

**As Reported by the House Health Committee**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. H. B. No. 176**

**Representatives Carfagna, Hall**

**Cosponsors: Representatives Abrams, Riedel, Miller, J., Seitz, Gross, Troy, Young, T., White, Bird, LaRe, Stephens, Swearingen, Fraizer, Lipps, Russo, Cutrona, Ginter, Plummer, West**

---

**A BILL**

To amend sections 4731.22, 4755.60, 4755.62, and 1  
4755.64 and to enact sections 4755.621, 2  
4755.622, and 4755.623 of the Revised Code to 3  
revise the law governing the practice of 4  
athletic training and to amend the versions of 5  
sections 4731.22, 4755.62, and 4755.64 of the 6  
Revised Code that are scheduled to take effect 7  
on October 9, 2021, to continue the changes to 8  
those sections on and after that date. 9

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

**Section 1.** That sections 4731.22, 4755.60, 4755.62, and 10  
4755.64 be amended and sections 4755.621, 4755.622, and 4755.623 11  
of the Revised Code be enacted to read as follows: 12

**Sec. 4731.22.** (A) The state medical board, by an 13  
affirmative vote of not fewer than six of its members, may 14  
limit, revoke, or suspend a license or certificate to practice 15  
or certificate to recommend, refuse to grant a license or 16  
certificate, refuse to renew a license or certificate, refuse to 17

reinstate a license or certificate, or reprimand or place on 18  
probation the holder of a license or certificate if the 19  
individual applying for or holding the license or certificate is 20  
found by the board to have committed fraud during the 21  
administration of the examination for a license or certificate 22  
to practice or to have committed fraud, misrepresentation, or 23  
deception in applying for, renewing, or securing any license or 24  
certificate to practice or certificate to recommend issued by 25  
the board. 26

(B) The board, by an affirmative vote of not fewer than 27  
six members, shall, to the extent permitted by law, limit, 28  
revoke, or suspend a license or certificate to practice or 29  
certificate to recommend, refuse to issue a license or 30  
certificate, refuse to renew a license or certificate, refuse to 31  
reinstate a license or certificate, or reprimand or place on 32  
probation the holder of a license or certificate for one or more 33  
of the following reasons: 34

(1) Permitting one's name or one's license or certificate 35  
to practice to be used by a person, group, or corporation when 36  
the individual concerned is not actually directing the treatment 37  
given; 38

(2) Failure to maintain minimal standards applicable to 39  
the selection or administration of drugs, or failure to employ 40  
acceptable scientific methods in the selection of drugs or other 41  
modalities for treatment of disease; 42

(3) Except as provided in section 4731.97 of the Revised 43  
Code, selling, giving away, personally furnishing, prescribing, 44  
or administering drugs for other than legal and legitimate 45  
therapeutic purposes or a plea of guilty to, a judicial finding 46  
of guilt of, or a judicial finding of eligibility for 47

intervention in lieu of conviction of, a violation of any 48  
federal or state law regulating the possession, distribution, or 49  
use of any drug; 50

(4) Willfully betraying a professional confidence. 51

For purposes of this division, "willfully betraying a 52  
professional confidence" does not include providing any 53  
information, documents, or reports under sections 307.621 to 54  
307.629 of the Revised Code to a child fatality review board; 55  
does not include providing any information, documents, or 56  
reports to the director of health pursuant to guidelines 57  
established under section 3701.70 of the Revised Code; does not 58  
include written notice to a mental health professional under 59  
section 4731.62 of the Revised Code; and does not include the 60  
making of a report of an employee's use of a drug of abuse, or a 61  
report of a condition of an employee other than one involving 62  
the use of a drug of abuse, to the employer of the employee as 63  
described in division (B) of section 2305.33 of the Revised 64  
Code. Nothing in this division affects the immunity from civil 65  
liability conferred by section 2305.33 or 4731.62 of the Revised 66  
Code upon a physician who makes a report in accordance with 67  
section 2305.33 or notifies a mental health professional in 68  
accordance with section 4731.62 of the Revised Code. As used in 69  
this division, "employee," "employer," and "physician" have the 70  
same meanings as in section 2305.33 of the Revised Code. 71

