

As Reported by the House Health Committee

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Sub. S. B. No. 279

Senator Schuring

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

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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 17
maintenance organization" means a public or private organization 18
organized under the law of any state that is qualified under 19

section 1310(d) of Title XIII of the "Public Health Service Act," 20
87 Stat. 931 (1973), 42 U.S.C. 300e-9, or that does all of the 21
following: 22

~~(A)~~(1) Provides or otherwise makes available to enrolled 23
participants health care services including at least the following 24
basic health care services: usual physician services, 25
hospitalization, laboratory, x-ray, emergency and preventive 26
service, and out-of-area coverage; 27

~~(B)~~(2) Is compensated, except for copayments, for the 28
provision of basic health care services to enrolled participants 29
by a payment that is paid on a periodic basis without regard to 30
the date the health care services are provided and that is fixed 31
without regard to the frequency, extent, or kind of health service 32
actually provided; 33

~~(C)~~(3) Provides physician services primarily in either of the 34
following ways: 35

~~(1)~~(a) Directly through physicians who are either employees 36
or partners of the organization; 37

~~(2)~~(b) Through arrangements with individual physicians or one 38
or more groups of physicians organized on a group-practice or 39
individual-practice basis. 40

(B) As used in this chapter, ~~"hospital:~~ 41

(1) "Children's hospital" has the same meaning as in section 42
3702.51 of the Revised Code. 43

(2) "Hospital" means an institution classified as a hospital 44
under section 3701.07 of the Revised Code in which are provided to 45
inpatients diagnostic, medical, surgical, obstetrical, 46
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~~ one or ~~all~~ more 85
of the 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, except those designated as time-limited 94
endorsements, included in the national voluntary consensus 95
standards for hospital care endorsed by the national quality 96
forum; 97

(5) Measures for hospitals reporting methicillin-resistant 98
staphylococcus aureus and clostridium difficile consistent with 99
United States centers for disease control national healthcare 100
safety network definitions. 101

(B) The group of experts shall not recommend any measure 102
identified as time-limited, temporary, or investigational by an 103
entity listed in divisions (A)(1) to (5) of this section. 104

(C) In considering whether to recommend that the director 105
include a particular measure in the rules, the group of experts 106
shall consider whether there are any excessive administrative or 107
financial implications associated with the reporting of 108
information by hospitals regarding their performance in meeting 109
the measure. 110

Sec. 3727.322. The director of health shall appoint a group 111
of experts in pediatric medicine consisting of physician 112
representatives of Ohio children's hospitals. 113

The group of experts shall develop, on an ongoing basis, 114
recommendations regarding measures for children's hospital 115
inpatient and outpatient services and submit the recommendations 116
to the director. 117

The members of the group shall serve without remuneration, 118
except to the extent that serving in the group is considered a 119
part of their regular employment duties. The members shall not be 120
reimbursed for expenses incurred in the performance of their 121
duties in the group. 122

Sec. 3727.41. (A) The (1) Following review by the public 123
health council, the director of health shall adopt rules governing 124
hospitals in their submission of information to the director under 125
sections 3727.33 and 3727.34 of the Revised Code. The rules shall 126
be adopted in accordance with Chapter 119. of the Revised Code. 127

(2) Rules adopted by the director under division (A)(1) of 128
this section shall not require any of the following: 129
130

(a) A hospital to submit information regarding a performance, 131
quality, or service measure for which the hospital does not 132
provide the service; 133

(b) A children's hospital to report a performance, quality, 134
or service measure for patients eighteen years of age or older; 135

(c) A hospital to report a performance, quality, or service 136
measure that is identified as time-limited, temporary, or 137
investigational by an entity listed in divisions (A)(1) to (5) of 138
section 3727.321 of the Revised Code. 139

(B)(1) The rules for submission of information under section 140
3727.33 of the Revised Code shall include rules specifying the 141
inpatient and outpatient service measures to be used by hospitals 142
in submitting the information. The rules may include any of the 143
measures recommended by the group of experts convened under 144
section 3727.32 of the Revised Code and shall include measures 145
from one or more of the following entities but from no other 146
entity: 147

(a) Hospital quality measures publicly reported by the 148
centers for medicare and medicaid services; 149

(b) Hospital quality measures publicly reported by the joint 150
~~commission on accreditation of healthcare organizations;~~ 151

(c) Measures that examine volume of cases, adjusted length of 152
stay, complications, infections, or mortality rates and are 153
developed by the agency for health care research and quality; 154

(d) Measures, except those designated as time-limited 155
endorsements, included in the national voluntary consensus 156
standards for hospital care endorsed by the national quality 157
forum; 158

(e) Measures recommended by the pediatric medicine group 159
under section 3727.322 of the Revised Code; 160

(f) Measures for hospitals reporting methicillin-resistant 161
staphylococcus aureus and clostridium difficile consistent with 162
United States centers for disease control national healthcare 163
safety network definitions. 164

(2) In adopting rules specifying the measures to be used by 165
hospitals in submitting the information, the director shall 166
consider both of the following: 167

(a) Whether hospitals have a sufficient caseload to make a 168
particular measure a reliable indicator of their ability to treat 169

a diagnosis or perform a procedure in a quality manner;	170
(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.	171 172 173 174
Sec. 4503.44. (A) As used in this section and in section 4511.69 of the Revised Code:	175 176
(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:	177 178 179 180
(a) Cannot walk two hundred feet without stopping to rest;	181
(b) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;	182 183 184
(c) Is restricted by a lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest;	185 186 187 188 189
(d) Uses portable oxygen;	190
(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association;	191 192 193 194
(f) Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;	195 196
(g) Is blind.	197
(2) "Organization" means any private organization or	198

corporation, or any governmental board, agency, department, 199
division, or office, that, as part of its business or program, 200
transports persons with disabilities that limit or impair the 201
ability to walk on a regular basis in a motor vehicle that has not 202
been altered for the purpose of providing it with special 203
equipment for use by handicapped persons. This definition does not 204
apply to division (J) of this section. 205

(3) "Health care provider" means a physician, physician 206
assistant, advanced practice nurse, or chiropractor as defined in 207
this section. 208

(4) "Physician" means a person licensed to practice medicine 209
or surgery or osteopathic medicine and surgery under Chapter 4731. 210
of the Revised Code. 211

~~(4)~~(5) "Chiropractor" means a person licensed to practice 212
chiropractic under Chapter 4734. of the Revised Code. 213

