

**As Passed by the House**

**130th General Assembly  
Regular Session  
2013-2014**

**H. B. No. 326**

**Representatives Roegner, Reece**

**Cosponsors: Representatives Hood, Stebelton, Wachtmann, Thompson, Huffman, Becker, Mallory, Buchy, Sheehy, DeVitis, Young, Duffey, Landis, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Barborak, Barnes, Beck, Blair, Blessing, Brown, Budish, Burkley, Celebrezze, Cera, Curtin, Damschroder, Driehaus, Fedor, Gerberry, Green, Hackett, Hagan, R., Hall, Letson, Milkovich, O'Brien, Patterson, Perales, Pillich, Rogers, Scherer, Sears, Slesnick, Smith, Sprague, Stinziano, Strahorn, Williams, Winburn**

**Speaker Batchelder**

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**A B I L L**

To amend section 4779.02 of the Revised Code to 1  
exempt diabetic shoe fitters from licensure. 2

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

**Section 1.** That section 4779.02 of the Revised Code be 3  
amended to read as follows: 4

**Sec. 4779.02.** (A) Except as provided in division (B) of this 5  
section, no person shall practice or represent that the person is 6  
authorized to practice orthotics, prosthetics, or pedorthics 7  
unless the person holds a current, valid license issued or renewed 8  
under this chapter. 9

(B) Division (A) of this section does not apply to any of the 10  
following: 11

(1) An individual who holds a current, valid license, certificate, or registration issued under Chapter 4723., 4730., 4731., 4734., or 4755. of the Revised Code and is practicing within the individual's scope of practice under statutes and rules regulating the individual's profession;

(2) An individual who practices orthotics, prosthetics, or pedorthics as an employee of the federal government and is engaged in the performance of duties prescribed by statutes and regulations of the United States;

(3) An individual who provides orthotic, prosthetic, or pedorthic services under the supervision of a licensed orthotist, prosthetist, or pedorthist in accordance with section 4779.04 of the Revised Code;

(4) An individual who provides orthotic, prosthetic, or pedorthic services as part of an educational, certification, or residency program approved by the state board of orthotics, prosthetics, and pedorthics under sections 4779.25 to 4779.27 of the Revised Code;

(5) An individual who provides orthotic, prosthetic, or pedorthic services under the direct supervision of an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(6) An individual who fits and measures individuals for therapeutic diabetic shoes and shoe inserts and dispenses those shoes and shoe inserts to individuals, but provides no other services that are authorized by this chapter, as long as the individual has successfully completed either of the following:

(a) A manufacturer's training course that consists of instruction in the fitting of therapeutic diabetic shoes and shoe inserts and requires the individual to undergo an assessment to determine whether the course has been successfully completed;

(b) A course of study that covers both the fitting of 43  
therapeutic diabetic shoes and shoe inserts and patient management 44  
of those shoes and inserts and is either of the following: 45

(i) Approved by the national commission on orthotic and 46  
prosthetic education; 47

(ii) Provided through a certification program offered by an 48  
orthotic and prosthetic certification organization accredited by 49  
the national commission for certifying agencies. 50

**Section 2.** That existing section 4779.02 of the Revised Code 51  
is hereby repealed. 52