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Senator Schuring

Cosponsors: Senators Harris, Niehaus, Padgett, Stivers, Wilson

**Representatives Bacon, Batchelder, Boyd, Chandler, DeBose, Domenick,
Dyer, Fende, Flowers, Gibbs, Grady, Hughes, Luckie, Nero, Schindel, Sears,
Stebelton, Strahorn, Wachtmann, Williams, B., Yuko**

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A B I L L

To amend sections 3727.01, 3727.02, 3727.321, 1
3727.41, 4503.44, 4715.62, 4730.03, 4730.09, 2
4731.15, 4731.155, 4731.19, 4731.281, 4731.293, 3
and 4760.131 and to enact section 3727.322 of the 4
Revised Code regarding certain State Medical Board 5
procedures, physician assistants, limited branches 6
of medicine, the submission of information by 7
hospitals in meeting certain performance measures, 8
to include the American Safety and Health 9
Institute as a provider of basic life-support 10
training for expanded function dental auxiliaries, 11
and to declare an emergency. 12

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

Section 1. That sections 3727.01, 3727.02, 3727.321, 3727.41, 13
4503.44, 4715.62, 4730.03, 4730.09, 4731.15, 4731.155, 4731.19, 14
4731.281, 4731.293, and 4760.131 be amended and section 3727.322 15
of the Revised Code be enacted to read as follows: 16

Sec. 3727.01. (A) As used in this section, "health
maintenance organization" means a public or private organization
organized under the law of any state that is qualified under
section 1310(d) of Title XIII of the "Public Health Service Act,"
87 Stat. 931 (1973), 42 U.S.C. 300e-9, or that does all of the
following:

~~(A)~~(1) Provides or otherwise makes available to enrolled
participants health care services including at least the following
basic health care services: usual physician services,
hospitalization, laboratory, x-ray, emergency and preventive
service, and out-of-area coverage;

~~(B)~~(2) Is compensated, except for copayments, for the
provision of basic health care services to enrolled participants
by a payment that is paid on a periodic basis without regard to
the date the health care services are provided and that is fixed
without regard to the frequency, extent, or kind of health service
actually provided;

~~(C)~~(3) Provides physician services primarily in either of the
following ways:

~~(1)~~(a) Directly through physicians who are either employees
or partners of the organization;

~~(2)~~(b) Through arrangements with individual physicians or one
or more groups of physicians organized on a group-practice or
individual-practice basis.

(B) As used in this chapter, ~~"hospital:~~

(1) "Children's hospital" has the same meaning as in section
3702.51 of the Revised Code.

(2) "Hospital" means an institution classified as a hospital
under section 3701.07 of the Revised Code in which are provided to
inpatients diagnostic, medical, surgical, obstetrical,

psychiatric, or rehabilitation care for a continuous period longer 47
than twenty-four hours or a hospital operated by a health 48
maintenance organization. "Hospital" does not include a facility 49
licensed under Chapter 3721. of the Revised Code, a health care 50
facility operated by the department of mental health or the 51
department of mental retardation and developmental disabilities, a 52
health maintenance organization that does not operate a hospital, 53
the office of any private licensed health care professional, 54
whether organized for individual or group practice, or a clinic 55
that provides ambulatory patient services and where patients are 56
not regularly admitted as inpatients. "Hospital" also does not 57
include an institution for the sick that is operated exclusively 58
for patients who use spiritual means for healing and for whom the 59
acceptance of medical care is inconsistent with their religious 60
beliefs, accredited by a national accrediting organization, exempt 61
from federal income taxation under section 501 of the Internal 62
Revenue Code of 1986, 100 Stat. 2085, 26 U.S.C.A. 1, as amended, 63
and providing twenty-four hour nursing care pursuant to the 64
exemption in division (E) of section 4723.32 of the Revised Code 65
from the licensing requirements of Chapter 4723. of the Revised 66
Code. 67

(3) "Joint commission" means the commission formerly known as 68
the joint commission on accreditation of healthcare organizations 69
or the joint commission on accreditation of hospitals. 70

Sec. 3727.02. (A) No person and no political subdivision, 71
agency, or instrumentality of this state shall operate a hospital 72
unless it is certified under Title XVIII of the "Social Security 73
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, or is 74
accredited by the joint commission ~~on accreditation of hospitals~~ 75
or the American osteopathic association. 76

(B) No person and no political subdivision, agency, or 77

instrumentality of this state shall hold out as a hospital any 78
health facility that is not certified or accredited as required in 79
division (A) of this section. 80

Sec. 3727.321. (A) The group of experts convened under 81
section 3727.32 of the Revised Code may include in the 82
recommendations developed under division (A)(1) of that section 83
recommendations that the director of health's rules adopted under 84
section 3727.41 of the Revised Code include some or all of the 85
following measures: 86

(1) Hospital quality measures publicly reported by the 87
centers for medicare and medicaid services; 88

(2) Hospital quality measures publicly reported by the joint 89
~~commission on accreditation of healthcare organizations;~~ 90

(3) Measures included in the patient safety indicators and 91
inpatient quality indicators developed by the agency for health 92
care research and quality; 93

(4) Measures included in the national voluntary consensus 94
standards for hospital care endorsed by the national quality 95
forum. 96

(B) In considering whether to recommend that the director 97
include a particular measure in the rules, the group of experts 98
shall consider whether there are any excessive administrative or 99
financial implications associated with the reporting of 100
information by hospitals regarding their performance in meeting 101
the measure. 102

Sec. 3727.322. The director of health shall appoint a group 103
of experts in pediatric medicine consisting of physician 104
representatives from Ohio children's hospitals and other hospitals 105
that provide services to the pediatric population. 106

The group of experts shall develop, on an ongoing basis, 107
recommendations regarding measures for children's hospital 108
inpatient and outpatient services and submit the recommendations 109
to the hospital measures advisory council. 110

The members of the group shall serve without remuneration, 111
except to the extent that serving in the group is considered a 112
part of their regular employment duties. The members shall not be 113
reimbursed for expenses incurred in the performance of their 114
duties in the group. 115

Sec. 3727.41. (A) (1) The director of health shall adopt 116
rules governing hospitals in their submission of information to 117
the director under sections 3727.33 and 3727.34 of the Revised 118
Code. The rules shall be adopted in accordance with Chapter 119. 119
of the Revised Code. 120

(2) Rules adopted by the director under division (A)(1) of 121
this section shall not require either of the following: 122

(a) A hospital to submit information regarding a performance, 123
quality, or service measure for which the hospital does not 124
provide the service; 125

(b) A children's hospital to report a performance, quality, 126
or service measure for patients eighteen years of age or older. 127

(B)(1) The rules for submission of information under section 128
3727.33 of the Revised Code shall include rules specifying the 129
inpatient and outpatient service measures to be used by hospitals 130
in submitting the information. The rules may include any of the 131
measures recommended by the group of experts convened under 132
section 3727.32 of the Revised Code and shall include measures 133
from the following: 134

(a) Hospital quality measures publicly reported by the 135
centers for medicare and medicaid services; 136