~~(5)~~(6) "Advanced practice nurse" means any certified nurse 214
practitioner, clinical nurse specialist, certified registered 215
nurse anesthetist, or certified nurse-midwife who holds a 216
certificate of authority issued by the board of nursing under 217
Chapter 4723. of the Revised Code. 218

(7) "Physician assistant" means a person who holds a 219
certificate to practice as a physician assistant issued under 220
Chapter 4730. of the Revised Code. 221

(B) Any organization or person with a disability that limits 222
or impairs the ability to walk may apply to the registrar of motor 223
vehicles for a removable windshield placard or, if the person owns 224
or leases a motor vehicle, the person may apply for the 225
registration of any motor vehicle the person owns or leases. In 226
addition to one or more sets of license plates or one placard, a 227
person with a disability that limits or impairs the ability to 228
walk is entitled to one additional placard, but only if the person 229

applies separately for the additional placard, states the reasons 230
why the additional placard is needed, and the registrar, in the 231
registrar's discretion, determines that good and justifiable cause 232
exists to approve the request for the additional placard. When a 233
motor vehicle has been altered for the purpose of providing it 234
with special equipment for a person with a disability that limits 235
or impairs the ability to walk, but is owned or leased by someone 236
other than such a person, the owner or lessee may apply to the 237
registrar or a deputy registrar for registration under this 238
section. The application for registration of a motor vehicle owned 239
or leased by a person with a disability that limits or impairs the 240
ability to walk shall be accompanied by a signed statement from 241
the applicant's ~~personal physician, advanced practice nurse, or~~ 242
~~chiropractor~~ health care provider certifying that the applicant 243
meets at least one of the criteria contained in division (A)(1) of 244
this section and that the disability is expected to continue for 245
more than six consecutive months. The application for a removable 246
windshield placard made by a person with a disability that limits 247
or impairs the ability to walk shall be accompanied by a 248
prescription from the applicant's ~~personal physician, advanced~~ 249
~~practice nurse, or chiropractor~~ health care provider prescribing 250
such a placard for the applicant, provided that the applicant 251
meets at least one of the criteria contained in division (A)(1) of 252
this section. The ~~physician, advanced practice nurse, or~~ 253
~~chiropractor~~ health care provider shall state on the prescription 254
the length of time the ~~physician, advanced practice nurse, or~~ 255
~~chiropractor~~ health care provider expects the applicant to have 256
the disability that limits or impairs the applicant's ability to 257
walk. The application for a removable windshield placard made by 258
an organization shall be accompanied by such documentary evidence 259
of regular transport of persons with disabilities that limit or 260
impair the ability to walk by the organization as the registrar 261
may require by rule and shall be completed in accordance with 262

procedures that the registrar may require by rule. The application 263
for registration of a motor vehicle that has been altered for the 264
purpose of providing it with special equipment for a person with a 265
disability that limits or impairs the ability to walk but is owned 266
by someone other than such a person shall be accompanied by such 267
documentary evidence of vehicle alterations as the registrar may 268
require by rule. 269

(C) When an organization, a person with a disability that 270
limits or impairs the ability to walk, or a person who does not 271
have a disability that limits or impairs the ability to walk but 272
owns a motor vehicle that has been altered for the purpose of 273
providing it with special equipment for a person with a disability 274
that limits or impairs the ability to walk first submits an 275
application for registration of a motor vehicle under this section 276
and every fifth year thereafter, the organization or person shall 277
submit a signed statement from the applicant's ~~personal physician,~~ 278
~~advanced practice nurse, or chiropractor~~ health care provider, a 279
completed application, and any required documentary evidence of 280
vehicle alterations as provided in division (B) of this section, 281
and also a power of attorney from the owner of the motor vehicle 282
if the applicant leases the vehicle. Upon submission of these 283
items, the registrar or deputy registrar shall issue to the 284
applicant appropriate vehicle registration and a set of license 285
plates and validation stickers, or validation stickers alone when 286
required by section 4503.191 of the Revised Code. In addition to 287
the letters and numbers ordinarily inscribed thereon, the license 288
plates shall be imprinted with the international symbol of access. 289
The license plates and validation stickers shall be issued upon 290
payment of the regular license fee as prescribed under section 291
4503.04 of the Revised Code and any motor vehicle tax levied under 292
Chapter 4504. of the Revised Code, and the payment of a service 293
fee equal to the amount specified in division (D) or (G) of 294
section 4503.10 of the Revised Code. 295

(D)(1) Upon receipt of a completed and signed application for a removable windshield placard, a prescription as described in division (B) of this section, documentary evidence of regular transport of persons with disabilities that limit or impair the ability to walk, if required, and payment of a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code, the registrar or deputy registrar shall issue to the applicant a removable windshield placard, which shall bear the date of expiration on both sides of the placard and shall be valid until expired, revoked, or surrendered. Every removable windshield placard expires as described in division (D)(2) of this section, but in no case shall a removable windshield placard be valid for a period of less than sixty days. Removable windshield placards shall be renewable upon application as provided in division (B) of this section, and a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code shall be charged for the renewal of a removable windshield placard. The registrar shall provide the application form and shall determine the information to be included thereon. The registrar also shall determine the form and size of the removable windshield placard, the material of which it is to be made, and any other information to be included thereon, and shall adopt rules relating to the issuance, expiration, revocation, surrender, and proper display of such placards. Any placard issued after October 14, 1999, shall be manufactured in a manner that allows the expiration date of the placard to be indicated on it through the punching, drilling, boring, or creation by any other means of holes in the placard.