(5) Making a false, fraudulent, deceptive, or misleading 72  
statement in the solicitation of or advertising for patients; in 73  
relation to the practice of medicine and surgery, osteopathic 74  
medicine and surgery, podiatric medicine and surgery, or a 75  
limited branch of medicine; or in securing or attempting to 76  
secure any license or certificate to practice issued by the 77

board. 78

As used in this division, "false, fraudulent, deceptive, 79  
or misleading statement" means a statement that includes a 80  
misrepresentation of fact, is likely to mislead or deceive 81  
because of a failure to disclose material facts, is intended or 82  
is likely to create false or unjustified expectations of 83  
favorable results, or includes representations or implications 84  
that in reasonable probability will cause an ordinarily prudent 85  
person to misunderstand or be deceived. 86

(6) A departure from, or the failure to conform to, 87  
minimal standards of care of similar practitioners under the 88  
same or similar circumstances, whether or not actual injury to a 89  
patient is established; 90

(7) Representing, with the purpose of obtaining 91  
compensation or other advantage as personal gain or for any 92  
other person, that an incurable disease or injury, or other 93  
incurable condition, can be permanently cured; 94

(8) The obtaining of, or attempting to obtain, money or 95  
anything of value by fraudulent misrepresentations in the course 96  
of practice; 97

(9) A plea of guilty to, a judicial finding of guilt of, 98  
or a judicial finding of eligibility for intervention in lieu of 99  
conviction for, a felony; 100

(10) Commission of an act that constitutes a felony in 101  
this state, regardless of the jurisdiction in which the act was 102  
committed; 103

(11) A plea of guilty to, a judicial finding of guilt of, 104  
or a judicial finding of eligibility for intervention in lieu of 105  
conviction for, a misdemeanor committed in the course of 106

practice;	107
(12) Commission of an act in the course of practice that	108
constitutes a misdemeanor in this state, regardless of the	109
jurisdiction in which the act was committed;	110
(13) A plea of guilty to, a judicial finding of guilt of,	111
or a judicial finding of eligibility for intervention in lieu of	112
conviction for, a misdemeanor involving moral turpitude;	113
(14) Commission of an act involving moral turpitude that	114
constitutes a misdemeanor in this state, regardless of the	115
jurisdiction in which the act was committed;	116
(15) Violation of the conditions of limitation placed by	117
the board upon a license or certificate to practice;	118
(16) Failure to pay license renewal fees specified in this	119
chapter;	120
(17) Except as authorized in section 4731.31 of the	121
Revised Code, engaging in the division of fees for referral of	122
patients, or the receiving of a thing of value in return for a	123
specific referral of a patient to utilize a particular service	124
or business;	125
(18) Subject to section 4731.226 of the Revised Code,	126
violation of any provision of a code of ethics of the American	127
medical association, the American osteopathic association, the	128
American podiatric medical association, or any other national	129
professional organizations that the board specifies by rule. The	130
state medical board shall obtain and keep on file current copies	131
of the codes of ethics of the various national professional	132
organizations. The individual whose license or certificate is	133
being suspended or revoked shall not be found to have violated	134
any provision of a code of ethics of an organization not	135

appropriate to the individual's profession. 136

For purposes of this division, a "provision of a code of 137  
ethics of a national professional organization" does not include 138  
any provision that would preclude the making of a report by a 139  
physician of an employee's use of a drug of abuse, or of a 140  
condition of an employee other than one involving the use of a 141  
drug of abuse, to the employer of the employee as described in 142  
division (B) of section 2305.33 of the Revised Code. Nothing in 143  
this division affects the immunity from civil liability 144  
conferred by that section upon a physician who makes either type 145  
of report in accordance with division (B) of that section. As 146  
used in this division, "employee," "employer," and "physician" 147  
have the same meanings as in section 2305.33 of the Revised 148  
Code. 149

(19) Inability to practice according to acceptable and 150  
prevailing standards of care by reason of mental illness or 151  
physical illness, including, but not limited to, physical 152  
deterioration that adversely affects cognitive, motor, or 153  
perceptive skills. 154

In enforcing this division, the board, upon a showing of a 155  
possible violation, may compel any individual authorized to 156  
practice by this chapter or who has submitted an application 157  
pursuant to this chapter to submit to a mental examination, 158  
physical examination, including an HIV test, or both a mental 159  
and a physical examination. The expense of the examination is 160  
the responsibility of the individual compelled to be examined. 161  
Failure to submit to a mental or physical examination or consent 162  
to an HIV test ordered by the board constitutes an admission of 163  
the allegations against the individual unless the failure is due 164  
to circumstances beyond the individual's control, and a default 165