(b) Hospital quality measures publicly reported by the joint commission on accreditation of healthcare organizations;	137 138
(c) Measures that examine volume of cases, adjusted length of stay, complications, infections, or mortality rates and are developed by the agency for health care research and quality;	139 140 141
(d) Measures included in the national voluntary consensus standards for hospital care endorsed by the national quality forum.	142 143 144
(2) In adopting rules specifying the measures to be used by hospitals in submitting the information, the director shall consider both of the following:	145 146 147
(a) Whether hospitals have a sufficient caseload to make a particular measure a reliable indicator of their ability to treat a diagnosis or perform a procedure in a quality manner;	148 149 150
(b) Whether there are any excessive administrative or financial implications associated with the reporting of information by hospitals regarding their performance in meeting a particular measure.	151 152 153 154
Sec. 4503.44. (A) As used in this section and in section 4511.69 of the Revised Code:	155 156
(1) "Person with a disability that limits or impairs the ability to walk" means any person who, as determined by a physician, advanced practice nurse, or chiropractor <u>health care provider</u> , meets any of the following criteria:	157 158 159 160
(a) Cannot walk two hundred feet without stopping to rest;	161
(b) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;	162 163 164
(c) Is restricted by a lung disease to such an extent that	165

the person's forced (respiratory) expiratory volume for one 166
second, when measured by spirometry, is less than one liter, or 167
the arterial oxygen tension is less than sixty millimeters of 168
mercury on room air at rest; 169

(d) Uses portable oxygen; 170

(e) Has a cardiac condition to the extent that the person's 171
functional limitations are classified in severity as class III or 172
class IV according to standards set by the American heart 173
association; 174

(f) Is severely limited in the ability to walk due to an 175
arthritic, neurological, or orthopedic condition; 176

(g) Is blind. 177

(2) "Organization" means any private organization or 178
corporation, or any governmental board, agency, department, 179
division, or office, that, as part of its business or program, 180
transports persons with disabilities that limit or impair the 181
ability to walk on a regular basis in a motor vehicle that has not 182
been altered for the purpose of providing it with special 183
equipment for use by handicapped persons. This definition does not 184
apply to division (J) of this section. 185

(3) "Health care provider" means a physician, physician 186
assistant, advanced practice nurse, or chiropractor as defined in 187
this section. 188

(4) "Physician" means a person licensed to practice medicine 189
or surgery or osteopathic medicine and surgery under Chapter 4731. 190
of the Revised Code. 191

~~(4)~~(5) "Chiropractor" means a person licensed to practice 192
chiropractic under Chapter 4734. of the Revised Code. 193

~~(5)~~(6) "Advanced practice nurse" means any certified nurse 194
practitioner, clinical nurse specialist, certified registered 195

nurse anesthetist, or certified nurse-midwife who holds a 196
certificate of authority issued by the board of nursing under 197
Chapter 4723. of the Revised Code. 198

(7) "Physician assistant" means a person who holds a 199
certificate to practice as a physician assistant issued under 200
Chapter 4730. of the Revised Code. 201

(B) Any organization or person with a disability that limits 202
or impairs the ability to walk may apply to the registrar of motor 203
vehicles for a removable windshield placard or, if the person owns 204
or leases a motor vehicle, the person may apply for the 205
registration of any motor vehicle the person owns or leases. In 206
addition to one or more sets of license plates or one placard, a 207
person with a disability that limits or impairs the ability to 208
walk is entitled to one additional placard, but only if the person 209
applies separately for the additional placard, states the reasons 210
why the additional placard is needed, and the registrar, in the 211
registrar's discretion, determines that good and justifiable cause 212
exists to approve the request for the additional placard. When a 213
motor vehicle has been altered for the purpose of providing it 214
with special equipment for a person with a disability that limits 215
or impairs the ability to walk, but is owned or leased by someone 216
other than such a person, the owner or lessee may apply to the 217
registrar or a deputy registrar for registration under this 218
section. The application for registration of a motor vehicle owned 219
or leased by a person with a disability that limits or impairs the 220
ability to walk shall be accompanied by a signed statement from 221
the applicant's ~~personal physician, advanced practice nurse, or~~ 222
~~chiropractor~~ health care provider certifying that the applicant 223
meets at least one of the criteria contained in division (A)(1) of 224
this section and that the disability is expected to continue for 225
more than six consecutive months. The application for a removable 226
windshield placard made by a person with a disability that limits 227

or impairs the ability to walk shall be accompanied by a 228
prescription from the applicant's ~~personal physician, advanced~~ 229
~~practice nurse, or chiropractor~~ health care provider prescribing 230
such a placard for the applicant, provided that the applicant 231
meets at least one of the criteria contained in division (A)(1) of 232
this section. The ~~physician, advanced practice nurse, or~~ 233
~~chiropractor~~ health care provider shall state on the prescription 234
the length of time the ~~physician, advanced practice nurse, or~~ 235
~~chiropractor~~ health care provider expects the applicant to have 236
the disability that limits or impairs the applicant's ability to 237
walk. The application for a removable windshield placard made by 238
an organization shall be accompanied by such documentary evidence 239
of regular transport of persons with disabilities that limit or 240
impair the ability to walk by the organization as the registrar 241
may require by rule and shall be completed in accordance with 242
procedures that the registrar may require by rule. The application 243
for registration of a motor vehicle that has been altered for the 244
purpose of providing it with special equipment for a person with a 245
disability that limits or impairs the ability to walk but is owned 246
by someone other than such a person shall be accompanied by such 247
documentary evidence of vehicle alterations as the registrar may 248
require by rule. 249

(C) When an organization, a person with a disability that 250
limits or impairs the ability to walk, or a person who does not 251
have a disability that limits or impairs the ability to walk but 252
owns a motor vehicle that has been altered for the purpose of 253
providing it with special equipment for a person with a disability 254
that limits or impairs the ability to walk first submits an 255
application for registration of a motor vehicle under this section 256
and every fifth year thereafter, the organization or person shall 257
submit a signed statement from the applicant's ~~personal physician,~~ 258
~~advanced practice nurse, or chiropractor~~ health care provider, a 259
completed application, and any required documentary evidence of 260

vehicle alterations as provided in division (B) of this section, 261
and also a power of attorney from the owner of the motor vehicle 262
if the applicant leases the vehicle. Upon submission of these 263
items, the registrar or deputy registrar shall issue to the 264
applicant appropriate vehicle registration and a set of license 265
plates and validation stickers, or validation stickers alone when 266
required by section 4503.191 of the Revised Code. In addition to 267
the letters and numbers ordinarily inscribed thereon, the license 268
plates shall be imprinted with the international symbol of access. 269
The license plates and validation stickers shall be issued upon 270
payment of the regular license fee as prescribed under section 271
4503.04 of the Revised Code and any motor vehicle tax levied under 272
Chapter 4504. of the Revised Code, and the payment of a service 273
fee equal to the amount specified in division (D) or (G) of 274
section 4503.10 of the Revised Code. 275