(2) At the time a removable windshield placard is issued to a person with a disability that limits or impairs the ability to walk, the registrar or deputy registrar shall enter into the records of the bureau of motor vehicles the last date on which the person will have that disability, as indicated on the accompanying

prescription. Not less than thirty days prior to that date and all 329
removable windshield placard renewal dates, the bureau shall send 330
a renewal notice to that person at the person's last known address 331
as shown in the records of the bureau, informing the person that 332
the person's removable windshield placard will expire on the 333
indicated date not to exceed five years from the date of issuance, 334
and that the person is required to renew the placard by submitting 335
to the registrar or a deputy registrar another prescription, as 336
described in division (B) of this section, and by complying with 337
the renewal provisions prescribed in division (D)(1) of this 338
section. If such a prescription is not received by the registrar 339
or a deputy registrar by that date, the placard issued to that 340
person expires and no longer is valid, and this fact shall be 341
recorded in the records of the bureau. 342

(3) At least once every year, on a date determined by the 343
registrar, the bureau shall examine the records of the office of 344
vital statistics, located within the department of health, that 345
pertain to deceased persons, and also the bureau's records of all 346
persons who have been issued removable windshield placards and 347
temporary removable windshield placards. If the records of the 348
office of vital statistics indicate that a person to whom a 349
removable windshield placard or temporary removable windshield 350
placard has been issued is deceased, the bureau shall cancel that 351
placard, and note the cancellation in its records. 352

The office of vital statistics shall make available to the 353
bureau all information necessary to enable the bureau to comply 354
with division (D)(3) of this section. 355

(4) Nothing in this section shall be construed to require a 356
person or organization to apply for a removable windshield placard 357
or special license plates if the parking card or special license 358
plates issued to the person or organization under prior law have 359
not expired or been surrendered or revoked. 360

(E)(1)(a) Any person with a disability that limits or impairs the ability to walk may apply to the registrar or a deputy registrar for a temporary removable windshield placard. The application for a temporary removable windshield placard shall be accompanied by a prescription from the applicant's ~~personal physician, advanced practice nurse, or chiropractor~~ health care provider prescribing such a placard for the applicant, provided that the applicant meets at least one of the criteria contained in division (A)(1) of this section and that the disability is expected to continue for six consecutive months or less. The ~~physician, advanced practice nurse, or chiropractor~~ health care provider shall state on the prescription the length of time the ~~physician, advanced practice nurse, or chiropractor~~ health care provider expects the applicant to have the disability that limits or impairs the applicant's ability to walk, which cannot exceed six months from the date of the prescription. Upon receipt of an application for a temporary removable windshield placard, presentation of the prescription from the applicant's ~~personal physician, advanced practice nurse, or chiropractor~~ health care provider, and payment of a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code, the registrar or deputy registrar shall issue to the applicant a temporary removable windshield placard.

(b) Any active-duty member of the armed forces of the United States, including the reserve components of the armed forces and the national guard, who has an illness or injury that limits or impairs the ability to walk may apply to the registrar or a deputy registrar for a temporary removable windshield placard. With the application, the person shall present evidence of the person's active-duty status and the illness or injury. Evidence of the illness or injury may include a current department of defense convalescent leave statement, any department of defense document indicating that the person currently has an ill or injured

casualty status or has limited duties, or a prescription from any 394
~~physician, advanced practice nurse, or chiropractor~~ health care 395
provider prescribing the placard for the applicant. Upon receipt 396
of the application and the necessary evidence, the registrar or 397
deputy registrar shall issue the applicant the temporary removable 398
windshield placard without the payment of any service fee. 399

(2) The temporary removable windshield placard shall be of 400
the same size and form as the removable windshield placard, shall 401
be printed in white on a red-colored background, and shall bear 402
the word "temporary" in letters of such size as the registrar 403
shall prescribe. A temporary removable windshield placard also 404
shall bear the date of expiration on the front and back of the 405
placard, and shall be valid until expired, surrendered, or 406
revoked, but in no case shall such a placard be valid for a period 407
of less than sixty days. The registrar shall provide the 408
application form and shall determine the information to be 409
included on it, provided that the registrar shall not require a 410
~~physician, advanced practice nurse, or chiropractor's~~ health care 411
provider's prescription or certification for a person applying 412
under division (E)(1)(b) of this section. The registrar also shall 413
determine the material of which the temporary removable windshield 414
placard is to be made and any other information to be included on 415
the placard and shall adopt rules relating to the issuance, 416
expiration, surrender, revocation, and proper display of those 417
placards. Any temporary removable windshield placard issued after 418
October 14, 1999, shall be manufactured in a manner that allows 419
for the expiration date of the placard to be indicated on it 420
through the punching, drilling, boring, or creation by any other 421
means of holes in the placard. 422

(F) If an applicant for a removable windshield placard is a 423
veteran of the armed forces of the United States whose disability, 424
as defined in division (A)(1) of this section, is 425

service-connected, the registrar or deputy registrar, upon receipt 426
of the application, presentation of a signed statement from the 427
applicant's ~~personal physician, advanced practice nurse, or~~ 428
~~chiropractor~~ health care provider certifying the applicant's 429
disability, and presentation of such documentary evidence from the 430
department of veterans affairs that the disability of the 431
applicant meets at least one of the criteria identified in 432
division (A)(1) of this section and is service-connected as the 433
registrar may require by rule, but without the payment of any 434
service fee, shall issue the applicant a removable windshield 435
placard that is valid until expired, surrendered, or revoked. 436

(G) Upon a conviction of a violation of division (I), (J), or 437
(K) of this section, the court shall report the conviction, and 438
send the placard or parking card, if available, to the registrar, 439
who thereupon shall revoke the privilege of using the placard or 440
parking card and send notice in writing to the placardholder or 441
cardholder at that holder's last known address as shown in the 442
records of the bureau, and the placardholder or cardholder shall 443
return the placard or card if not previously surrendered to the 444
court, to the registrar within ten days following mailing of the 445
notice. 446

Whenever a person to whom a removable windshield placard or 447
parking card has been issued moves to another state, the person 448
shall surrender the placard or card to the registrar; and whenever 449
an organization to which a placard or card has been issued changes 450
its place of operation to another state, the organization shall 451
surrender the placard or card to the registrar. 452

(H) Subject to division (F) of section 4511.69 of the Revised 453
Code, the operator of a motor vehicle displaying a removable 454
windshield placard, temporary removable windshield placard, 455
parking card, or the special license plates authorized by this 456
section is entitled to park the motor vehicle in any special 457

parking location reserved for persons with disabilities that limit 458
or impair the ability to walk, also known as handicapped parking 459
spaces or disability parking spaces. 460

(I) No person or organization that is not eligible under 461
division (B) or (E) of this section shall willfully and falsely 462
represent that the person or organization is so eligible. 463

No person or organization shall display license plates issued 464
under this section unless the license plates have been issued for 465
the vehicle on which they are displayed and are valid. 466

(J) No person or organization to which a removable windshield 467
placard or temporary removable windshield placard is issued shall 468
do either of the following: 469

(1) Display or permit the display of the placard on any motor 470
vehicle when having reasonable cause to believe the motor vehicle 471
is being used in connection with an activity that does not include 472
providing transportation for persons with disabilities that limit 473
or impair the ability to walk; 474