and final order may be entered without the taking of testimony 166  
or presentation of evidence. If the board finds an individual 167  
unable to practice because of the reasons set forth in this 168  
division, the board shall require the individual to submit to 169  
care, counseling, or treatment by physicians approved or 170  
designated by the board, as a condition for initial, continued, 171  
reinstated, or renewed authority to practice. An individual 172  
affected under this division shall be afforded an opportunity to 173  
demonstrate to the board the ability to resume practice in 174  
compliance with acceptable and prevailing standards under the 175  
provisions of the individual's license or certificate. For the 176  
purpose of this division, any individual who applies for or 177  
receives a license or certificate to practice under this chapter 178  
accepts the privilege of practicing in this state and, by so 179  
doing, shall be deemed to have given consent to submit to a 180  
mental or physical examination when directed to do so in writing 181  
by the board, and to have waived all objections to the 182  
admissibility of testimony or examination reports that 183  
constitute a privileged communication. 184

(20) Except as provided in division (F) (1) (b) of section 185  
4731.282 of the Revised Code or when civil penalties are imposed 186  
under section 4731.225 of the Revised Code, and subject to 187  
section 4731.226 of the Revised Code, violating or attempting to 188  
violate, directly or indirectly, or assisting in or abetting the 189  
violation of, or conspiring to violate, any provisions of this 190  
chapter or any rule promulgated by the board. 191

This division does not apply to a violation or attempted 192  
violation of, assisting in or abetting the violation of, or a 193  
conspiracy to violate, any provision of this chapter or any rule 194  
adopted by the board that would preclude the making of a report 195  
by a physician of an employee's use of a drug of abuse, or of a 196

condition of an employee other than one involving the use of a 197  
drug of abuse, to the employer of the employee as described in 198  
division (B) of section 2305.33 of the Revised Code. Nothing in 199  
this division affects the immunity from civil liability 200  
conferred by that section upon a physician who makes either type 201  
of report in accordance with division (B) of that section. As 202  
used in this division, "employee," "employer," and "physician" 203  
have the same meanings as in section 2305.33 of the Revised 204  
Code. 205

(21) The violation of section 3701.79 of the Revised Code 206  
or of any abortion rule adopted by the director of health 207  
pursuant to section 3701.341 of the Revised Code; 208

(22) Any of the following actions taken by an agency 209  
responsible for authorizing, certifying, or regulating an 210  
individual to practice a health care occupation or provide 211  
health care services in this state or another jurisdiction, for 212  
any reason other than the nonpayment of fees: the limitation, 213  
revocation, or suspension of an individual's license to 214  
practice; acceptance of an individual's license surrender; 215  
denial of a license; refusal to renew or reinstate a license; 216  
imposition of probation; or issuance of an order of censure or 217  
other reprimand; 218

(23) The violation of section 2919.12 of the Revised Code 219  
or the performance or inducement of an abortion upon a pregnant 220  
woman with actual knowledge that the conditions specified in 221  
division (B) of section 2317.56 of the Revised Code have not 222  
been satisfied or with a heedless indifference as to whether 223  
those conditions have been satisfied, unless an affirmative 224  
defense as specified in division (H) (2) of that section would 225  
apply in a civil action authorized by division (H) (1) of that 226



section;	227
(24) The revocation, suspension, restriction, reduction,	228
or termination of clinical privileges by the United States	229
department of defense or department of veterans affairs or the	230
termination or suspension of a certificate of registration to	231
prescribe drugs by the drug enforcement administration of the	232
United States department of justice;	233
(25) Termination or suspension from participation in the	234
medicare or medicaid programs by the department of health and	235
human services or other responsible agency;	236
(26) Impairment of ability to practice according to	237
acceptable and prevailing standards of care because of habitual	238
or excessive use or abuse of drugs, alcohol, or other substances	239
that impair ability to practice.	240
For the purposes of this division, any individual	241
authorized to practice by this chapter accepts the privilege of	242
practicing in this state subject to supervision by the board. By	243
filing an application for or holding a license or certificate to	244
practice under this chapter, an individual shall be deemed to	245
have given consent to submit to a mental or physical examination	246
when ordered to do so by the board in writing, and to have	247
waived all objections to the admissibility of testimony or	248
examination reports that constitute privileged communications.	249
If it has reason to believe that any individual authorized	250
to practice by this chapter or any applicant for licensure or	251
certification to practice suffers such impairment, the board may	252
compel the individual to submit to a mental or physical	253
examination, or both. The expense of the examination is the	254
responsibility of the individual compelled to be examined. Any	255

mental or physical examination required under this division 256  
shall be undertaken by a treatment provider or physician who is 257  
qualified to conduct the examination and who is chosen by the 258  
board. 259