(D)(1) Upon receipt of a completed and signed application for 276
a removable windshield placard, a prescription as described in 277
division (B) of this section, documentary evidence of regular 278
transport of persons with disabilities that limit or impair the 279
ability to walk, if required, and payment of a service fee equal 280
to the amount specified in division (D) or (G) of section 4503.10 281
of the Revised Code, the registrar or deputy registrar shall issue 282
to the applicant a removable windshield placard, which shall bear 283
the date of expiration on both sides of the placard and shall be 284
valid until expired, revoked, or surrendered. Every removable 285
windshield placard expires as described in division (D)(2) of this 286
section, but in no case shall a removable windshield placard be 287
valid for a period of less than sixty days. Removable windshield 288
placards shall be renewable upon application as provided in 289
division (B) of this section, and a service fee equal to the 290
amount specified in division (D) or (G) of section 4503.10 of the 291
Revised Code shall be charged for the renewal of a removable 292
windshield placard. The registrar shall provide the application 293

form and shall determine the information to be included thereon. 294
The registrar also shall determine the form and size of the 295
removable windshield placard, the material of which it is to be 296
made, and any other information to be included thereon, and shall 297
adopt rules relating to the issuance, expiration, revocation, 298
surrender, and proper display of such placards. Any placard issued 299
after October 14, 1999, shall be manufactured in a manner that 300
allows the expiration date of the placard to be indicated on it 301
through the punching, drilling, boring, or creation by any other 302
means of holes in the placard. 303

(2) At the time a removable windshield placard is issued to a 304
person with a disability that limits or impairs the ability to 305
walk, the registrar or deputy registrar shall enter into the 306
records of the bureau of motor vehicles the last date on which the 307
person will have that disability, as indicated on the accompanying 308
prescription. Not less than thirty days prior to that date and all 309
removable windshield placard renewal dates, the bureau shall send 310
a renewal notice to that person at the person's last known address 311
as shown in the records of the bureau, informing the person that 312
the person's removable windshield placard will expire on the 313
indicated date not to exceed five years from the date of issuance, 314
and that the person is required to renew the placard by submitting 315
to the registrar or a deputy registrar another prescription, as 316
described in division (B) of this section, and by complying with 317
the renewal provisions prescribed in division (D)(1) of this 318
section. If such a prescription is not received by the registrar 319
or a deputy registrar by that date, the placard issued to that 320
person expires and no longer is valid, and this fact shall be 321
recorded in the records of the bureau. 322

(3) At least once every year, on a date determined by the 323
registrar, the bureau shall examine the records of the office of 324
vital statistics, located within the department of health, that 325

pertain to deceased persons, and also the bureau's records of all 326
persons who have been issued removable windshield placards and 327
temporary removable windshield placards. If the records of the 328
office of vital statistics indicate that a person to whom a 329
removable windshield placard or temporary removable windshield 330
placard has been issued is deceased, the bureau shall cancel that 331
placard, and note the cancellation in its records. 332

The office of vital statistics shall make available to the 333
bureau all information necessary to enable the bureau to comply 334
with division (D)(3) of this section. 335

(4) Nothing in this section shall be construed to require a 336
person or organization to apply for a removable windshield placard 337
or special license plates if the parking card or special license 338
plates issued to the person or organization under prior law have 339
not expired or been surrendered or revoked. 340

(E)(1)(a) Any person with a disability that limits or impairs 341
the ability to walk may apply to the registrar or a deputy 342
registrar for a temporary removable windshield placard. The 343
application for a temporary removable windshield placard shall be 344
accompanied by a prescription from the applicant's ~~personal~~ 345
~~physician, advanced practice nurse, or chiropractor~~ health care 346
provider prescribing such a placard for the applicant, provided 347
that the applicant meets at least one of the criteria contained in 348
division (A)(1) of this section and that the disability is 349
expected to continue for six consecutive months or less. The 350
~~physician, advanced practice nurse, or chiropractor~~ health care 351
provider shall state on the prescription the length of time the 352
~~physician, advanced practice nurse, or chiropractor~~ health care 353
provider expects the applicant to have the disability that limits 354
or impairs the applicant's ability to walk, which cannot exceed 355
six months from the date of the prescription. Upon receipt of an 356
application for a temporary removable windshield placard, 357

presentation of the prescription from the applicant's ~~personal~~ 358
~~physician, advanced practice nurse, or chiropractor~~ health care 359
provider, and payment of a service fee equal to the amount 360
specified in division (D) or (G) of section 4503.10 of the Revised 361
Code, the registrar or deputy registrar shall issue to the 362
applicant a temporary removable windshield placard. 363

(b) Any active-duty member of the armed forces of the United 364
States, including the reserve components of the armed forces and 365
the national guard, who has an illness or injury that limits or 366
impairs the ability to walk may apply to the registrar or a deputy 367
registrar for a temporary removable windshield placard. With the 368
application, the person shall present evidence of the person's 369
active-duty status and the illness or injury. Evidence of the 370
illness or injury may include a current department of defense 371
convalescent leave statement, any department of defense document 372
indicating that the person currently has an ill or injured 373
casualty status or has limited duties, or a prescription from any 374
~~physician, advanced practice nurse, or chiropractor~~ health care 375
provider prescribing the placard for the applicant. Upon receipt 376
of the application and the necessary evidence, the registrar or 377
deputy registrar shall issue the applicant the temporary removable 378
windshield placard without the payment of any service fee. 379

(2) The temporary removable windshield placard shall be of 380
the same size and form as the removable windshield placard, shall 381
be printed in white on a red-colored background, and shall bear 382
the word "temporary" in letters of such size as the registrar 383
shall prescribe. A temporary removable windshield placard also 384
shall bear the date of expiration on the front and back of the 385
placard, and shall be valid until expired, surrendered, or 386
revoked, but in no case shall such a placard be valid for a period 387
of less than sixty days. The registrar shall provide the 388
application form and shall determine the information to be 389

included on it, provided that the registrar shall not require a 390
~~physician, advanced practice nurse, or chiropractor's~~ health care 391
provider's prescription or certification for a person applying 392
under division (E)(1)(b) of this section. The registrar also shall 393
determine the material of which the temporary removable windshield 394
placard is to be made and any other information to be included on 395
the placard and shall adopt rules relating to the issuance, 396
expiration, surrender, revocation, and proper display of those 397
placards. Any temporary removable windshield placard issued after 398
October 14, 1999, shall be manufactured in a manner that allows 399
for the expiration date of the placard to be indicated on it 400
through the punching, drilling, boring, or creation by any other 401
means of holes in the placard. 402

(F) If an applicant for a removable windshield placard is a 403
veteran of the armed forces of the United States whose disability, 404
as defined in division (A)(1) of this section, is 405
service-connected, the registrar or deputy registrar, upon receipt 406
of the application, presentation of a signed statement from the 407
applicant's ~~personal physician, advanced practice nurse, or~~ 408
~~chiropractor~~ health care provider certifying the applicant's 409
disability, and presentation of such documentary evidence from the 410
department of veterans affairs that the disability of the 411
applicant meets at least one of the criteria identified in 412
division (A)(1) of this section and is service-connected as the 413
registrar may require by rule, but without the payment of any 414
service fee, shall issue the applicant a removable windshield 415
placard that is valid until expired, surrendered, or revoked. 416

