certification or registration. The superintendent of 2590
each county board or the superintendent's designee shall 2591
maintain in appropriate personnel files evidence acceptable to 2592
the director that the employees have met the requirements. On 2593
request, representatives of the department of developmental 2594
disabilities shall be given access to the evidence. 2595

(I) The certification and registration requirements of 2596
this section and the rules adopted under it do not apply to 2597
either of the following: 2598

(1) A person who holds a valid license issued or 2599
certificate issued under Chapter 3319. of the Revised Code and 2600
performs no duties other than teaching or supervision of a 2601
teaching program; 2602

(2) A person who holds a valid license or certificate 2603
issued under Title XLVII of the Revised Code and performs only 2604
those duties governed by the license or certificate. 2605

(J) Beginning on the effective date of this amendment, the 2606
rules adopted under this section shall not require an individual 2607
employed by a county board of developmental disabilities to be 2608
certified to provide, or supervise the provision of, adult 2609
services. 2610

Section 2. That existing sections 1716.05, 1716.08, 2611

1716.99, 4717.05, 4723.01, 4723.08, 4723.091, 4723.092, 4723.72, 2612
4723.73, 4723.75, 4723.79, 4723.88, 4725.16, 4725.17, 4725.171, 2613
4725.19, 4725.34, 4725.48, 4725.51, 4725.52, 4725.53, 4729.12, 2614
4732.14, 4732.141, 4732.142, 4757.02, 4757.22, 4757.27, 2615
4757.301, 4765.55, 4779.03, 5126.22, and 5126.25 of the Revised 2616
Code are hereby repealed. 2617

Section 3. That sections 4723.76 and 4779.18 of the 2618
Revised Code are hereby repealed. 2619

Section 4. (A) For the purposes of this section, 2620
"occupational licensing board" has the same meaning as in 2621
section 4798.01 of the Revised Code. 2622

(B) Pursuant to division (E) of section 101.62 of the 2623
Revised Code, the following occupational licensing boards are 2624
hereby renewed and, subject to the revisions prescribed by this 2625
act, the statutes creating, empowering, governing, and 2626
regulating those boards are continued: 2627

(1) The Department of Aging described in Chapter 173. of 2628
the Revised Code; 2629

(2) The Attorney General described in Chapter 109. of the 2630
Revised Code; 2631

(3) The Board of Building Standards created under section 2632
3781.07 of the Revised Code; 2633

(4) The Chemical Dependency Professionals Board created 2634
under section 4758.10 of the Revised Code; 2635

(5) The State Chiropractic Board described in Chapter 2636
4734. of the Revised Code; 2637

(6) The Counselor, Social Worker, and Marriage and Family 2638
Therapist Board created under section 4757.03 of the Revised 2639

Code;	2640
(7) The State Dental Board described in section 4715.02 of the Revised Code;	2641 2642
(8) The Department of Developmental Disabilities described in Chapter 5123. of the Revised Code;	2643 2644
(9) The Board of Embalmers and Funeral Directors created under section 4717.02 of the Revised Code;	2645 2646
(10) The State Board of Emergency Medical, Fire, and Transportation Services created under section 4765.02 of the Revised Code;	2647 2648 2649
(11) The State Fire Marshal described in Chapter 3737. of the Revised Code;	2650 2651
(12) The Department of Insurance created under section 3901.01 of the Revised Code;	2652 2653
(13) The Board of Nursing described in section 4723.02 of the Revised Code;	2654 2655
(14) The Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board created under section 4755.01 of the Revised Code;	2656 2657 2658
(15) The State Board of Pharmacy created under section 4729.02 of the Revised Code;	2659 2660
(16) The State Board of Psychology described in section 4732.02 of the Revised Code;	2661 2662
(17) The State Speech and Hearing Professionals Board described in section 4753.05 of the Revised Code;	2663 2664
(18) The Veterinary Medical Licensing Board created under section 4741.02 of the Revised Code; and	2665 2666

(19) The State Vision Professionals Board created under 2667
section 4725.031 of the Revised Code. 2668

(C) The occupational licensing boards listed in this 2669
section shall be triggered to expire under division (B) of 2670
section 101.62 of the Revised Code at the end of the thirty- 2671
first day of December of the sixth year following enactment of 2672
this section. 2673

Section 5. (A) The extension of the duration of the 2674
certificates of licensure to practice optometry, topical ocular 2675
pharmaceutical agents certificates, therapeutic pharmaceutical 2676
agents certificates, dispensing optician licenses, and ocularist 2677
licenses by this act applies to certificates of licensure, 2678
certificates, and licenses that are issued or renewed on or 2679
after the effective date of this section. Certificates of 2680
licensure to practice optometry, topical ocular pharmaceutical 2681
agents certificates, and therapeutic pharmaceutical agents 2682
certificates in effect on the effective date of this section 2683
continue in effect until the last day of December of the next 2684
even-numbered year, and any continuing education required for 2685
renewal shall be the amount in effect before the effective date 2686
of this section. Dispensing optician licenses and ocularist 2687
licenses in effect on the effective date of this section 2688
continue in effect until the first day of January of the next 2689
odd-numbered year and any continuing education required for 2690
renewal is the amount in effect before the effective date of 2691
this section. 2692

(B) If the state vision professionals board has adopted a 2693
rule or other requirement relating to the duration of 2694
certificates of licensure, certificates, and licenses extended 2695
by this act, the board shall revise its rules to comply with 2696

this act. 2697

Section 6. Section 4732.14 of the Revised Code is 2698
presented in this act as a composite of the section as amended 2699
by both H.B. 83 and H.B. 98 of the 130th General Assembly. The 2700
General Assembly, applying the principle stated in division (B) 2701
of section 1.52 of the Revised Code that amendments are to be 2702
harmonized if reasonably capable of simultaneous operation, 2703
finds that the composite is the resulting version of the section 2704
in effect prior to the effective date of the section as 2705
presented in this act. 2706