Failure to submit to a mental or physical examination 260  
ordered by the board constitutes an admission of the allegations 261  
against the individual unless the failure is due to 262  
circumstances beyond the individual's control, and a default and 263  
final order may be entered without the taking of testimony or 264  
presentation of evidence. If the board determines that the 265  
individual's ability to practice is impaired, the board shall 266  
suspend the individual's license or certificate or deny the 267  
individual's application and shall require the individual, as a 268  
condition for initial, continued, reinstated, or renewed 269  
licensure or certification to practice, to submit to treatment. 270

Before being eligible to apply for reinstatement of a 271  
license or certificate suspended under this division, the 272  
impaired practitioner shall demonstrate to the board the ability 273  
to resume practice in compliance with acceptable and prevailing 274  
standards of care under the provisions of the practitioner's 275  
license or certificate. The demonstration shall include, but 276  
shall not be limited to, the following: 277

(a) Certification from a treatment provider approved under 278  
section 4731.25 of the Revised Code that the individual has 279  
successfully completed any required inpatient treatment; 280

(b) Evidence of continuing full compliance with an 281  
aftercare contract or consent agreement; 282

(c) Two written reports indicating that the individual's 283  
ability to practice has been assessed and that the individual 284

has been found capable of practicing according to acceptable and 285  
prevailing standards of care. The reports shall be made by 286  
individuals or providers approved by the board for making the 287  
assessments and shall describe the basis for their 288  
determination. 289

The board may reinstate a license or certificate suspended 290  
under this division after that demonstration and after the 291  
individual has entered into a written consent agreement. 292

When the impaired practitioner resumes practice, the board 293  
shall require continued monitoring of the individual. The 294  
monitoring shall include, but not be limited to, compliance with 295  
the written consent agreement entered into before reinstatement 296  
or with conditions imposed by board order after a hearing, and, 297  
upon termination of the consent agreement, submission to the 298  
board for at least two years of annual written progress reports 299  
made under penalty of perjury stating whether the individual has 300  
maintained sobriety. 301

(27) A second or subsequent violation of section 4731.66 302  
or 4731.69 of the Revised Code; 303

(28) Except as provided in division (N) of this section: 304

(a) Waiving the payment of all or any part of a deductible 305  
or copayment that a patient, pursuant to a health insurance or 306  
health care policy, contract, or plan that covers the 307  
individual's services, otherwise would be required to pay if the 308  
waiver is used as an enticement to a patient or group of 309  
patients to receive health care services from that individual; 310

(b) Advertising that the individual will waive the payment 311  
of all or any part of a deductible or copayment that a patient, 312  
pursuant to a health insurance or health care policy, contract, 313

or plan that covers the individual's services, otherwise would	314
be required to pay.	315
(29) Failure to use universal blood and body fluid	316
precautions established by rules adopted under section 4731.051	317
of the Revised Code;	318
(30) Failure to provide notice to, and receive	319
acknowledgment of the notice from, a patient when required by	320
section 4731.143 of the Revised Code prior to providing	321
nonemergency professional services, or failure to maintain that	322
notice in the patient's medical record;	323
(31) Failure of a physician supervising a physician	324
assistant to maintain supervision in accordance with the	325
requirements of Chapter 4730. of the Revised Code and the rules	326
adopted under that chapter;	327
(32) Failure of a physician or podiatrist to enter into a	328
standard care arrangement with a clinical nurse specialist,	329
certified nurse-midwife, or certified nurse practitioner with	330
whom the physician or podiatrist is in collaboration pursuant to	331
section 4731.27 of the Revised Code or failure to fulfill the	332
responsibilities of collaboration after entering into a standard	333
care arrangement;	334
(33) Failure to comply with the terms of a consult	335
agreement entered into with a pharmacist pursuant to section	336
4729.39 of the Revised Code;	337
(34) Failure to cooperate in an investigation conducted by	338
the board under division (F) of this section, including failure	339
to comply with a subpoena or order issued by the board or	340
failure to answer truthfully a question presented by the board	341
in an investigative interview, an investigative office	342