(G) Upon a conviction of a violation of division (I), (J), or 417
(K) of this section, the court shall report the conviction, and 418
send the placard or parking card, if available, to the registrar, 419
who thereupon shall revoke the privilege of using the placard or 420
parking card and send notice in writing to the placardholder or 421

cardholder at that holder's last known address as shown in the 422
records of the bureau, and the placardholder or cardholder shall 423
return the placard or card if not previously surrendered to the 424
court, to the registrar within ten days following mailing of the 425
notice. 426

Whenever a person to whom a removable windshield placard or 427
parking card has been issued moves to another state, the person 428
shall surrender the placard or card to the registrar; and whenever 429
an organization to which a placard or card has been issued changes 430
its place of operation to another state, the organization shall 431
surrender the placard or card to the registrar. 432

(H) Subject to division (F) of section 4511.69 of the Revised 433
Code, the operator of a motor vehicle displaying a removable 434
windshield placard, temporary removable windshield placard, 435
parking card, or the special license plates authorized by this 436
section is entitled to park the motor vehicle in any special 437
parking location reserved for persons with disabilities that limit 438
or impair the ability to walk, also known as handicapped parking 439
spaces or disability parking spaces. 440

(I) No person or organization that is not eligible under 441
division (B) or (E) of this section shall willfully and falsely 442
represent that the person or organization is so eligible. 443

No person or organization shall display license plates issued 444
under this section unless the license plates have been issued for 445
the vehicle on which they are displayed and are valid. 446

(J) No person or organization to which a removable windshield 447
placard or temporary removable windshield placard is issued shall 448
do either of the following: 449

(1) Display or permit the display of the placard on any motor 450
vehicle when having reasonable cause to believe the motor vehicle 451
is being used in connection with an activity that does not include 452

providing transportation for persons with disabilities that limit 453
or impair the ability to walk; 454

(2) Refuse to return or surrender the placard, when required. 455

(K)(1) No person or organization to which a parking card is 456
issued shall do either of the following: 457

(a) Display or permit the display of the parking card on any 458
motor vehicle when having reasonable cause to believe the motor 459
vehicle is being used in connection with an activity that does not 460
include providing transportation for a handicapped person; 461

(b) Refuse to return or surrender the parking card, when 462
required. 463

(2) As used in division (K) of this section: 464

(a) "Handicapped person" means any person who has lost the 465
use of one or both legs or one or both arms, who is blind, deaf, 466
or so severely handicapped as to be unable to move about without 467
the aid of crutches or a wheelchair, or whose mobility is 468
restricted by a permanent cardiovascular, pulmonary, or other 469
handicapping condition. 470

(b) "Organization" means any private organization or 471
corporation, or any governmental board, agency, department, 472
division, or office, that, as part of its business or program, 473
transports handicapped persons on a regular basis in a motor 474
vehicle that has not been altered for the purposes of providing it 475
with special equipment for use by handicapped persons. 476

(L) If a removable windshield placard, temporary removable 477
windshield placard, or parking card is lost, destroyed, or 478
mutilated, the placardholder or cardholder may obtain a duplicate 479
by doing both of the following: 480

(1) Furnishing suitable proof of the loss, destruction, or 481
mutilation to the registrar; 482

(2) Paying a service fee equal to the amount specified in 483
division (D) or (G) of section 4503.10 of the Revised Code. 484

Any placardholder or cardholder who loses a placard or card 485
and, after obtaining a duplicate, finds the original, immediately 486
shall surrender the original placard or card to the registrar. 487

(M) The registrar shall pay all fees received under this 488
section for the issuance of removable windshield placards or 489
temporary removable windshield placards or duplicate removable 490
windshield placards or cards into the state treasury to the credit 491
of the state bureau of motor vehicles fund created in section 492
4501.25 of the Revised Code. 493

(N) For purposes of enforcing this section, every peace 494
officer is deemed to be an agent of the registrar. Any peace 495
officer or any authorized employee of the bureau of motor vehicles 496
who, in the performance of duties authorized by law, becomes aware 497
of a person whose placard or parking card has been revoked 498
pursuant to this section, may confiscate that placard or parking 499
card and return it to the registrar. The registrar shall prescribe 500
any forms used by law enforcement agencies in administering this 501
section. 502

No peace officer, law enforcement agency employing a peace 503
officer, or political subdivision or governmental agency employing 504
a peace officer, and no employee of the bureau is liable in a 505
civil action for damages or loss to persons arising out of the 506
performance of any duty required or authorized by this section. As 507
used in this division, "peace officer" has the same meaning as in 508
division (B) of section 2935.01 of the Revised Code. 509

(O) All applications for registration of motor vehicles, 510
removable windshield placards, and temporary removable windshield 511
placards issued under this section, all renewal notices for such 512
items, and all other publications issued by the bureau that relate 513

to this section shall set forth the criminal penalties that may be 514
imposed upon a person who violates any provision relating to 515
special license plates issued under this section, the parking of 516
vehicles displaying such license plates, and the issuance, 517
procurement, use, and display of removable windshield placards and 518
temporary removable windshield placards issued under this section. 519

(P) Whoever violates this section is guilty of a misdemeanor 520
of the fourth degree. 521

Sec. 4715.62. (A) Each individual seeking to register with 522
the state dental board as an expanded function dental auxiliary 523
shall file with the secretary of the board a written application 524
for registration, under oath, on a form the board shall prescribe 525
and provide. An applicant shall include with the completed 526
application all of the following: 527

(1) An application fee of twenty dollars; 528

(2) Proof satisfactory to the board that the applicant has 529
successfully completed, at an educational institution accredited 530
by the commission on dental accreditation of the American dental 531
association or the higher learning commission of the north central 532
association of colleges and schools, the education or training 533
specified by the board in rules adopted under section 4715.66 of 534
the Revised Code as the education or training that is necessary to 535
obtain registration under this chapter to practice as an expanded 536
function dental auxiliary, as evidenced by a diploma or other 537
certificate of graduation or completion that has been signed by an 538
appropriate official of the accredited institution that provided 539
education or training; 540

(3) Proof satisfactory to the board that the applicant has 541
passed an examination that meets the standards established by the 542
board in rules adopted under section 4715.66 of the Revised Code 543
to be accepted by the board as an examination of competency to 544

practice as an expanded function dental auxiliary; 545

(4) Proof that the applicant holds current certification to 546
perform basic life-support procedures, evidenced by documentation 547
showing the successful completion of a basic life-support training 548
course certified by ~~either~~ the American red cross ~~or~~, the American 549
heart association, or the American safety and health institute. 550

(B) If an applicant complies with division (A) of this 551
section, the board shall register the applicant as an expanded 552
function dental auxiliary. 553

Sec. 4730.03. Nothing in this chapter shall: 554

(A) Be construed to affect or interfere with the performance 555
of duties of any medical personnel ~~in~~ who are either of the 556
following: 557

(1) In active service in the army, navy, coast guard, marine 558
corps, air force, public health service, or marine hospital 559
service of the United States while so serving; 560

(2) Employed by the veterans administration of the United 561
States while so employed; 562