(2) Refuse to return or surrender the placard, when required. 475

(K)(1) No person or organization to which a parking card is 476
issued shall do either of the following: 477

(a) Display or permit the display of the parking card on any 478
motor vehicle when having reasonable cause to believe the motor 479
vehicle is being used in connection with an activity that does not 480
include providing transportation for a handicapped person; 481

(b) Refuse to return or surrender the parking card, when 482
required. 483

(2) As used in division (K) of this section: 484

(a) "Handicapped person" means any person who has lost the 485
use of one or both legs or one or both arms, who is blind, deaf, 486
or so severely handicapped as to be unable to move about without 487

the aid of crutches or a wheelchair, or whose mobility is 488
restricted by a permanent cardiovascular, pulmonary, or other 489
handicapping condition. 490

(b) "Organization" means any private organization or 491
corporation, or any governmental board, agency, department, 492
division, or office, that, as part of its business or program, 493
transports handicapped persons on a regular basis in a motor 494
vehicle that has not been altered for the purposes of providing it 495
with special equipment for use by handicapped persons. 496

(L) If a removable windshield placard, temporary removable 497
windshield placard, or parking card is lost, destroyed, or 498
mutilated, the placardholder or cardholder may obtain a duplicate 499
by doing both of the following: 500

(1) Furnishing suitable proof of the loss, destruction, or 501
mutilation to the registrar; 502

(2) Paying a service fee equal to the amount specified in 503
division (D) or (G) of section 4503.10 of the Revised Code. 504

Any placardholder or cardholder who loses a placard or card 505
and, after obtaining a duplicate, finds the original, immediately 506
shall surrender the original placard or card to the registrar. 507

(M) The registrar shall pay all fees received under this 508
section for the issuance of removable windshield placards or 509
temporary removable windshield placards or duplicate removable 510
windshield placards or cards into the state treasury to the credit 511
of the state bureau of motor vehicles fund created in section 512
4501.25 of the Revised Code. 513

(N) For purposes of enforcing this section, every peace 514
officer is deemed to be an agent of the registrar. Any peace 515
officer or any authorized employee of the bureau of motor vehicles 516
who, in the performance of duties authorized by law, becomes aware 517
of a person whose placard or parking card has been revoked 518

pursuant to this section, may confiscate that placard or parking 519
card and return it to the registrar. The registrar shall prescribe 520
any forms used by law enforcement agencies in administering this 521
section. 522

No peace officer, law enforcement agency employing a peace 523
officer, or political subdivision or governmental agency employing 524
a peace officer, and no employee of the bureau is liable in a 525
civil action for damages or loss to persons arising out of the 526
performance of any duty required or authorized by this section. As 527
used in this division, "peace officer" has the same meaning as in 528
division (B) of section 2935.01 of the Revised Code. 529

(O) All applications for registration of motor vehicles, 530
removable windshield placards, and temporary removable windshield 531
placards issued under this section, all renewal notices for such 532
items, and all other publications issued by the bureau that relate 533
to this section shall set forth the criminal penalties that may be 534
imposed upon a person who violates any provision relating to 535
special license plates issued under this section, the parking of 536
vehicles displaying such license plates, and the issuance, 537
procurement, use, and display of removable windshield placards and 538
temporary removable windshield placards issued under this section. 539

(P) Whoever violates this section is guilty of a misdemeanor 540
of the fourth degree. 541

Sec. 4715.62. (A) Each individual seeking to register with 542
the state dental board as an expanded function dental auxiliary 543
shall file with the secretary of the board a written application 544
for registration, under oath, on a form the board shall prescribe 545
and provide. An applicant shall include with the completed 546
application all of the following: 547

(1) An application fee of twenty dollars; 548

(2) Proof satisfactory to the board that the applicant has 549
successfully completed, at an educational institution accredited 550
by the commission on dental accreditation of the American dental 551
association or the higher learning commission of the north central 552
association of colleges and schools, the education or training 553
specified by the board in rules adopted under section 4715.66 of 554
the Revised Code as the education or training that is necessary to 555
obtain registration under this chapter to practice as an expanded 556
function dental auxiliary, as evidenced by a diploma or other 557
certificate of graduation or completion that has been signed by an 558
appropriate official of the accredited institution that provided 559
education or training; 560

(3) Proof satisfactory to the board that the applicant has 561
passed an examination that meets the standards established by the 562
board in rules adopted under section 4715.66 of the Revised Code 563
to be accepted by the board as an examination of competency to 564
practice as an expanded function dental auxiliary; 565

(4) Proof that the applicant holds current certification to 566
perform basic life-support procedures, evidenced by documentation 567
showing the successful completion of a basic life-support training 568
course certified by ~~either~~ the American red cross ~~or~~, the American 569
heart association, or the American safety and health institute. 570

(B) If an applicant complies with division (A) of this 571
section, the board shall register the applicant as an expanded 572
function dental auxiliary. 573

Sec. 4730.03. Nothing in this chapter shall: 574

(A) Be construed to affect or interfere with the performance 575
of duties of any medical personnel ~~in~~ who are either of the 576
following: 577

(1) In active service in the army, navy, coast guard, marine 578

corps, air force, public health service, or marine hospital 579
service of the United States while so serving; 580

(2) Employed by the veterans administration of the United 581
States while so employed; 582

(B) Prevent any person from performing any of the services a 583
physician assistant may be authorized to perform, if the person's 584
professional scope of practice established under any other chapter 585
of the Revised Code authorizes the person to perform the services; 586

(C) Prohibit a physician from delegating responsibilities to 587
any nurse or other qualified person who does not hold a 588
certificate to practice as a physician assistant, provided that 589
the individual does not hold the individual out to be a physician 590
assistant; 591

(D) Be construed as authorizing a physician assistant 592
independently to order or direct the execution of procedures or 593
techniques by a registered nurse or licensed practical nurse in 594
the care and treatment of a person in any setting, except to the 595
extent that the physician assistant is authorized to do so by the 596
physician supervisory plan approved under section 4730.17 of the 597
Revised Code for the physician who is responsible for supervising 598
the physician assistant or the policies of the health care 599
facility in which the physician assistant is practicing; 600

(E) Authorize a physician assistant to engage in the practice 601
of optometry, except to the extent that the physician assistant is 602
authorized by a supervising physician acting in accordance with 603
this chapter to perform routine visual screening, provide medical 604
care prior to or following eye surgery, or assist in the care of 605
diseases of the eye; 606