conference, at a deposition, or in written interrogatories,	343
except that failure to cooperate with an investigation shall not	344
constitute grounds for discipline under this section if a court	345
of competent jurisdiction has issued an order that either	346
quashes a subpoena or permits the individual to withhold the	347
testimony or evidence in issue;	348
(35) Failure to supervise an acupuncturist in accordance	349
with Chapter 4762. of the Revised Code and the board's rules for	350
providing that supervision;	351
(36) Failure to supervise an anesthesiologist assistant in	352
accordance with Chapter 4760. of the Revised Code and the	353
board's rules for supervision of an anesthesiologist assistant;	354
(37) Assisting suicide, as defined in section 3795.01 of	355
the Revised Code;	356
(38) Failure to comply with the requirements of section	357
2317.561 of the Revised Code;	358
(39) Failure to supervise a radiologist assistant in	359
accordance with Chapter 4774. of the Revised Code and the	360
board's rules for supervision of radiologist assistants;	361
(40) Performing or inducing an abortion at an office or	362
facility with knowledge that the office or facility fails to	363
post the notice required under section 3701.791 of the Revised	364
Code;	365
(41) Failure to comply with the standards and procedures	366
established in rules under section 4731.054 of the Revised Code	367
for the operation of or the provision of care at a pain	368
management clinic;	369
(42) Failure to comply with the standards and procedures	370

established in rules under section 4731.054 of the Revised Code 371  
for providing supervision, direction, and control of individuals 372  
at a pain management clinic; 373

(43) Failure to comply with the requirements of section 374  
4729.79 or 4731.055 of the Revised Code, unless the state board 375  
of pharmacy no longer maintains a drug database pursuant to 376  
section 4729.75 of the Revised Code; 377

(44) Failure to comply with the requirements of section 378  
2919.171, 2919.202, or 2919.203 of the Revised Code or failure 379  
to submit to the department of health in accordance with a court 380  
order a complete report as described in section 2919.171 or 381  
2919.202 of the Revised Code; 382

(45) Practicing at a facility that is subject to licensure 383  
as a category III terminal distributor of dangerous drugs with a 384  
pain management clinic classification unless the person 385  
operating the facility has obtained and maintains the license 386  
with the classification; 387

(46) Owning a facility that is subject to licensure as a 388  
category III terminal distributor of dangerous drugs with a pain 389  
management clinic classification unless the facility is licensed 390  
with the classification; 391

(47) Failure to comply with any of the requirements 392  
regarding making or maintaining medical records or documents 393  
described in division (A) of section 2919.192, division (C) of 394  
section 2919.193, division (B) of section 2919.195, or division 395  
(A) of section 2919.196 of the Revised Code; 396

(48) Failure to comply with the requirements in section 397  
3719.061 of the Revised Code before issuing for a minor a 398  
prescription for an opioid analgesic, as defined in section 399

3719.01 of the Revised Code;	400
(49) Failure to comply with the requirements of section	401
4731.30 of the Revised Code or rules adopted under section	402
4731.301 of the Revised Code when recommending treatment with	403
medical marijuana;	404
(50) Practicing at a facility, clinic, or other location	405
that is subject to licensure as a category III terminal	406
distributor of dangerous drugs with an office-based opioid	407
treatment classification unless the person operating that place	408
has obtained and maintains the license with the classification;	409
(51) Owning a facility, clinic, or other location that is	410
subject to licensure as a category III terminal distributor of	411
dangerous drugs with an office-based opioid treatment	412
classification unless that place is licensed with the	413
classification;	414
(52) A pattern of continuous or repeated violations of	415
division (E) (2) or (3) of section 3963.02 of the Revised Code;	416
<u>(53) Failure to fulfill the responsibilities of a</u>	417
<u>collaboration agreement entered into with an athletic trainer as</u>	418
<u>described in section 4755.621 of the Revised Code.</u>	419
(C) Disciplinary actions taken by the board under	420
divisions (A) and (B) of this section shall be taken pursuant to	421
an adjudication under Chapter 119. of the Revised Code, except	422
that in lieu of an adjudication, the board may enter into a	423
consent agreement with an individual to resolve an allegation of	424
a violation of this chapter or any rule adopted under it. A	425
consent agreement, when ratified by an affirmative vote of not	426
fewer than six members of the board, shall constitute the	427
findings and order of the board with respect to the matter	428

addressed in the agreement. If the board refuses to ratify a 429  
consent agreement, the admissions and findings contained in the 430  
consent agreement shall be of no force or effect. 431

A telephone conference call may be utilized for 432  
ratification of a consent agreement that revokes or suspends an 433  
individual's license or certificate to practice or certificate 434  
to recommend. The telephone conference call shall be considered 435  
a special meeting under division (F) of section 121.22 of the 436  
Revised Code. 437