(B) Prevent any person from performing any of the services a 563
physician assistant may be authorized to perform, if the person's 564
professional scope of practice established under any other chapter 565
of the Revised Code authorizes the person to perform the services; 566

(C) Prohibit a physician from delegating responsibilities to 567
any nurse or other qualified person who does not hold a 568
certificate to practice as a physician assistant, provided that 569
the individual does not hold the individual out to be a physician 570
assistant; 571

(D) Be construed as authorizing a physician assistant 572
independently to order or direct the execution of procedures or 573
techniques by a registered nurse or licensed practical nurse in 574

the care and treatment of a person in any setting, except to the 575
extent that the physician assistant is authorized to do so by the 576
physician supervisory plan approved under section 4730.17 of the 577
Revised Code for the physician who is responsible for supervising 578
the physician assistant or the policies of the health care 579
facility in which the physician assistant is practicing; 580

(E) Authorize a physician assistant to engage in the practice 581
of optometry, except to the extent that the physician assistant is 582
authorized by a supervising physician acting in accordance with 583
this chapter to perform routine visual screening, provide medical 584
care prior to or following eye surgery, or assist in the care of 585
diseases of the eye; 586

(F) Be construed as authorizing a physician assistant to 587
prescribe any drug or device to perform or induce an abortion, or 588
as otherwise authorizing a physician assistant to perform or 589
induce an abortion. 590

Sec. 4730.09. (A) Under a physician supervisory plan approved 591
under section 4730.17 of the Revised Code, a physician assistant 592
may provide any or all of the following services without approval 593
by the state medical board as special services: 594

(1) Obtaining comprehensive patient histories; 595

(2) Performing physical examinations, including audiometry 596
screening, routine visual screening, and pelvic, rectal, and 597
genital-urinary examinations, when indicated; 598

(3) Ordering, performing, or ordering and performing routine 599
diagnostic procedures, as indicated; 600

(4) Identifying normal and abnormal findings on histories, 601
physical examinations, and commonly performed diagnostic studies; 602

(5) Assessing patients and developing and implementing 603
treatment plans for patients; 604

(6) Monitoring the effectiveness of therapeutic interventions;	605 606
(7) Exercising physician-delegated prescriptive authority pursuant to a certificate to prescribe issued under this chapter;	607 608
(8) Carrying out or relaying the supervising physician's orders for the administration of medication, to the extent permitted by law;	609 610 611
(9) Providing patient education;	612
(10) Instituting and changing orders on patient charts;	613
(11) Performing developmental screening examinations on children with regard to neurological, motor, and mental functions;	614 615
(12) Performing wound care management, suturing minor lacerations and removing the sutures, and incision and drainage of uncomplicated superficial abscesses;	616 617 618
(13) Removing superficial foreign bodies;	619
(14) Administering intravenous fluids;	620
(15) Inserting a foley or cudae catheter into the urinary bladder and removing the catheter;	621 622
(16) Removing intrauterine devices;	623
(17) Performing biopsies of superficial lesions;	624
(18) Making appropriate referrals as directed by the supervising physician;	625 626
(19) Removing norplant capsules;	627
(20) Performing penile duplex ultrasound;	628
(21) Changing of a tracheostomy;	629
(22) Performing bone marrow aspirations from the posterior iliac crest;	630 631
(23) Performing bone marrow biopsies from the posterior iliac	632

crest;	633
(24) Performing cystograms;	634
(25) Performing nephrostograms after physician placement of nephrostomy tubes;	635 636
(26) Fitting or inserting family planning devices, including intrauterine devices, diaphragms, and cervical caps;	637 638
(27) Removing cervical polyps;	639
(28) Performing nerve conduction testing;	640
(29) Performing endometrial biopsies;	641
(30) Inserting filiform and follower catheters;	642
(31) Performing arthrocentesis of the knee;	643
(32) Performing knee joint injections;	644
(33) Performing endotracheal intubation with successful completion of an advanced cardiac life support course;	645 646
(34) Performing lumbar punctures;	647
(35) In accordance with rules adopted by the board, using light-based medical devices for the purpose of hair removal;	648 649
(36) Administering, monitoring, or maintaining local anesthesia, as defined in section 4730.091 of the Revised Code;	650 651
(37) <u>Applying or removing a cast or splint;</u>	652
<u>(38)</u> Performing other services that are within the supervising physician's normal course of practice and expertise, if the services are included in any model physician supervisory plan approved under section 4730.06 of the Revised Code or the services are designated by the board by rule or other means as services that are not subject to approval as special services.	653 654 655 656 657 658
(B) Under the policies of a health care facility, the services a physician assistant may provide are limited to the	659 660

services the facility has authorized the physician assistant to 661
provide for the facility. The services a health care facility may 662
authorize a physician assistant to provide for the facility 663
include the following: 664

(1) Any or all of the services specified in division (A) of 665
this section; 666

(2) Assisting in surgery in the health care facility; 667

(3) Any other services permitted by the policies of the 668
health care facility, except that the facility may not authorize a 669
physician assistant to perform a service that is prohibited by 670
this chapter. 671

Sec. 4731.15. (A)(1) The state medical board also shall 672
regulate the following limited branches of medicine: massage 673
therapy and cosmetic therapy, and to the extent specified in 674
section 4731.151 of the Revised Code, naprapathy and 675
mechanotherapy. The board shall adopt rules governing the limited 676
branches of medicine under its jurisdiction. The rules shall be 677
adopted in accordance with Chapter 119. of the Revised Code. 678

(2) As used in this chapter, "cosmetic therapy" means the 679
permanent removal of hair from the human body through the use of 680
electric modalities approved by the board for use in cosmetic 681
therapy, and additionally may include the systematic friction, 682
stroking, slapping, and kneading or tapping of the face, neck, 683
scalp, or shoulders. 684

(B) All persons who hold A certificate to practice a limited 685
branch of medicine issued by the state medical board is valid for 686
a two-year period, except when an initial certificate is issued 687
for a shorter period or when division (C)(2) of this section is 688
applicable. The certificate may be renewed in accordance with 689
division (C) of this section. 690

(C)(1) Except as provided in division (C)(2) of this section, 691
all of the following apply with respect to the renewal of 692
certificates to practice a limited branch of medicine: 693

(a) Each person seeking to renew a certificate to practice a 694
limited branch of medicine issued by the state medical board, 695
whether residents of this state or not, shall on or before the 696
first day of June of each odd-numbered year, register apply for 697
biennial registration with the state medical board on a renewal 698
application form prescribed by the board and. An applicant for 699
renewal shall pay at such time a biennial registration fee of 700
fifty dollars. At least one month in advance of the date of 701
registration, a written notice that the biennial registration fee 702
is due on or before the first day of June shall be sent to each 703
holder of a certificate to practice a limited branch of medicine, 704
at the person's 705

(b) At least six months before a certificate expires, the 706
board shall mail or cause to be mailed a renewal notice to the 707
certificate holder's last known address. All 708

(c) At least three months before a certificate expires, the 709
certificate holder shall submit the renewal application and 710
biennial registration fee to the board. 711

(2) Beginning with the 2009 registration period, the board 712
shall implement a staggered renewal system that is substantially 713
similar to the staggered renewal system the board uses under 714
division (B) of section 4731.281 of the Revised Code. 715

