

**As Passed by the House**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. H. B. No. 509**

**Representatives John, Fowler Arthur**

**Cosponsors: Representatives Wiggam, Click, Gross, Hall, Holmes, Jones, Kick,  
McClain, Merrin**

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**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 199  
of the event, the professional solicitor shall give all donated 200  
tickets to each person that made the written commitment to 201  
accept them. 202

(E) The attorney general shall prepare an annual report 203  
setting forth the activities of all professional solicitors and 204  
all fund-raising counsel that at any time have custody of 205  
contributions from a solicitation who are required to comply 206  
with the provisions of this chapter and any rules adopted under 207  
the provisions of this chapter. The report is a public record 208  
open to public inspection under section 149.43 of the Revised 209  
Code. 210

(F) The attorney general shall maintain a file for each 211  
registered professional solicitor and each fund-raising counsel 212  
that at any time has custody of contributions from a 213  
solicitation. In that file, ~~he~~ the attorney general shall place 214  
all information received by ~~him~~ the attorney general from those 215  
registered professional solicitors or those fund-raising counsel 216  
and any letters received from citizens and charitable 217  
organizations regarding the work of the professional fund raiser 218  
or fund-raising counsel. The files are public records open to 219  
public inspection under section 149.43 of the Revised Code. 220

**Sec. 1716.99.** (A) Whoever violates any provision of 221  
sections 1716.02 to 1716.17 of the Revised Code, other than 222  
division (A)(1) of section 1716.14 of the Revised Code, is 223  
guilty of a misdemeanor of the first degree. 224

Each occurrence of a solicitation of a contribution from 225



any person in violation of any provision of sections 1716.02 to 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 science as approved by the board and has presented to the board a certificate showing successful completion of the course. The course of mortuary science college training may be completed either before or after the completion of the educational standard set forth in division (A) (2) of this section.

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

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

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

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

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

(1) Except as otherwise provided in division (D) of this section, the applicant has satisfactorily met all the

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 registered nurse;	456 457
(6) Teaching nursing tasks to licensed practical nurses and individuals to whom the licensed practical nurse is authorized to delegate nursing tasks as directed by a registered nurse.	458 459 460 461
(G) "Certified registered nurse anesthetist" means an advanced practice registered nurse who holds a current, valid license issued under this chapter and is designated as a certified registered nurse anesthetist in accordance with section 4723.42 of the Revised Code and rules adopted by the board of nursing.	462 463 464 465 466 467
(H) "Clinical nurse specialist" means an advanced practice registered nurse who holds a current, valid license issued under this chapter and is designated as a clinical nurse specialist in accordance with section 4723.42 of the Revised Code and rules adopted by the board of nursing.	468 469 470 471 472
(I) "Certified nurse-midwife" means an advanced practice registered nurse who holds a current, valid license issued under this chapter and is designated as a certified nurse-midwife in accordance with section 4723.42 of the Revised Code and rules adopted by the board of nursing.	473 474 475 476 477
(J) "Certified nurse practitioner" means an advanced practice registered nurse who holds a current, valid license issued under this chapter and is designated as a certified nurse practitioner in accordance with section 4723.42 of the Revised Code and rules adopted by the board of nursing.	478 479 480 481 482
(K) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and	483 484

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

<del>certificate, the amount specified in rules adopted under section</del>	570
<del>4723.79 of the Revised Code;</del>	571
<del>(4) For application for a dialysis technician certificate,</del>	572
<del>the amount specified in rules adopted under section 4723.79 of</del>	573
<del>the Revised Code;</del>	574
<del>(5) (4) For providing, pursuant to division (B) of section</del>	575
<del>4723.271 of the Revised Code, written verification of a nursing</del>	576
<del>license, dialysis technician certificate, medication aide</del>	577
<del>certificate, or community health worker certificate to another</del>	578
<del>jurisdiction, fifteen dollars;</del>	579
<del>(6) (5) For providing, pursuant to division (A) of section</del>	580
<del>4723.271 of the Revised Code, a replacement copy of a wall</del>	581
<del>certificate suitable for framing as described in that division,</del>	582
<del>twenty-five dollars;</del>	583
<del>(7) (6) For renewal of a license to practice as a</del>	584
<del>registered nurse or licensed practical nurse, sixty-five</del>	585
<del>dollars;</del>	586
<del>(8) (7) For renewal of a license to practice as an</del>	587
<del>advanced practice registered nurse, one hundred thirty-five</del>	588
<del>dollars;</del>	589
<del>(9) (8) For renewal of a dialysis technician certificate,</del>	590
<del>the amount specified in rules adopted under section 4723.79 of</del>	591
<del>the Revised Code;</del>	592
<del>(10) (9) For processing a late application for renewal of</del>	593
<del>a nursing license or dialysis technician certificate, fifty</del>	594
<del>dollars;</del>	595
<del>(11) (10) For application for authorization to approve</del>	596
<del>continuing education programs and courses from an applicant</del>	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 dialysis. 714  
715