(F) Be construed as authorizing a physician assistant to 607
prescribe any drug or device to perform or induce an abortion, or 608
as otherwise authorizing a physician assistant to perform or 609

induce an abortion. 610

Sec. 4730.09. (A) Under a physician supervisory plan approved 611
under section 4730.17 of the Revised Code, a physician assistant 612
may provide any or all of the following services without approval 613
by the state medical board as special services: 614

(1) Obtaining comprehensive patient histories; 615

(2) Performing physical examinations, including audiometry 616
screening, routine visual screening, and pelvic, rectal, and 617
genital-urinary examinations, when indicated; 618

(3) Ordering, performing, or ordering and performing routine 619
diagnostic procedures, as indicated; 620

(4) Identifying normal and abnormal findings on histories, 621
physical examinations, and commonly performed diagnostic studies; 622

(5) Assessing patients and developing and implementing 623
treatment plans for patients; 624

(6) Monitoring the effectiveness of therapeutic 625
interventions; 626

(7) Exercising physician-delegated prescriptive authority 627
pursuant to a certificate to prescribe issued under this chapter; 628

(8) Carrying out or relaying the supervising physician's 629
orders for the administration of medication, to the extent 630
permitted by law; 631

(9) Providing patient education; 632

(10) Instituting and changing orders on patient charts; 633

(11) Performing developmental screening examinations on 634
children with regard to neurological, motor, and mental functions; 635

(12) Performing wound care management, suturing minor 636
lacerations and removing the sutures, and incision and drainage of 637

uncomplicated superficial abscesses;	638
(13) Removing superficial foreign bodies;	639
(14) Administering intravenous fluids;	640
(15) Inserting a foley or cudae catheter into the urinary bladder and removing the catheter;	641 642
(16) Removing intrauterine devices;	643
(17) Performing biopsies of superficial lesions;	644
(18) Making appropriate referrals as directed by the supervising physician;	645 646
(19) Removing norplant capsules;	647
(20) Performing penile duplex ultrasound;	648
(21) Changing of a tracheostomy;	649
(22) Performing bone marrow aspirations from the posterior iliac crest;	650 651
(23) Performing bone marrow biopsies from the posterior iliac crest;	652 653
(24) Performing cystograms;	654
(25) Performing nephrostograms after physician placement of nephrostomy tubes;	655 656
(26) Fitting or inserting family planning devices, including intrauterine devices, diaphragms, and cervical caps;	657 658
(27) Removing cervical polyps;	659
(28) Performing nerve conduction testing;	660
(29) Performing endometrial biopsies;	661
(30) Inserting filiform and follower catheters;	662
(31) Performing arthrocentesis of the knee;	663
(32) Performing knee joint injections;	664

(33) Performing endotracheal intubation with successful completion of an advanced cardiac life support course;	665 666
(34) Performing lumbar punctures;	667
(35) In accordance with rules adopted by the board, using light-based medical devices for the purpose of hair removal;	668 669
(36) Administering, monitoring, or maintaining local anesthesia, as defined in section 4730.091 of the Revised Code;	670 671
(37) <u>Applying or removing a cast or splint;</u>	672
<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.	673 674 675 676 677 678
(B) Under the policies of a health care facility, the services a physician assistant may provide are limited to the services the facility has authorized the physician assistant to provide for the facility. The services a health care facility may authorize a physician assistant to provide for the facility include the following:	679 680 681 682 683 684
(1) Any or all of the services specified in division (A) of this section;	685 686
(2) Assisting in surgery in the health care facility;	687
(3) Any other services permitted by the policies of the health care facility, except that the facility may not authorize a physician assistant to perform a service that is prohibited by this chapter.	688 689 690 691
Sec. 4731.15. (A)(1) The state medical board also shall regulate the following limited branches of medicine: massage	692 693

therapy and cosmetic therapy, and to the extent specified in 694
section 4731.151 of the Revised Code, naprapathy and 695
mechanotherapy. The board shall adopt rules governing the limited 696
branches of medicine under its jurisdiction. The rules shall be 697
adopted in accordance with Chapter 119. of the Revised Code. 698

(2) As used in this chapter, "cosmetic therapy" means the 699
permanent removal of hair from the human body through the use of 700
electric modalities approved by the board for use in cosmetic 701
therapy, and additionally may include the systematic friction, 702
stroking, slapping, and kneading or tapping of the face, neck, 703
scalp, or shoulders. 704

(B) All persons who hold A certificate to practice a limited 705
branch of medicine issued by the state medical board is valid for 706
a two-year period, except when an initial certificate is issued 707
for a shorter period or when division (C)(2) of this section is 708
applicable. The certificate may be renewed in accordance with 709
division (C) of this section. 710

(C)(1) Except as provided in division (C)(2) of this section, 711
all of the following apply with respect to the renewal of 712
certificates to practice a limited branch of medicine: 713

(a) Each person seeking to renew a certificate to practice a 714
limited branch of medicine issued by the state medical board, 715
whether residents of this state or not, shall on or before the 716
first day of June of each odd numbered year, register apply for 717
biennial registration with the state medical board on a renewal 718
application form prescribed by the board and. An applicant for 719
renewal shall pay at such time a biennial registration fee of 720
fifty dollars. At least one month in advance of the date of 721
registration, a written notice that the biennial registration fee 722
is due on or before the first day of June shall be sent to each 723
holder of a certificate to practice a limited branch of medicine, 724
at the person's 725

(b) At least six months before a certificate expires, the board shall mail or cause to be mailed a renewal notice to the certificate holder's last known address. All 726
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(c) At least three months before a certificate expires, the certificate holder shall submit the renewal application and biennial registration fee to the board. 729
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(2) Beginning with the 2009 registration period, the board shall implement a staggered renewal system that is substantially similar to the staggered renewal system the board uses under division (B) of section 4731.281 of the Revised Code. 732
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(D) All persons who hold a certificate to practice a limited branch of medicine issued by the state medical board shall provide the board written notice of any change of address. The notice shall be submitted to the board not later than thirty days after the change of address. 736
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(E) A certificate to practice a limited branch of medicine shall be automatically suspended if the fee is not paid by the first day of September of the year it is due certificate holder fails to renew the certificate in accordance with division (C) of this section. Continued practice after the suspension of the certificate to practice shall be considered as practicing in violation of sections 4731.34 and 4731.41 of the Revised Code. Subject to section 4731.222 of the Revised Code, if 741
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If a certificate to practice has been suspended pursuant to this division for two years or less, the it may be reinstated. The board shall reinstate a the certificate to practice suspended for failure to register upon an applicant's submission of a renewal application and payment of the biennial registration fee and the applicable monetary penalty. With regard to reinstatement of a certificate to practice cosmetic therapy, the applicant also shall submit with the application a certification that the number of 749
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hours of continuing education necessary to have a suspended 757
certificate reinstated have been completed, as specified in rules 758
the board shall adopt in accordance with Chapter 119. of the 759
Revised Code. The penalty for reinstatement shall be twenty-five 760
dollars. ~~¶~~ 761