(D) All persons who hold a certificate to practice a limited 716
branch of medicine issued by the state medical board shall provide 717
the board written notice of any change of address. The notice 718
shall be submitted to the board not later than thirty days after 719
the change of address. 720

(E) A certificate to practice a limited branch of medicine 721

shall be automatically suspended if the ~~fee is not paid by the~~ 722
~~first day of September of the year it is due~~ certificate holder 723
~~fails to renew the certificate in accordance with division (C) of~~ 724
this section. Continued practice after the suspension of the 725
certificate to practice shall be considered as practicing in 726
violation of sections 4731.34 and 4731.41 of the Revised Code. 727
~~Subject to section 4731.222 of the Revised Code, if~~ 728

If a certificate to practice has been suspended pursuant to 729
this division for two years or less, ~~the~~ it may be reinstated. The 730
board shall reinstate a the certificate ~~to practice suspended for~~ 731
~~failure to register~~ upon an applicant's submission of a renewal 732
application and payment of the biennial registration fee and the 733
applicable monetary penalty. With regard to reinstatement of a 734
certificate to practice cosmetic therapy, the applicant also shall 735
submit with the application a certification that the number of 736
hours of continuing education necessary to have a suspended 737
certificate reinstated have been completed, as specified in rules 738
the board shall adopt in accordance with Chapter 119. of the 739
Revised Code. The penalty for reinstatement shall be twenty-five 740
dollars. ~~¶~~ 741

If a certificate has been suspended pursuant to this division 742
for more than two years, it may be restored. Subject to section 743
4731.222 of the Revised Code, the board may restore the 744
certificate upon an applicant's submission of a restoration 745
application, the biennial registration fee, and the applicable 746
monetary penalty and compliance with sections 4776.01 to 4776.04 747
of the Revised Code. The board shall not restore to an applicant a 748
certificate to practice unless the board, in its discretion, 749
decides that the results of the criminal records check do not make 750
the applicant ineligible for a certificate issued pursuant to 751
section 4731.18 of the Revised Code. The penalty for restoration 752
is fifty dollars. 753

Sec. 4731.155. (A) ~~Each~~ Except as provided in division (D) of 754
this section, each person holding a certificate to practice 755
cosmetic therapy ~~within this state~~ shall complete biennially not 756
less than twenty-five hours of continuing cosmetic therapy 757
education. 758

Cosmetic therapists shall earn continuing education credits 759
at the rate of one-half credit hour for each twenty-five to thirty 760
minutes of instruction and one credit hour for each fifty to sixty 761
minutes of instruction. 762

(B) Only continuing education approved by the state medical 763
board may be used to fulfill the requirements of division (A) of 764
this section. 765

(C) Each certified cosmetic therapist shall submit to the 766
board at the time of biennial ~~registration~~ renewal pursuant to 767
section 4731.15 of the Revised Code a sworn affidavit, in a form 768
acceptable to the board, attesting that ~~he~~ the cosmetic therapist 769
has completed continuing education programs in compliance with 770
this section and listing the date, location, sponsor, subject 771
matter, and hours completed of the programs. 772

(D) The board shall adopt rules providing for pro rata 773
~~reductions~~ adjustments by month of the hours of continuing 774
education required by this section for persons who first receive a 775
certificate during a registration period or who have a 776
registration period that is shorter or longer than two years 777
because of the implementation of a staggered renewal system under 778
section 4731.15 of the Revised Code. 779

The board may excuse a cosmetic therapist from all or any 780
part of the requirements of this section because of an unusual 781
circumstance, emergency, or special hardship. 782

(E) Failure to comply with the requirements of this section 783

constitutes a failure to renew ~~registration~~ pursuant to section 784
4731.15 of the Revised Code. 785

Sec. 4731.19. (A) The state medical board shall determine the 786
standing of the schools, colleges, or institutions giving 787
instruction in the limited branches of medicine of massage therapy 788
and cosmetic therapy. ~~If there shall at any time be such schools,~~ 789
~~colleges, or institutions giving instruction in such limited~~ 790
~~branches, the~~ 791

(B) An applicant for a certificate to practice a limited 792
branch of medicine shall, as a condition of admission to the 793
examination, ~~produce a~~ have one of the following: 794

(1) A diploma or certificate from a school, college, or 795
institution in good standing as determined by the board, showing 796
the completion of the required courses of instruction; 797

(2) A current license, registration, or certificate that is 798
in good standing in another state for massage therapy or cosmetic 799
therapy, as applicable; 800

(3) Certification from a national certification body and a 801
diploma or certificate from a school, college, or institution 802
showing completion of a course of instruction that meets course 803
requirements determined by the board through rules adopted under 804
section 4731.05 of the Revised Code. 805

The entrance examiner of the board shall determine the 806
sufficiency of the preliminary education of applicants for a 807
certificate to practice massage therapy or cosmetic therapy in the 808
same manner that sufficiency of preliminary education is 809
determined under section 4731.09 of the Revised Code, except that 810
the board may adopt rules defining and establishing for the 811
limited branch of medicine preliminary educational requirements 812
that are less exacting than those prescribed by such section, as 813

the nature of the case may require. 814

Sec. 4731.281. (A) On or before the deadline established 815
under division (B) of this section for applying for renewal of a 816
certificate of registration, each person holding a certificate 817
under this chapter to practice medicine and surgery, osteopathic 818
medicine and surgery, or podiatric medicine and surgery shall 819
certify to the state medical board that in the preceding two years 820
the person has completed one hundred hours of continuing medical 821
education. The certification shall be made upon the application 822
for biennial registration submitted pursuant to division (B) of 823
this section. The board shall adopt rules providing for pro rata 824
reductions by month of the number of hours of continuing education 825
required for persons who are in their first registration period, 826
~~who have a registration period of less than two years due to~~ 827
~~initial implementation of the staggered renewal schedule~~ 828
~~established under division (B) of this section,~~ who have been 829
disabled due to illness or accident, or who have been absent from 830
the country. 831

In determining whether a course, program, or activity 832
qualifies for credit as continuing medical education, the board 833
shall approve all continuing medical education taken by persons 834
holding a certificate to practice medicine and surgery that is 835
certified by the Ohio state medical association, all continuing 836
medical education taken by persons holding a certificate to 837
practice osteopathic medicine and surgery that is certified by the 838
Ohio osteopathic association, and all continuing medical education 839
taken by persons holding a certificate to practice ~~podiatry~~ 840
podiatric medicine and surgery that is certified by the Ohio 841
podiatric medical association. Each person holding a certificate 842
to practice under this chapter shall be given sufficient choice of 843
continuing education programs to ensure that the person has had a 844
reasonable opportunity to participate in continuing education 845

programs that are relevant to the person's medical practice in 846
terms of subject matter and level. 847

The board may require a random sample of persons holding a 848
certificate to practice under this chapter to submit materials 849
documenting completion of the continuing medical education 850
requirement during the preceding registration period, but this 851
provision shall not limit the board's authority to investigate 852
pursuant to section 4731.22 of the Revised Code. 853