(B)(1) Subject to divisions (B)(2) and (3) of this section, a dialysis technician or dialysis technician intern may provide the dialysis care specified in division (A) of this section only if the care has been delegated to the technician or intern by a physician, physician assistant, or registered nurse and the technician or intern is under the supervision of a physician, physician assistant, or registered nurse. Supervision requires that the dialysis technician or dialysis technician intern be in the immediate presence of a physician, physician assistant, or registered nurse. 716  
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(2) In accordance with division (E) of section 4723.73 of the Revised Code, a dialysis technician intern shall not provide dialysis care in a patient's home. 726  
727  
728

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

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

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

(C) A dialysis technician or dialysis technician intern may administer only the following medications as ordered by a licensed health professional authorized to prescribe drugs as defined in section 4729.01 of the Revised Code and in accordance 739  
740  
741  
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 training program on or after June 1, 2003, the results of a criminal records check conducted in accordance with section 4723.091 of the Revised Code demonstrate that the applicant is not ineligible for certification in accordance with section 4723.092 of the Revised Code.

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

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

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

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

(2) The applicant does all of the following:

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

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

(c) Submits evidence satisfactory to the board that the applicant completed at least two hours of education directly related to this chapter and the rules adopted under it.

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

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

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

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

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

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

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

patient care. 883

(B) The application process, fee, and requirements for 884  
issuance of a dialysis technician certificate under section 885  
4723.75 of the Revised Code, except that the amount of the fee 886  
shall be no greater than the fee charged under division (A) (1) 887  
of section 4723.08 of the Revised Code; 888

~~(C) The application process, fee, and requirements for~~ 889  
~~issuance of a dialysis technician intern certificate under~~ 890  
~~section 4723.76 of the Revised Code;~~ 891

~~(D)~~The process for approval of testing organizations 892  
under section 4723.751 of the Revised Code; 893

~~(E)~~(D) Subjects to be included in a certification 894  
examination pursuant to section 4723.751 of the Revised Code; 895

~~(F)~~(E) The schedule, fees, and continuing education 896  
requirements for renewal of a dialysis technician certificate 897  
under section 4723.77 of the Revised Code, except that the 898  
amount of the fee for renewal shall be no greater than the fee 899  
charged under division ~~(A) (10)~~(A) (9) of section 4723.08 of the 900  
Revised Code; 901

~~(G)~~(F) Standards for approval of continuing education 902  
programs and courses for dialysis technicians; 903

~~(H)~~(G) Standards for the administration of medication by 904  
dialysis technicians and dialysis technician interns under 905  
section 4723.72 of the Revised Code; 906

~~(I)~~(H) Standards and procedures for the supervision of 907  
dialysis technicians who provide dialysis care in a patient's 908  
home, including monthly home visits by a registered nurse to 909  
monitor the quality of the dialysis care; 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 942  
the board's approval of training programs that prepare 943  
individuals to become certified community health workers. In 944  
establishing the standards, the board shall specify the minimum 945  
components that must be included in a training program, shall 946  
require that all approved training programs offer the 947  
standardized curriculum, and shall ensure that the curriculum 948  
enables individuals to use the training as a basis for entering 949  
programs leading to other careers, including nursing education 950  
programs. 951

(H) Standards for approval of continuing education 952  
programs and courses for certified community health workers; 953

(I) Standards and procedures for withdrawing the board's 954  
approval of a training program, refusing to renew the approval 955  
of a training program, and placing a training program on 956  
provisional approval; 957

(J) Amounts for each fee that may be imposed under 958  
division ~~(A) (17)~~ (A) (16) of section 4723.08 of the Revised Code; 959

(K) Any other standards or procedures the board considers 960  
necessary and appropriate for the administration and enforcement 961  
of sections 4723.81 to 4723.87 of the Revised Code. 962

