

**As Reported by the House Health and Aging Committee**

**129th General Assembly**

**Regular Session**

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**Sub. S. B. No. 297**

**Senator Patton**

**Cosponsors: Senators Tavares, Brown, Burke, Cafaro, Coley, Jones,  
Kearney, LaRose, Lehner, Manning, Niehaus, Obhof, Oelslager, Schaffer,  
Schiavoni, Seitz, Wagoner**

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**A B I L L**

To amend section 4731.293 of the Revised Code to 1  
specify requirements for obtaining and renewing a 2  
clinical research faculty certificate and to 3  
declare an emergency. 4

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

**Section 1.** That section 4731.293 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 4731.293.** (A) The state medical board may issue, without 7  
examination, a ~~visiting medical~~ clinical research faculty 8  
certificate to any person who applies for the certificate and 9  
provides to the board all of the following: 10

(1) Evidence satisfactory to the board of all of the 11  
following: 12

(a) That the applicant holds a current, unrestricted license 13  
to practice medicine and surgery or osteopathic medicine and 14  
surgery issued by another state or country ~~and;~~ 15

(b) That the applicant has been appointed to serve in this 16

state on the academic staff of a medical school accredited by the 17  
liaison committee on medical education or an osteopathic medical 18  
school accredited by the American osteopathic association; 19

(c) That the applicant is an international medical graduate 20  
who holds a medical degree from an educational institution listed 21  
in the international medical education directory. 22

(2) An affidavit and supporting documentation from the dean 23  
of the medical school or the department director or chairperson of 24  
a teaching hospital affiliated with the school that the applicant 25  
is qualified to perform teaching and research activities and will 26  
be permitted to work only under the authority of the department 27  
director or chairperson of a teaching hospital affiliated with the 28  
medical school where the applicant's teaching and research 29  
activities will occur; 30

(3) A description from the medical school or teaching 31  
hospital of the scope of practice in which the applicant will be 32  
involved, including the types of teaching, research, and 33  
procedures in which the applicant will be engaged; 34

(4) A description from the medical school or teaching 35  
hospital of the type and amount of patient contact that will occur 36  
in connection with the applicant's teaching and research 37  
activities. Except as provided in division (E) of this section, 38  
the board shall not issue more than one visiting medical faculty 39  
certificate to any particular person. 40

(B) An applicant for a ~~visiting medical~~ an initial clinical 41  
research faculty certificate shall submit evidence satisfactory to 42  
the board that the applicant meets the requirements of division 43  
(A) of this section. The applicant shall pay a fee of three 44  
hundred seventy-five dollars. The board shall maintain a register 45  
of all persons who hold a visiting medical faculty certificate. 46

(C) The holder of a ~~visiting medical~~ clinical research 47

faculty certificate may practice medicine and surgery or 48  
osteopathic medicine and surgery only as is incidental to the 49  
certificate holder's teaching or research duties at the medical 50  
school or ~~the~~ a teaching hospitals hospital affiliated with the 51  
school. The board may revoke a certificate on receiving proof 52  
satisfactory to the board that the certificate holder ~~of the~~ 53  
~~certificate~~ has engaged in practice in this state outside the 54  
scope of the certificate or that there are grounds for action 55  
against the certificate holder under section 4731.22 of the 56  
Revised Code. 57

(D) A ~~visiting medical clinical research~~ faculty certificate 58  
is valid for ~~the shorter of~~ three years ~~or the duration of~~, except 59  
that the certificate ceases to be valid if the holder's 60  
appointment to the academic staff of the school is no longer valid 61  
or the certificate is revoked pursuant to division (C) of this 62  
section. The certificate may not be renewed. 63

(E) ~~If a person was granted a visiting medical faculty~~ 64  
~~certificate before the effective date of this amendment, the~~ 65  
~~person may apply for a second visiting medical faculty~~ 66  
~~certificate, unless the person's first certificate was revoked.~~ 67  
~~The board may issue the second certificate if the applicant~~ 68  
~~complies with division (B) of this section~~ (1) Three months before 69  
a clinical research faculty certificate expires, the board shall 70  
mail or cause to be mailed to the certificate holder a notice of 71  
renewal addressed to the certificate holder's last known address. 72  
Failure of a certificate holder to receive a notice of renewal 73  
from the board shall not excuse the certificate holder from the 74  
requirements contained in this section. The notice shall inform 75  
the certificate holder of the renewal procedure. The notice also 76  
shall inform the certificate holder of the reporting requirement 77  
established by division (H) of section 3701.79 of the Revised 78  
Code. At the discretion of the board, the information may be 79

included on the application for renewal or on an accompanying 80  
page. 81

(2) A clinical research faculty certificate may be renewed 82  
for an additional three-year period. There is no limit on the 83  
number of times a certificate may be renewed. A person seeking 84  
renewal of a certificate shall apply to the board. The board shall 85  
provide the application for renewal in a form determined by the 86  
board. 87

(3) An applicant is eligible for renewal if the applicant 88  
does all of the following: 89

(a) Pays a renewal fee of three hundred seventy-five dollars; 90

(b) Reports any criminal offense to which the applicant has 91  
pleaded guilty, of which the applicant has been found guilty, or 92  
for which the applicant has been found eligible for intervention 93  
in lieu of conviction, since last filing an application for a 94  
clinical research faculty certificate; 95

(c) Provides to the board an affidavit and supporting 96  
documentation from the dean of the medical school or the 97  
department director or chairperson of a teaching hospital 98  
affiliated with the school that the applicant is in compliance 99  
with the applicant's current clinical research faculty 100  
certificate; 101

(d) Provides evidence satisfactory to the board of all of the 102  
following: 103

(i) That the applicant continues to maintain a current, 104  
unrestricted license to practice medicine and surgery or 105  
osteopathic medicine and surgery issued by another state or 106  
country; 107

(ii) That the applicant's initial appointment to serve in 108  
this state on the academic staff of a medical school is still 109

valid or has been renewed; 110

(iii) That the applicant has completed one hundred fifty 111  
hours of continuing medical education that meet the requirements 112  
set forth in section 4731.281 of the Revised Code. 113

(4) Regardless of whether the certificate has expired, a 114  
person who was granted a visiting medical faculty certificate 115  
under this section as it existed immediately prior to the 116  
effective date of this amendment may apply for a clinical research 117  
faculty certificate as a renewal. The board may issue the clinical 118  
research faculty certificate if the applicant meets the 119  
requirements of division (E)(3) of this section. The board may not 120  
issue a clinical research faculty certificate if the visiting 121  
medical faculty certificate was revoked. 122

(F) The board shall maintain a register of all persons who 123  
hold clinical research faculty certificates. 124

(G) The board may adopt any rules it considers necessary to 125  
implement this section. The rules shall be adopted in accordance 126  
with Chapter 119. of the Revised Code. 127

**Section 2.** That existing section 4731.293 of the Revised Code 128  
is hereby repealed. 129

**Section 3.** This act is hereby declared to be an emergency 130  
measure necessary for the immediate preservation of the public 131  
peace, health, and safety. The reason for this necessity is that 132  
swift enactment will allow several extraordinary doctors to renew 133  
their certificates and continue their work in Ohio without 134  
interruption. Otherwise, these doctors will not be permitted to 135  
work in Ohio and will leave the state. Therefore, this act shall 136  
go into immediate effect. 137