

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**S. B. No. 123**

**Senator Bacon**

—

**A BILL**

To enact sections 4715.70, 4731.37, 4732.32, 4743.10, 1  
4753.20, 4755.69, 4757.50, and 4759.15 of the 2  
Revised Code to require that the Ohio eLicense 3  
Center web site include information submitted by 4  
certain health professionals to their licensing 5  
boards regarding the characteristics of their 6  
professional practices. 7

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

**Section 1.** That sections 4715.70, 4731.37, 4732.32, 4743.10, 8  
4753.20, 4755.69, 4757.50, and 4759.15 of the Revised Code be 9  
enacted to read as follows: 10

**Sec. 4715.70.** The state dental board, when issuing or 11  
renewing a dentist license, shall comply with section 4743.10 of 12  
the Revised Code. 13

**Sec. 4731.37.** The state medical board, when issuing or 14  
renewing a certificate to practice medicine and surgery, 15  
osteopathic medicine and surgery, or podiatric medicine and 16  
surgery, shall comply with section 4743.10 of the Revised Code. 17

**Sec. 4732.32.** The state board of psychology, when issuing or 18  
renewing a psychologist or school psychologist license, shall 19

<u>comply with section 4743.10 of the Revised Code.</u>	20
<u>Sec. 4743.10. (A) As used in this section:</u>	21
<u>(1) "Health professional" means each of the following:</u>	22
<u>(a) Physician;</u>	23
<u>(b) Dentist;</u>	24
<u>(c) Psychologist;</u>	25
<u>(d) School psychologist;</u>	26
<u>(e) Professional clinical counselor;</u>	27
<u>(f) Professional counselor;</u>	28
<u>(g) Independent social worker;</u>	29
<u>(h) Social worker;</u>	30
<u>(i) Independent marriage and family therapist;</u>	31
<u>(j) Marriage and family therapist;</u>	32
<u>(k) Occupational therapist;</u>	33
<u>(l) Physical therapist;</u>	34
<u>(m) Speech-language pathologist;</u>	35
<u>(n) Audiologist;</u>	36
<u>(o) Dietitian.</u>	37
<u>(2) "Licensing board" means each of the following:</u>	38
<u>(a) State medical board;</u>	39
<u>(b) State dental board;</u>	40
<u>(c) State board of psychology;</u>	41
<u>(d) Counselor, social worker, and marriage and family therapist board;</u>	42 43
<u>(e) Occupational therapy section and physical therapy section</u>	44

of the Ohio occupational therapy, physical therapy, and athletic 45  
trainers board; 46

(f) Board of speech-language pathology and audiology; 47

(g) Ohio board of dietetics. 48

(3) "License," in the case of a physician, means a 49  
certificate to practice. 50

(4) "Physician" means an individual who holds a license 51  
issued by the state medical board to practice medicine and 52  
surgery, osteopathic medicine and surgery, or podiatric medicine 53  
and surgery. 54

(5) "School psychologist" means an individual who holds a 55  
license as a school psychologist issued by the state psychology 56  
board. 57

(B)(1) A licensing board shall require an applicant for an 58  
initial or renewed license as a health professional issued by that 59  
board to specify on the application which of the following the 60  
applicant intends to do during the licensing period: 61

(a) To practice within the applicant's scope of practice in a 62  
general manner; 63

(b) To practice within the applicant's scope of practice by 64  
incorporating unique professional practice characteristics; 65

(c) To maintain a license but not practice. 66

(2) If an applicant specifies an intent to practice by 67  
incorporating unique professional practice characteristics, the 68  
board shall require the applicant to submit information that 69  
identifies those characteristics. 70

(C) For the purpose of obtaining uniform information from 71  
health professionals under division (B)(2) of this section, a 72  
licensing board shall establish categories of unique professional 73  
practice characteristics. If more than one type of health 74

professional is under the licensing board's jurisdiction, the 75  
board shall establish categories that apply specifically to each 76  
type of health professional. 77

In establishing categories of unique professional practice 78  
characteristics, a licensing board may elect to use any or all of 79  
the following: 80

(1) Specialty certifications obtained from private 81  
certification agencies; 82

(2) Areas of concentration; 83

(3) Areas of special interest; 84

(4) Areas of particular experience or focused competency; 85

(5) Areas included within the health professional's scope of 86  
practice that the professional excludes from the professional's 87  
practice; 88

(6) Formats of practice that are based on individual or group 89  
treatment; 90

(7) Age-specific areas of practice that are based on any or 91  
all of the following age groups: 92

(a) Birth to three years of age; 93

(b) Four to eleven years of age; 94

(c) Twelve to eighteen years of age; 95

(d) Nineteen to sixty-four years of age; 96

(e) Sixty-five years of age and older. 97

(8) Any other category that may be relevant to the practice 98  
of the health professionals under the licensing board's 99  
jurisdiction. 100

(D) Not later than sixty days after issuing or renewing a 101  
license, the appropriate licensing board shall submit the 102

information it receives from an applicant under this section to 103  
the office of information technology in the department of 104  
administrative services. On receipt of the information, the office 105  
of information technology shall promptly post the information on 106  
the internet web site it maintains as the Ohio elicense center. 107  
The office shall post the information in such a manner that any 108  
person who visits the web site will be readily aware of the 109  
presence of the information and capable of accessing the 110  
information with ease. 111

(E) All of the following apply with respect to the 112  
information posted on the Ohio elicense center under this section: 113

(1) The information shall be used solely for purposes of 114  
assisting the public in locating appropriate health care services 115  
and assisting health professionals in making patient referrals to 116  
other health professionals. 117

(2) The information does not bar the health professional from 118  
engaging in activities within the professional's scope of practice 119  
that are not specified in the information or do not conform to the 120  
information. 121

(3) The information does not create more or less liability 122  
for the health professional in the provision of health care 123  
services. 124

(4) The information does not alter the standard of care that 125  
applies to the health professional in the provision of health care 126  
services. 127

Sec. 4753.20. The board of speech-language pathology and 128  
audiology, when issuing or renewing a speech-language pathologist 129  
or audiologist license, shall comply with section 4743.10 of the 130  
Revised Code. 131

Sec. 4755.69. The appropriate section of the Ohio 132

occupational therapy, physical therapy, and athletic trainers 133  
board, when issuing or renewing an occupational therapist or 134  
physical therapist license, shall comply with section 4743.10 of 135  
the Revised Code. 136

Sec. 4757.50. The counselor, social worker, and marriage and 137  
family therapist board, when issuing or renewing a professional 138  
clinical counselor, professional counselor, independent social 139  
worker, social worker, independent marriage and family therapist, 140  
or marriage and family therapist license, shall comply with 141  
section 4743.10 of the Revised Code. 142

Sec. 4759.15. The Ohio board of dietetics, when issuing or 143  
renewing a dietitian license, shall comply with section 4743.10 of 144  
the Revised Code. 145