**Sec. 4725.16.** (A) (1) Each certificate of licensure for the 963  
practice of optometry, topical ocular pharmaceutical agents 964  
certificate, and therapeutic pharmaceutical agents certificate 965  
issued by the state vision professionals board shall expire 966  
~~annually~~ on the last day of December of each even-numbered year, 967  
and may be renewed in accordance with this section and the 968

standard renewal procedure established under Chapter 4745. of 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~~ biennium, 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~~ 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) <del>One</del> <u>Three</u> hundred <del>thirty</del> 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 1398 1399 1400 1401 1402

(B) The board, subject to the approval of the controlling board, may establish fees in excess of the amounts specified in division (A) of this section if the fees do not exceed the amounts specified by more than fifty per cent.

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

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

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

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

(1) Two years of supervised experience under a licensed

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 1608  
license has been suspended or revoked or an unlicensed person to 1609  
engage in optical dispensing; 1610

(8) Permitting another person to use the licensee's 1611  
license; 1612

(9) Engaging in optical dispensing not pursuant to the 1613  
prescription of a licensed physician or licensed optometrist, 1614  
but nothing in this section shall prohibit the duplication or 1615  
replacement of previously prepared optical aids, except contact 1616  
lenses shall not be duplicated or replaced without a written 1617  
prescription; 1618

(10) Violation of sections 4725.40 to 4725.59 of the 1619  
Revised Code; 1620

(11) Waiving the payment of all or any part of a 1621  
deductible or copayment that a patient, pursuant to a health 1622  
insurance or health care policy, contract, or plan that covers 1623  
optical dispensing services, would otherwise be required to pay 1624  
if the waiver is used as an enticement to a patient or group of 1625  
patients to receive health care services from that provider; 1626

(12) Advertising that the licensee will waive the payment 1627  
of all or any part of a deductible or copayment that a patient, 1628  
pursuant to a health insurance or health care policy, contract, 1629  
or plan that covers optical dispensing services, would otherwise 1630  
be required to pay; 1631

(13) Violating the code of ethical conduct adopted under 1632  
section 4725.66 of the Revised Code. 1633

(B) The board may impose a fine of not more than five 1634

hundred dollars for a first occurrence of an action that is 1635  
grounds for discipline under this section and of not less than 1636  
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 1666  
order and shall set a date, not more than fifteen days after the 1667  
date of the order, for a hearing on the continuation or 1668  
revocation of the order. The person shall comply with the order 1669  
immediately upon receipt of notice of the order. 1670

The board may, on the application of a party and for good 1671  
cause shown, continue the hearing. Chapter 119. of the Revised 1672  
Code applies to the hearing to the extent that that chapter does 1673  
not conflict with the procedures set forth in this section. The 1674  
board shall, within fifteen days after objections are submitted 1675  
to the hearing officer's report and recommendation, issue a 1676  
final order either confirming or revoking the cease-and-desist 1677  
order. The final order may be appealed as provided under section 1678  
119.12 of the Revised Code. 1679

The remedy under this division is cumulative and 1680  
concurrent with the other remedies available under this section 1681  
or section 4725.54 of the Revised Code. 1682

**Sec. 4725.541.** The state vision professionals board may 1683  
issue a cease and desist order against any person engaged in 1684  
optical dispensing or ocularistry without having received a 1685  
license under sections 4725.40 to 4725.59 of the Revised Code 1686  
that the board reasonably suspects has violated, is currently 1687  
violating, or is about to violate this chapter. The board shall 1688  
notify the prosecuting attorney for the county in which the 1689  
alleged unlicensed activity took place for additional action in 1690  
accordance with section 4725.54 of the Revised Code. 1691

**Sec. 4729.12.** A license issued by the state board of 1692

pharmacy under section 4729.08 or 4729.11 of the Revised Code 1693  
entitles the individual to whom it is issued to practice as a 1694  
pharmacist or as a pharmacy intern in this state until the next 1695  
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. 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  
~~holder~~licensed psychologist, whether a resident or not, at the 1778  
~~license holder's~~psychologist's last provided official mailing 1779  
address, that the ~~license holder's~~psychologist'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~~  
divisions (A) and (B) of this section. 1912  
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  
psychologist-retired" status. Once the license is placed in  
retired status, the license holder shall not practice psychology  
or school psychology in this state. A license holder selecting  
this status shall pay to the state board of psychology a fee of  
fifty dollars.