If the board takes disciplinary action against an 438  
individual under division (B) of this section for a second or 439  
subsequent plea of guilty to, or judicial finding of guilt of, a 440  
violation of section 2919.123 or 2919.124 of the Revised Code, 441  
the disciplinary action shall consist of a suspension of the 442  
individual's license or certificate to practice for a period of 443  
at least one year or, if determined appropriate by the board, a 444  
more serious sanction involving the individual's license or 445  
certificate to practice. Any consent agreement entered into 446  
under this division with an individual that pertains to a second 447  
or subsequent plea of guilty to, or judicial finding of guilt 448  
of, a violation of that section shall provide for a suspension 449  
of the individual's license or certificate to practice for a 450  
period of at least one year or, if determined appropriate by the 451  
board, a more serious sanction involving the individual's 452  
license or certificate to practice. 453

(D) For purposes of divisions (B) (10), (12), and (14) of 454  
this section, the commission of the act may be established by a 455  
finding by the board, pursuant to an adjudication under Chapter 456  
119. of the Revised Code, that the individual committed the act. 457  
The board does not have jurisdiction under those divisions if 458



the trial court renders a final judgment in the individual's 459  
favor and that judgment is based upon an adjudication on the 460  
merits. The board has jurisdiction under those divisions if the 461  
trial court issues an order of dismissal upon technical or 462  
procedural grounds. 463

(E) The sealing of conviction records by any court shall 464  
have no effect upon a prior board order entered under this 465  
section or upon the board's jurisdiction to take action under 466  
this section if, based upon a plea of guilty, a judicial finding 467  
of guilt, or a judicial finding of eligibility for intervention 468  
in lieu of conviction, the board issued a notice of opportunity 469  
for a hearing prior to the court's order to seal the records. 470  
The board shall not be required to seal, destroy, redact, or 471  
otherwise modify its records to reflect the court's sealing of 472  
conviction records. 473

(F) (1) The board shall investigate evidence that appears 474  
to show that a person has violated any provision of this chapter 475  
or any rule adopted under it. Any person may report to the board 476  
in a signed writing any information that the person may have 477  
that appears to show a violation of any provision of this 478  
chapter or any rule adopted under it. In the absence of bad 479  
faith, any person who reports information of that nature or who 480  
testifies before the board in any adjudication conducted under 481  
Chapter 119. of the Revised Code shall not be liable in damages 482  
in a civil action as a result of the report or testimony. Each 483  
complaint or allegation of a violation received by the board 484  
shall be assigned a case number and shall be recorded by the 485  
board. 486

(2) Investigations of alleged violations of this chapter 487  
or any rule adopted under it shall be supervised by the 488

supervising member elected by the board in accordance with 489  
section 4731.02 of the Revised Code and by the secretary as 490  
provided in section 4731.39 of the Revised Code. The president 491  
may designate another member of the board to supervise the 492  
investigation in place of the supervising member. No member of 493  
the board who supervises the investigation of a case shall 494  
participate in further adjudication of the case. 495

(3) In investigating a possible violation of this chapter 496  
or any rule adopted under this chapter, or in conducting an 497  
inspection under division (E) of section 4731.054 of the Revised 498  
Code, the board may question witnesses, conduct interviews, 499  
administer oaths, order the taking of depositions, inspect and 500  
copy any books, accounts, papers, records, or documents, issue 501  
subpoenas, and compel the attendance of witnesses and production 502  
of books, accounts, papers, records, documents, and testimony, 503  
except that a subpoena for patient record information shall not 504  
be issued without consultation with the attorney general's 505  
office and approval of the secretary and supervising member of 506  
the board. 507

(a) Before issuance of a subpoena for patient record 508  
information, the secretary and supervising member shall 509  
determine whether there is probable cause to believe that the 510  
complaint filed alleges a violation of this chapter or any rule 511  
adopted under it and that the records sought are relevant to the 512  
alleged violation and material to the investigation. The 513  
subpoena may apply only to records that cover a reasonable 514  
period of time surrounding the alleged violation. 515

(b) On failure to comply with any subpoena issued by the 516  
board and after reasonable notice to the person being 517  
subpoenaed, the board may move for an order compelling the 518

production of persons or records pursuant to the Rules of Civil Procedure. 519  
520

(c) A subpoena issued by the board may be served by a sheriff, the sheriff's deputy, or a board employee or agent designated by the board. Service of a subpoena issued by the board may be made by delivering a copy of the subpoena to the person named therein, reading it to the person, or leaving it at the person's usual place of residence, usual place of business, or address on file with the board. When serving a subpoena to an applicant for or the holder of a license or certificate issued under this chapter, service of the subpoena may be made by certified mail, return receipt requested, and the subpoena shall be deemed served on the date delivery is made or the date the person refuses to accept delivery. If the person being served refuses to accept the subpoena or is not located, service may be made to an attorney who notifies the board that the attorney is representing the person. 521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535