(B)(1) Every person holding a certificate under this chapter 854
to practice medicine and surgery, osteopathic medicine and 855
surgery, or podiatric medicine and surgery wishing to renew that 856
certificate shall apply to the board for a certificate of 857
registration upon an application furnished by the board, and pay 858
to the board at the time of application a fee of three hundred 859
five dollars, according to the following schedule: 860

(a) Persons whose last name begins with the letters "A" 861
through "B," on or before April 1, 2001, and the first day of 862
April of every odd-numbered year thereafter; 863

(b) Persons whose last name begins with the letters "C" 864
through "D," on or before January 1, 2001, and the first day of 865
January of every odd-numbered year thereafter; 866

(c) Persons whose last name begins with the letters "E" 867
through "G," on or before October 1, 2000, and the first day of 868
October of every even-numbered year thereafter; 869

(d) Persons whose last name begins with the letters "H" 870
through "K," on or before July 1, 2000, and the first day of July 871
of every even-numbered year thereafter; 872

(e) Persons whose last name begins with the letters "L" 873
through "M," on or before April 1, 2000, and the first day of 874
April of every even-numbered year thereafter; 875

(f) Persons whose last name begins with the letters "N" 876
through "R," on or before January 1, 2000, and the first day of 877
January of every even-numbered year thereafter; 878

(g) Persons whose last name begins with the letter "S," on or 879
before October 1, 1999, and the first day of October of every 880
odd-numbered year thereafter; 881

(h) Persons whose last name begins with the letters "T" 882
through "Z," on or before July 1, 1999, and the first day of July 883
of every odd-numbered year thereafter. 884

The board shall deposit the fee in accordance with section 885
4731.24 of the Revised Code, except that the board shall deposit 886
twenty dollars of the fee into the state treasury to the credit of 887
the physician loan repayment fund created by section 3702.78 of 888
the Revised Code. 889

(2) The board shall mail or cause to be mailed to every 890
person registered to practice medicine and surgery, osteopathic 891
medicine and surgery, or podiatric medicine and surgery, ~~an~~ 892
~~application for a notice of registration renewal~~ addressed to the 893
person's last known ~~post-office~~ address or may cause the 894
~~application notice~~ to be sent to the person through the secretary 895
of any recognized medical, osteopathic, or podiatric society, 896
according to the following schedule: 897

(a) To persons whose last name begins with the letters "A" 898
through "B," on or before January 1, 2001, and the first day of 899
January of every odd-numbered year thereafter; 900

(b) To persons whose last name begins with the letters "C" 901
through "D," on or before October 1, 2000, and the first day of 902
October of every even-numbered year thereafter; 903

(c) To persons whose last name begins with the letters "E" 904
through "G," on or before July 1, 2000, and the first day of July 905
of every even-numbered year thereafter; 906

(d) To persons whose last name begins with the letters "H" 907
through "K," on or before April 1, 2000, and the first day of 908
April of every even-numbered year thereafter; 909

(e) To persons whose last name begins with the letters "L" 910
through "M," on or before January 1, 2000, and the first day of 911
January of every even-numbered year thereafter; 912

(f) To persons whose last name begins with the letters "N" 913
through "R," on or before October 1, 1999, and the first day of 914
October of every odd-numbered year thereafter; 915

(g) To persons whose last name begins with the letter "S," on 916
or before July 1, 1999, and the first day of July of every 917
odd-numbered year thereafter; 918

(h) To persons whose last name begins with the letters "T" 919
through "Z," on or before April 1, 1999, and the first day of 920
April of every odd-numbered year thereafter. 921

Failure of any person to receive ~~an application~~ a notice of 922
renewal from the board shall not excuse the person from the 923
requirements contained in this section. ~~The application shall~~ 924
~~contain proper spaces for the applicant's signature and the~~ 925
~~insertion of the required information, including a statement that~~ 926
~~the person has fulfilled the continuing education requirements~~ 927
~~imposed by this section.~~ 928

The notice shall inform the applicant of the renewal 929
procedure. The board shall provide the application for 930
registration renewal in a form determined by the board. The 931
applicant shall ~~write or cause to be written upon~~ provide in the 932
application ~~so furnished~~ the applicant's full name, principal 933
practice address and residence address, the number of the 934
applicant's certificate to practice, and any other ~~facts for the~~ 935
~~identification of the applicant as a person holding a certificate~~ 936
~~to practice under this chapter as~~ information required by the 937

board ~~considers necessary~~. The applicant shall include with the 938
application a list of the names and addresses of any clinical 939
nurse specialists, certified nurse-midwives, or certified nurse 940
practitioners with whom the applicant is currently collaborating, 941
as defined in section 4723.01 of the Revised Code. The applicant 942
shall execute and deliver the application to the board ~~by mail or~~ 943
~~in person~~ in a manner prescribed by the board. Every person 944
registered under this section shall give written notice to the 945
board of any change of principal practice address or residence 946
address or in the list within thirty days of the change. 947

The applicant shall report any criminal offense ~~that~~ 948
~~constitutes grounds for refusal of registration under section~~ 949
~~4731.22 of the Revised Code~~ to which the applicant has pleaded 950
guilty, of which the applicant has been found guilty, or for which 951
the applicant has been found eligible for intervention in lieu of 952
conviction, since last ~~signing~~ filing an application for a 953
certificate of registration. 954

(C) The board shall issue to any person holding a certificate 955
under this chapter to practice medicine and surgery, osteopathic 956
medicine and surgery, or podiatric medicine and surgery, upon 957
application and qualification therefor in accordance with this 958
section, a certificate of registration under the seal of the 959
board. A certificate of registration shall be valid for a two-year 960
period, ~~commencing on the first day of the third month after the~~ 961
~~registration fee is due and expiring on the last day of the month~~ 962
~~two years thereafter~~. 963

~~The board shall publish and cause to be mailed to each person~~ 964
~~registered under this section, upon request, a printed list of the~~ 965
~~persons so registered.~~ 966

(D) Failure of any certificate holder to register and comply 967
with this section shall operate automatically to suspend the 968
holder's certificate to practice. Continued practice after the 969

suspension of the certificate to practice shall be considered as 970
practicing in violation of section 4731.41, 4731.43, or 4731.60 of 971
the Revised Code. If the certificate has been suspended pursuant 972
to this division for two years or less, it may be reinstated. The 973
board shall reinstate a certificate to practice suspended for 974
failure to register upon an applicant's submission of a renewal 975
application, the biennial registration fee, and the applicable 976
monetary penalty. The penalty for reinstatement shall be fifty 977
dollars. If the certificate has been suspended pursuant to this 978
division for more than two years, it may be restored. ~~In~~ 979
~~accordance with~~ Subject to section 4731.222 of the Revised Code, 980
the board may restore a certificate to practice suspended for 981
failure to register upon an applicant's submission of a 982
restoration application, the biennial registration fee, and the 983
applicable monetary penalty and compliance with sections 4776.01 984
to 4776.04 of the Revised Code. The board shall not restore to an 985
applicant a certificate to practice unless the board, in its 986
discretion, decides that the results of the criminal records check 987
do not make the applicant ineligible for a certificate issued 988
pursuant to section 4731.14, 4731.56, or 4731.57 of the Revised 989
Code. The penalty for restoration shall be one hundred dollars. 990
The board shall deposit the penalties in accordance with section 991
4731.24 of the Revised Code. 992