If a certificate has been suspended pursuant to this division 762
for more than two years, it may be restored. Subject to section 763
4731.222 of the Revised Code, the board may restore the 764
certificate upon an applicant's submission of a restoration 765
application, the biennial registration fee, and the applicable 766
monetary penalty and compliance with sections 4776.01 to 4776.04 767
of the Revised Code. The board shall not restore to an applicant a 768
certificate to practice unless the board, in its discretion, 769
decides that the results of the criminal records check do not make 770
the applicant ineligible for a certificate issued pursuant to 771
section 4731.18 of the Revised Code. The penalty for restoration 772
is fifty dollars. 773

Sec. 4731.155. (A) ~~Each~~ Except as provided in division (D) of 774
this section, each person holding a certificate to practice 775
cosmetic therapy ~~within this state~~ shall complete biennially not 776
less than twenty-five hours of continuing cosmetic therapy 777
education. 778

Cosmetic therapists shall earn continuing education credits 779
at the rate of one-half credit hour for each twenty-five to thirty 780
minutes of instruction and one credit hour for each fifty to sixty 781
minutes of instruction. 782

(B) Only continuing education approved by the state medical 783
board may be used to fulfill the requirements of division (A) of 784
this section. 785

(C) Each certified cosmetic therapist shall submit to the 786
board at the time of biennial ~~registration~~ renewal pursuant to 787

section 4731.15 of the Revised Code a sworn affidavit, in a form 788
acceptable to the board, attesting that he the cosmetic therapist 789
has completed continuing education programs in compliance with 790
this section and listing the date, location, sponsor, subject 791
matter, and hours completed of the programs. 792

(D) The board shall adopt rules providing for pro rata 793
~~reductions~~ adjustments by month of the hours of continuing 794
education required by this section for persons who first receive a 795
certificate during a registration period or who have a 796
registration period that is shorter or longer than two years 797
because of the implementation of a staggered renewal system under 798
section 4731.15 of the Revised Code. 799

The board may excuse a cosmetic therapist from all or any 800
part of the requirements of this section because of an unusual 801
circumstance, emergency, or special hardship. 802

(E) Failure to comply with the requirements of this section 803
constitutes a failure to renew ~~registration~~ pursuant to section 804
4731.15 of the Revised Code. 805

Sec. 4731.19. (A) The state medical board shall determine the 806
standing of the schools, colleges, or institutions giving 807
instruction in the limited branches of medicine of massage therapy 808
and cosmetic therapy. ~~If there shall at any time be such schools,~~ 809
~~colleges, or institutions giving instruction in such limited~~ 810
~~branches, the~~ 811

(B) An applicant for a certificate to practice a limited 812
branch of medicine shall, as a condition of admission to the 813
examination, ~~produce a~~ have one of the following: 814

(1) A diploma or certificate from a school, college, or 815
institution in good standing as determined by the board, showing 816
the completion of the required courses of instruction; 817

(2) A current license, registration, or certificate that is 818
in good standing in another state for massage therapy or cosmetic 819
therapy, as applicable; 820

(3) Certification from a national certification body and a 821
diploma or certificate from a school, college, or institution 822
showing completion of a course of instruction that meets course 823
requirements determined by the board through rules adopted under 824
section 4731.05 of the Revised Code. 825

The entrance examiner of the board shall determine the 826
sufficiency of the preliminary education of applicants for a 827
certificate to practice massage therapy or cosmetic therapy in the 828
same manner that sufficiency of preliminary education is 829
determined under section 4731.09 of the Revised Code, except that 830
the board may adopt rules defining and establishing for the 831
limited branch of medicine preliminary educational requirements 832
that are less exacting than those prescribed by such section, as 833
the nature of the case may require. 834

Sec. 4731.281. (A) On or before the deadline established 835
under division (B) of this section for applying for renewal of a 836
certificate of registration, each person holding a certificate 837
under this chapter to practice medicine and surgery, osteopathic 838
medicine and surgery, or podiatric medicine and surgery shall 839
certify to the state medical board that in the preceding two years 840
the person has completed one hundred hours of continuing medical 841
education. The certification shall be made upon the application 842
for biennial registration submitted pursuant to division (B) of 843
this section. The board shall adopt rules providing for pro rata 844
reductions by month of the number of hours of continuing education 845
required for persons who are in their first registration period, 846
~~who have a registration period of less than two years due to~~ 847
~~initial implementation of the staggered renewal schedule~~ 848

~~established under division (B) of this section,~~ who have been 849
disabled due to illness or accident, or who have been absent from 850
the country. 851

In determining whether a course, program, or activity 852
qualifies for credit as continuing medical education, the board 853
shall approve all continuing medical education taken by persons 854
holding a certificate to practice medicine and surgery that is 855
certified by the Ohio state medical association, all continuing 856
medical education taken by persons holding a certificate to 857
practice osteopathic medicine and surgery that is certified by the 858
Ohio osteopathic association, and all continuing medical education 859
taken by persons holding a certificate to practice ~~podiatry~~ 860
podiatric medicine and surgery that is certified by the Ohio 861
podiatric medical association. Each person holding a certificate 862
to practice under this chapter shall be given sufficient choice of 863
continuing education programs to ensure that the person has had a 864
reasonable opportunity to participate in continuing education 865
programs that are relevant to the person's medical practice in 866
terms of subject matter and level. 867

The board may require a random sample of persons holding a 868
certificate to practice under this chapter to submit materials 869
documenting completion of the continuing medical education 870
requirement during the preceding registration period, but this 871
provision shall not limit the board's authority to investigate 872
pursuant to section 4731.22 of the Revised Code. 873

(B)(1) Every person holding a certificate under this chapter 874
to practice medicine and surgery, osteopathic medicine and 875
surgery, or podiatric medicine and surgery wishing to renew that 876
certificate shall apply to the board for a certificate of 877
registration upon an application furnished by the board, and pay 878
to the board at the time of application a fee of three hundred 879
five dollars, according to the following schedule: 880