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

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

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

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

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

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

(B) (1) No person shall use the title "licensed  
professional clinical counselor," "licensed professional

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 2075  
less than one year of experience, which must be completed after 2076  
the award of the doctorate. 2077

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

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

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

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

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

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

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

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

(a) A clinical mental health counseling program accredited 2101  
by the council for accreditation of counseling and related 2102  
educational programs; 2103

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

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

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

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

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

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

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

~~professional clinical counselor.~~ 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 individual must satisfy to receive a graduate degree in counseling from the approved program;

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

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

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

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

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

(1) The individual must hold a master's degree in social work from an educational institution accredited by the council

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 2190  
post-master's degree social work experience supervised by an 2191  
independent social worker. 2192

(3) The individual must pass an examination administered 2193  
by the board for the purpose of determining ability to practice 2194  
as an independent social worker. 2195

~~(C) The committee may issue a temporary license to an 2196  
applicant who meets all of the requirements to be licensed under 2197  
this section, pending the receipt of transcripts or action by 2198  
the committee to issue a license as an independent social 2199  
worker. 2200~~

~~(D) The board shall adopt any rules necessary for the 2201  
committee to implement this section, including criteria for the 2202  
committee to use in determining whether an applicant's training 2203  
should be accepted and supervised experience approved. Rules 2204  
adopted under this division shall be adopted in accordance with 2205  
Chapter 119. of the Revised Code. 2206~~

**Sec. 4757.301.** On receipt of an application for a license 2207  
as a marriage and family therapist, the counselor, social 2208  
worker, and marriage and family therapist board may issue a 2209  
temporary license to an individual who qualifies under division 2210  
(A) of section 4757.30 of the Revised Code for licensure as a 2211  
~~marriage and family therapist or divisions (A) and (C) of 2212  
section 4757.30 of the Revised Code for licensure as an 2213  
independent marriage and family therapist, except that the 2214  
individual is awaiting the next opportunity to take an 2215  
examination required by the board under that division. The 2216~~

temporary license allows the holder to engage in the practice of 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 <del>;</del>	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 2366  
orthotist," "licensed prosthetist," "licensed orthotist- 2367  
prosthetist," or "licensed pedorthist," the initials "L.O.," 2368  
"L.P.," "L.O.P.," or "L.Ped.," or any other title or initials to 2369  
represent that the person is licensed to practice orthotics, 2370  
prosthetics, or pedorthics, unless the person holds a current, 2371  
valid license issued or renewed under this chapter. 2372

~~No person shall use any title or initials to represent 2373  
that the person is licensed to practice orthotics, prosthetics, 2374  
orthotics and prosthetics, or pedorthics as a temporarily 2375  
licensed orthotist, prosthetist, or pedorthist, unless the 2376  
person holds a current, valid temporary license issued or 2377  
renewed under this chapter. 2378~~

**Sec. 4798.05.** (A) Each occupational licensing board shall 2379  
prepare a report that includes the following information: 2380

(1) The fee structure for each occupational license issued 2381  
by the board; 2382

(2) Whether the fee structure can more competitively align 2383  
with Ohio's neighboring states; 2384

(3) Whether the fee structure is a financial barrier to 2385  
licensure for some individuals or a financial burden on license 2386  
holders; 2387

(4) Whether the board's process for issuing occupational 2388  
licenses could be improved by using the electronic licensing 2389  
system maintained by the department of administrative services 2390  
under section 125.18 of the Revised Code. 2391

(B) Not later than six months after the effective date of 2392

<u>this section, each board shall submit the report required under</u>	2393
<u>division (A) of this section to the following individuals:</u>	2394
<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</u>	2397
<u>senate responsible for reviewing occupational licensing boards</u>	2398
<u>under section 101.63 of the Revised Code;</u>	2399
<u>(4) The chairperson of the standing committee of the house</u>	2400
<u>of representatives responsible for reviewing occupational</u>	2401
<u>licensing boards under section 101.63 of the Revised Code.</u>	2402
<u>(C) If a board finds in its report that using the</u>	2403
<u>electronic licensing system maintained by the department of</u>	2404
<u>administrative services is more efficient for applicants and</u>	2405
<u>license holders, the board shall begin using the electronic</u>	2406
<u>licensing system as soon as practicable.</u>	2407
<b>Sec. 5126.22.</b> (A) Employees who hold the following	2408
positions in a county board of developmental disabilities are	2409
management employees:	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, <del>adult services or</del>	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 Code;	2639 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	2665

section 4741.02 of the Revised Code; and 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