(E) If an individual certifies completion of the number of 993
hours and type of continuing medical education required to receive 994
a certificate of registration or reinstatement of a certificate to 995
practice, and the board finds through the random samples it 996
conducts under this section or through any other means that the 997
individual did not complete the requisite continuing medical 998
education, the board may impose a civil penalty of not more than 999
five thousand dollars. The board's finding shall be made pursuant 1000
to an adjudication under Chapter 119. of the Revised Code and by 1001
an affirmative vote of not fewer than six members. 1002

A civil penalty imposed under this division may be in 1003
addition to or in lieu of any other action the board may take 1004
under section 4731.22 of the Revised Code. The board shall deposit 1005
civil penalties in accordance with section 4731.24 of the Revised 1006
Code. 1007

(F) The state medical board may obtain information not 1008
protected by statutory or common law privilege from courts and 1009
other sources concerning malpractice claims against any person 1010
holding a certificate to practice under this chapter or practicing 1011
as provided in section 4731.36 of the Revised Code. 1012

(G) Each mailing sent by the board under division (B)(2) of 1013
this section to a person registered to practice medicine and 1014
surgery or osteopathic medicine and surgery shall inform the 1015
applicant of the reporting requirement established by division (H) 1016
of section 3701.79 of the Revised Code. At the discretion of the 1017
board, the information may be included on the application for 1018
registration or on an accompanying page. 1019

Sec. 4731.293. (A) The state medical board may issue, without 1020
examination, a visiting medical faculty certificate to any person 1021
who holds a current, unrestricted license to practice medicine and 1022
surgery or osteopathic medicine and surgery issued by another 1023
state or country and has been appointed to serve in this state on 1024
the academic staff of a medical school accredited by the liaison 1025
committee on medical education or an osteopathic medical school 1026
accredited by the American osteopathic association. Except as 1027
provided in division (E) of this section, the board shall not 1028
issue more than one visiting medical faculty certificate to any 1029
particular person. 1030

(B) An applicant for a visiting medical faculty certificate 1031
shall submit evidence satisfactory to the board that ~~he~~ the 1032
applicant meets the requirements of division (A) of this section. 1033

The applicant shall pay a fee of ~~one hundred twenty five~~ three 1034
hundred seventy-five dollars. The board shall maintain a register 1035
of all persons who hold a visiting medical faculty certificate. 1036

(C) The holder of a visiting medical faculty certificate may 1037
practice medicine and surgery or osteopathic medicine and surgery 1038
only as is incidental to ~~his~~ certificate holder's teaching duties 1039
at the school or the teaching hospitals affiliated with the 1040
school. The board may revoke a certificate on receiving proof 1041
satisfactory to the board that the holder of the certificate has 1042
engaged in practice in this state outside the scope of the 1043
certificate or that there are grounds for action against ~~him~~ the 1044
certificate holder under section 4731.22 of the Revised Code. 1045

(D) A visiting medical faculty certificate is valid for the 1046
shorter of ~~one year~~ three years or the duration of the holder's 1047
appointment to the academic staff of the school. The certificate 1048
may not be renewed. 1049

(E) If a person was granted a visiting medical faculty 1050
certificate before the effective date of this amendment, the 1051
person may apply for a second visiting medical faculty 1052
certificate, unless the person's first certificate was revoked. 1053
The board may issue the second certificate if the applicant 1054
complies with division (B) of this section. 1055

(F) The board may adopt any rules it considers necessary to 1056
implement this section. The rules shall be adopted in accordance 1057
with Chapter 119. of the Revised Code. 1058

Sec. 4760.131. On receipt of a notice pursuant to section 1059
~~2301.373~~ 3123.43 of the Revised Code, the state medical board 1060
shall comply with ~~that section~~ sections 3123.41 to 3123.50 of the 1061
Revised Code and any applicable rules adopted under section 1062
3123.63 of the Revised Code with respect to a certificate of 1063
registration as an anesthesiologist assistant issued pursuant to 1064

this chapter. 1065

Section 2. That existing sections 3727.01, 3727.02, 3727.321, 1066
3727.41, 4503.44, 4715.62, 4730.03, 4730.09, 4731.15, 4731.155, 1067
4731.19, 4731.281, 4731.293, and 4760.131 of the Revised Code are 1068
hereby repealed. 1069

Section 3. (A) Notwithstanding any conflicting provision of 1070
section 4731.15 of the Revised Code, this section applies to the 1071
renewal of certificates to practice a limited branch of medicine 1072
in the registration period that begins in 2009. 1073

(B) On or before May 1, 2009, the State Medical Board shall 1074
mail or cause to be mailed a renewal notice to each person who 1075
holds a certificate to practice a limited branch of medicine. The 1076
notice shall be sent to the certificate holder's last known 1077
address. Failure to receive a notice from the Board does not 1078
excuse the certificate holder from the requirement to renew the 1079
certificate. 1080

On or before August 31, 2009, each certificate holder seeking 1081
renewal shall apply to the Board and pay the applicable fee 1082
specified in division (C) of this section. If an applicant meets 1083
the requirements for renewal, the Board shall renew the 1084
applicant's certificate to practice for the applicable length of 1085
time specified in division (C) of this section. 1086

(C) In renewing certificates to practice under this section, 1087
the Board shall charge the following fees and use the following 1088
expiration dates: 1089

(1) For applicants whose last name begins with the letters 1090
"A" through "B," the fee shall be forty-five dollars and the 1091
expiration date shall be July 1, 2011. 1092

(2) For applicants whose last name begins with the letters 1093
"C" through "D," the fee shall be forty dollars and the expiration 1094

date shall be April 1, 2011. 1095

(3) For applicants whose last name begins with the letters 1096
"E" through "G," the fee shall be thirty-five dollars and the 1097
expiration date shall be January 1, 2011. 1098

(4) For applicants whose last name begins with the letters 1099
"H" through "K," the fee shall be thirty dollars and the 1100
expiration date shall be October 1, 2010. 1101

(5) For applicants whose last name begins with the letters 1102
"L" through "M," the fee shall be seventy dollars and the 1103
expiration date shall be July 1, 2012. 1104

(6) For applicants whose last name begins with the letters 1105
"N" through "R," the fee shall be sixty-five dollars and the 1106
expiration date shall be April 1, 2012. 1107

(7) For applicants whose last name begins with the letter 1108
"S," the fee shall be sixty dollars and the expiration date shall 1109
be January 1, 2012. 1110

(8) For applicants whose last name begins with the letters 1111
"T" through "Z," the fee shall be fifty dollars and the expiration 1112
date shall be October 1, 2011. 1113

Section 4. This act is hereby declared to be an emergency 1114
measure necessary for the immediate preservation of the public 1115
peace, health, and safety. The reason for such necessity is to 1116
ensure the continuity of medical care for the citizens of this 1117
state. Therefore, this act shall go into immediate effect. 1118