(a) Persons whose last name begins with the letters "A"	881
through "B," on or before April 1, 2001, and the first day of	882
April of every odd-numbered year thereafter;	883
(b) Persons whose last name begins with the letters "C"	884
through "D," on or before January 1, 2001, and the first day of	885
January of every odd-numbered year thereafter;	886
(c) Persons whose last name begins with the letters "E"	887
through "G," on or before October 1, 2000, and the first day of	888
October of every even-numbered year thereafter;	889
(d) Persons whose last name begins with the letters "H"	890
through "K," on or before July 1, 2000, and the first day of July	891
of every even-numbered year thereafter;	892
(e) Persons whose last name begins with the letters "L"	893
through "M," on or before April 1, 2000, and the first day of	894
April of every even-numbered year thereafter;	895
(f) Persons whose last name begins with the letters "N"	896
through "R," on or before January 1, 2000, and the first day of	897
January of every even-numbered year thereafter;	898
(g) Persons whose last name begins with the letter "S," on or	899
before October 1, 1999, and the first day of October of every	900
odd-numbered year thereafter;	901
(h) Persons whose last name begins with the letters "T"	902
through "Z," on or before July 1, 1999, and the first day of July	903
of every odd-numbered year thereafter.	904
The board shall deposit the fee in accordance with section	905
4731.24 of the Revised Code, except that the board shall deposit	906
twenty dollars of the fee into the state treasury to the credit of	907
the physician loan repayment fund created by section 3702.78 of	908
the Revised Code.	909
(2) The board shall mail or cause to be mailed to every	910

person registered to practice medicine and surgery, osteopathic 911
medicine and surgery, or podiatric medicine and surgery, ~~an~~ 912
~~application for a notice of~~ registration renewal addressed to the 913
person's last known ~~post-office~~ address or may cause the 914
~~application~~ notice to be sent to the person through the secretary 915
of any recognized medical, osteopathic, or podiatric society, 916
according to the following schedule: 917

(a) To persons whose last name begins with the letters "A" 918
through "B," on or before January 1, 2001, and the first day of 919
January of every odd-numbered year thereafter; 920

(b) To persons whose last name begins with the letters "C" 921
through "D," on or before October 1, 2000, and the first day of 922
October of every even-numbered year thereafter; 923

(c) To persons whose last name begins with the letters "E" 924
through "G," on or before July 1, 2000, and the first day of July 925
of every even-numbered year thereafter; 926

(d) To persons whose last name begins with the letters "H" 927
through "K," on or before April 1, 2000, and the first day of 928
April of every even-numbered year thereafter; 929

(e) To persons whose last name begins with the letters "L" 930
through "M," on or before January 1, 2000, and the first day of 931
January of every even-numbered year thereafter; 932

(f) To persons whose last name begins with the letters "N" 933
through "R," on or before October 1, 1999, and the first day of 934
October of every odd-numbered year thereafter; 935

(g) To persons whose last name begins with the letter "S," on 936
or before July 1, 1999, and the first day of July of every 937
odd-numbered year thereafter; 938

(h) To persons whose last name begins with the letters "T" 939
through "Z," on or before April 1, 1999, and the first day of 940

April of every odd-numbered year thereafter. 941

Failure of any person to receive ~~an application~~ a notice of 942
renewal from the board shall not excuse the person from the 943
requirements contained in this section. ~~The application shall~~ 944
~~contain proper spaces for the applicant's signature and the~~ 945
~~insertion of the required information, including a statement that~~ 946
~~the person has fulfilled the continuing education requirements~~ 947
~~imposed by this section.~~ 948

The notice shall inform the applicant of the renewal 949
procedure. The board shall provide the application for 950
registration renewal in a form determined by the board. The 951
applicant shall ~~write or cause to be written upon~~ provide in the 952
application ~~so furnished~~ the applicant's full name, principal 953
practice address and residence address, the number of the 954
applicant's certificate to practice, and any other ~~facts for the~~ 955
~~identification of the applicant as a person holding a certificate~~ 956
~~to practice under this chapter as~~ information required by the 957
board ~~considers necessary~~. The applicant shall include with the 958
application a list of the names and addresses of any clinical 959
nurse specialists, certified nurse-midwives, or certified nurse 960
practitioners with whom the applicant is currently collaborating, 961
as defined in section 4723.01 of the Revised Code. The applicant 962
shall execute and deliver the application to the board ~~by mail or~~ 963
~~in person~~ in a manner prescribed by the board. Every person 964
registered under this section shall give written notice to the 965
board of any change of principal practice address or residence 966
address or in the list within thirty days of the change. 967

The applicant shall report any criminal offense ~~that~~ 968
~~constitutes grounds for refusal of registration under section~~ 969
~~4731.22 of the Revised Code~~ to which the applicant has pleaded 970
guilty, of which the applicant has been found guilty, or for which 971
the applicant has been found eligible for intervention in lieu of 972

conviction, since last ~~signing~~ filing an application for a 973
certificate of registration. 974

(C) The board shall issue to any person holding a certificate 975
under this chapter to practice medicine and surgery, osteopathic 976
medicine and surgery, or podiatric medicine and surgery, upon 977
application and qualification therefor in accordance with this 978
section, a certificate of registration under the seal of the 979
board. A certificate of registration shall be valid for a two-year 980
period, ~~commencing on the first day of the third month after the~~ 981
~~registration fee is due and expiring on the last day of the month~~ 982
~~two years thereafter.~~ 983

~~The board shall publish and cause to be mailed to each person~~ 984
~~registered under this section, upon request, a printed list of the~~ 985
~~persons so registered.~~ 986