(d) A sheriff's deputy who serves a subpoena shall receive the same fees as a sheriff. Each witness who appears before the board in obedience to a subpoena shall receive the fees and mileage provided for under section 119.094 of the Revised Code. 536  
537  
538  
539

(4) All hearings, investigations, and inspections of the board shall be considered civil actions for the purposes of section 2305.252 of the Revised Code. 540  
541  
542

(5) A report required to be submitted to the board under this chapter, a complaint, or information received by the board pursuant to an investigation or pursuant to an inspection under division (E) of section 4731.054 of the Revised Code is confidential and not subject to discovery in any civil action. 543  
544  
545  
546  
547

The board shall conduct all investigations or inspections 548  
and proceedings in a manner that protects the confidentiality of 549  
patients and persons who file complaints with the board. The 550  
board shall not make public the names or any other identifying 551  
information about patients or complainants unless proper consent 552  
is given or, in the case of a patient, a waiver of the patient 553  
privilege exists under division (B) of section 2317.02 of the 554  
Revised Code, except that consent or a waiver of that nature is 555  
not required if the board possesses reliable and substantial 556  
evidence that no bona fide physician-patient relationship 557  
exists. 558

The board may share any information it receives pursuant 559  
to an investigation or inspection, including patient records and 560  
patient record information, with law enforcement agencies, other 561  
licensing boards, and other governmental agencies that are 562  
prosecuting, adjudicating, or investigating alleged violations 563  
of statutes or administrative rules. An agency or board that 564  
receives the information shall comply with the same requirements 565  
regarding confidentiality as those with which the state medical 566  
board must comply, notwithstanding any conflicting provision of 567  
the Revised Code or procedure of the agency or board that 568  
applies when it is dealing with other information in its 569  
possession. In a judicial proceeding, the information may be 570  
admitted into evidence only in accordance with the Rules of 571  
Evidence, but the court shall require that appropriate measures 572  
are taken to ensure that confidentiality is maintained with 573  
respect to any part of the information that contains names or 574  
other identifying information about patients or complainants 575  
whose confidentiality was protected by the state medical board 576  
when the information was in the board's possession. Measures to 577  
ensure confidentiality that may be taken by the court include 578

sealing its records or deleting specific information from its records.	579 580
(6) On a quarterly basis, the board shall prepare a report that documents the disposition of all cases during the preceding three months. The report shall contain the following information for each case with which the board has completed its activities:	581 582 583 584
(a) The case number assigned to the complaint or alleged violation;	585 586
(b) The type of license or certificate to practice, if any, held by the individual against whom the complaint is directed;	587 588 589
(c) A description of the allegations contained in the complaint;	590 591
(d) The disposition of the case.	592
The report shall state how many cases are still pending and shall be prepared in a manner that protects the identity of each person involved in each case. The report shall be a public record under section 149.43 of the Revised Code.	593 594 595 596
(G) If the secretary and supervising member determine both of the following, they may recommend that the board suspend an individual's license or certificate to practice or certificate to recommend without a prior hearing:	597 598 599 600
(1) That there is clear and convincing evidence that an individual has violated division (B) of this section;	601 602
(2) That the individual's continued practice presents a danger of immediate and serious harm to the public.	603 604
Written allegations shall be prepared for consideration by	605

the board. The board, upon review of those allegations and by an affirmative vote of not fewer than six of its members, excluding the secretary and supervising member, may suspend a license or certificate without a prior hearing. A telephone conference call may be utilized for reviewing the allegations and taking the vote on the summary suspension.

The board shall issue a written order of suspension by certified mail or in person in accordance with section 119.07 of the Revised Code. The order shall not be subject to suspension by the court during pendency of any appeal filed under section 119.12 of the Revised Code. If the individual subject to the summary suspension requests an adjudicatory hearing by the board, the date set for the hearing shall be within fifteen days, but not earlier than seven days, after the individual requests the hearing, unless otherwise agreed to by both the board and the individual.

Any summary suspension imposed under this division shall remain in effect, unless reversed on appeal, until a final adjudicative order issued by the board pursuant to this section and Chapter 119. of the Revised Code becomes effective. The board shall issue its final adjudicative order within seventy-five days after completion of its hearing. A failure to issue the order within seventy-five days shall result in dissolution of the summary suspension order but shall not invalidate any subsequent, final adjudicative order.