(D) Failure of any certificate holder to register and comply 987
with this section shall operate automatically to suspend the 988
holder's certificate to practice. Continued practice after the 989
suspension of the certificate to practice shall be considered as 990
practicing in violation of section 4731.41, 4731.43, or 4731.60 of 991
the Revised Code. If the certificate has been suspended pursuant 992
to this division for two years or less, it may be reinstated. The 993
board shall reinstate a certificate to practice suspended for 994
failure to register upon an applicant's submission of a renewal 995
application, the biennial registration fee, and the applicable 996
monetary penalty. The penalty for reinstatement shall be fifty 997
dollars. If the certificate has been suspended pursuant to this 998
division for more than two years, it may be restored. ~~In~~ 999
~~accordance with~~ Subject to section 4731.222 of the Revised Code, 1000
the board may restore a certificate to practice suspended for 1001
failure to register upon an applicant's submission of a 1002
restoration application, the biennial registration fee, and the 1003
applicable monetary penalty and compliance with sections 4776.01 1004

to 4776.04 of the Revised Code. The board shall not restore to an 1005
applicant a certificate to practice unless the board, in its 1006
discretion, decides that the results of the criminal records check 1007
do not make the applicant ineligible for a certificate issued 1008
pursuant to section 4731.14, 4731.56, or 4731.57 of the Revised 1009
Code. The penalty for restoration shall be one hundred dollars. 1010
The board shall deposit the penalties in accordance with section 1011
4731.24 of the Revised Code. 1012

(E) If an individual certifies completion of the number of 1013
hours and type of continuing medical education required to receive 1014
a certificate of registration or reinstatement of a certificate to 1015
practice, and the board finds through the random samples it 1016
conducts under this section or through any other means that the 1017
individual did not complete the requisite continuing medical 1018
education, the board may impose a civil penalty of not more than 1019
five thousand dollars. The board's finding shall be made pursuant 1020
to an adjudication under Chapter 119. of the Revised Code and by 1021
an affirmative vote of not fewer than six members. 1022

A civil penalty imposed under this division may be in 1023
addition to or in lieu of any other action the board may take 1024
under section 4731.22 of the Revised Code. The board shall deposit 1025
civil penalties in accordance with section 4731.24 of the Revised 1026
Code. 1027

(F) The state medical board may obtain information not 1028
protected by statutory or common law privilege from courts and 1029
other sources concerning malpractice claims against any person 1030
holding a certificate to practice under this chapter or practicing 1031
as provided in section 4731.36 of the Revised Code. 1032

(G) Each mailing sent by the board under division (B)(2) of 1033
this section to a person registered to practice medicine and 1034
surgery or osteopathic medicine and surgery shall inform the 1035
applicant of the reporting requirement established by division (H) 1036

of section 3701.79 of the Revised Code. At the discretion of the board, the information may be included on the application for registration or on an accompanying page.

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

(B) An applicant for a visiting medical faculty certificate shall submit evidence satisfactory to the board that he the applicant meets the requirements of division (A) of this section. The applicant shall pay a fee of ~~one hundred twenty-five~~ three hundred seventy-five dollars. The board shall maintain a register of all persons who hold a visiting medical faculty certificate.

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

(D) A visiting medical faculty certificate is valid for the shorter of ~~one year~~ three years or the duration of the holder's

appointment to the academic staff of the school. The certificate 1068
may not be renewed. 1069

(E) If a person was granted a visiting medical faculty 1070
certificate before the effective date of this amendment, the 1071
person may apply for a second visiting medical faculty 1072
certificate, unless the person's first certificate was revoked. 1073
The board may issue the second certificate if the applicant 1074
complies with division (B) of this section. 1075

(F) The board may adopt any rules it considers necessary to 1076
implement this section. The rules shall be adopted in accordance 1077
with Chapter 119. of the Revised Code. 1078

Sec. 4760.131. On receipt of a notice pursuant to section 1079
~~2301.373~~ 3123.43 of the Revised Code, the state medical board 1080
shall comply with ~~that section~~ sections 3123.41 to 3123.50 of the 1081
Revised Code and any applicable rules adopted under section 1082
3123.63 of the Revised Code with respect to a certificate of 1083
registration as an anesthesiologist assistant issued pursuant to 1084
this chapter. 1085

Section 2. That existing sections 3727.01, 3727.02, 3727.321, 1086
3727.41, 4503.44, 4715.62, 4730.03, 4730.09, 4731.15, 4731.155, 1087
4731.19, 4731.281, 4731.293, and 4760.131 of the Revised Code are 1088
hereby repealed. 1089

Section 3. (A) Notwithstanding any conflicting provision of 1090
section 4731.15 of the Revised Code, this section applies to the 1091
renewal of certificates to practice a limited branch of medicine 1092
in the registration period that begins in 2009. 1093

(B) On or before May 1, 2009, the State Medical Board shall 1094
mail or cause to be mailed a renewal notice to each person who 1095
holds a certificate to practice a limited branch of medicine. The 1096

notice shall be sent to the certificate holder's last known 1097
address. Failure to receive a notice from the Board does not 1098
excuse the certificate holder from the requirement to renew the 1099
certificate. 1100

On or before August 31, 2009, each certificate holder seeking 1101
renewal shall apply to the Board and pay the applicable fee 1102
specified in division (C) of this section. If an applicant meets 1103
the requirements for renewal, the Board shall renew the 1104
applicant's certificate to practice for the applicable length of 1105
time specified in division (C) of this section. 1106

(C) In renewing certificates to practice under this section, 1107
the Board shall charge the following fees and use the following 1108
expiration dates: 1109

(1) For applicants whose last name begins with the letters 1110
"A" through "B," the fee shall be forty-five dollars and the 1111
expiration date shall be July 1, 2011. 1112

(2) For applicants whose last name begins with the letters 1113
"C" through "D," the fee shall be forty dollars and the expiration 1114
date shall be April 1, 2011. 1115

(3) For applicants whose last name begins with the letters 1116
"E" through "G," the fee shall be thirty-five dollars and the 1117
expiration date shall be January 1, 2011. 1118

(4) For applicants whose last name begins with the letters 1119
"H" through "K," the fee shall be thirty dollars and the 1120
expiration date shall be October 1, 2010. 1121

(5) For applicants whose last name begins with the letters 1122
"L" through "M," the fee shall be seventy dollars and the 1123
expiration date shall be July 1, 2012. 1124

(6) For applicants whose last name begins with the letters 1125
"N" through "R," the fee shall be sixty-five dollars and the 1126

expiration date shall be April 1, 2012. 1127

(7) For applicants whose last name begins with the letter 1128
"S," the fee shall be sixty dollars and the expiration date shall 1129
be January 1, 2012. 1130

(8) For applicants whose last name begins with the letters 1131
"T" through "Z," the fee shall be fifty dollars and the expiration 1132
date shall be October 1, 2011. 1133

Section 4. This act is hereby declared to be an emergency 1134
measure necessary for the immediate preservation of the public 1135
peace, health, and safety. The reason for such necessity is to 1136
ensure the continuity of medical care for the citizens of this 1137
state. Therefore, this act shall go into immediate effect. 1138