(H) If the board takes action under division (B) (9), (11), or (13) of this section and the judicial finding of guilt, guilty plea, or judicial finding of eligibility for intervention in lieu of conviction is overturned on appeal, upon exhaustion of the criminal appeal, a petition for reconsideration of the

order may be filed with the board along with appropriate court 636  
documents. Upon receipt of a petition of that nature and 637  
supporting court documents, the board shall reinstate the 638  
individual's license or certificate to practice. The board may 639  
then hold an adjudication under Chapter 119. of the Revised Code 640  
to determine whether the individual committed the act in 641  
question. Notice of an opportunity for a hearing shall be given 642  
in accordance with Chapter 119. of the Revised Code. If the 643  
board finds, pursuant to an adjudication held under this 644  
division, that the individual committed the act or if no hearing 645  
is requested, the board may order any of the sanctions 646  
identified under division (B) of this section. 647

(I) The license or certificate to practice issued to an 648  
individual under this chapter and the individual's practice in 649  
this state are automatically suspended as of the date of the 650  
individual's second or subsequent plea of guilty to, or judicial 651  
finding of guilt of, a violation of section 2919.123 or 2919.124 652  
of the Revised Code. In addition, the license or certificate to 653  
practice or certificate to recommend issued to an individual 654  
under this chapter and the individual's practice in this state 655  
are automatically suspended as of the date the individual pleads 656  
guilty to, is found by a judge or jury to be guilty of, or is 657  
subject to a judicial finding of eligibility for intervention in 658  
lieu of conviction in this state or treatment or intervention in 659  
lieu of conviction in another jurisdiction for any of the 660  
following criminal offenses in this state or a substantially 661  
equivalent criminal offense in another jurisdiction: aggravated 662  
murder, murder, voluntary manslaughter, felonious assault, 663  
kidnapping, rape, sexual battery, gross sexual imposition, 664  
aggravated arson, aggravated robbery, or aggravated burglary. 665  
Continued practice after suspension shall be considered 666

practicing without a license or certificate. 667

The board shall notify the individual subject to the 668  
suspension by certified mail or in person in accordance with 669  
section 119.07 of the Revised Code. If an individual whose 670  
license or certificate is automatically suspended under this 671  
division fails to make a timely request for an adjudication 672  
under Chapter 119. of the Revised Code, the board shall do 673  
whichever of the following is applicable: 674

(1) If the automatic suspension under this division is for 675  
a second or subsequent plea of guilty to, or judicial finding of 676  
guilt of, a violation of section 2919.123 or 2919.124 of the 677  
Revised Code, the board shall enter an order suspending the 678  
individual's license or certificate to practice for a period of 679  
at least one year or, if determined appropriate by the board, 680  
imposing a more serious sanction involving the individual's 681  
license or certificate to practice. 682

(2) In all circumstances in which division (I)(1) of this 683  
section does not apply, enter a final order permanently revoking 684  
the individual's license or certificate to practice. 685

(J) If the board is required by Chapter 119. of the 686  
Revised Code to give notice of an opportunity for a hearing and 687  
if the individual subject to the notice does not timely request 688  
a hearing in accordance with section 119.07 of the Revised Code, 689  
the board is not required to hold a hearing, but may adopt, by 690  
an affirmative vote of not fewer than six of its members, a 691  
final order that contains the board's findings. In that final 692  
order, the board may order any of the sanctions identified under 693  
division (A) or (B) of this section. 694

(K) Any action taken by the board under division (B) of 695



this section resulting in a suspension from practice shall be 696  
accompanied by a written statement of the conditions under which 697  
the individual's license or certificate to practice may be 698  
reinstated. The board shall adopt rules governing conditions to 699  
be imposed for reinstatement. Reinstatement of a license or 700  
certificate suspended pursuant to division (B) of this section 701  
requires an affirmative vote of not fewer than six members of 702  
the board. 703

(L) When the board refuses to grant or issue a license or 704  
certificate to practice to an applicant, revokes an individual's 705  
license or certificate to practice, refuses to renew an 706  
individual's license or certificate to practice, or refuses to 707  
reinstatement an individual's license or certificate to practice, 708  
the board may specify that its action is permanent. An 709  
individual subject to a permanent action taken by the board is 710  
forever thereafter ineligible to hold a license or certificate 711  
to practice and the board shall not accept an application for 712  
reinstatement of the license or certificate or for issuance of a 713  
new license or certificate. 714

(M) Notwithstanding any other provision of the Revised 715  
Code, all of the following apply: 716

(1) The surrender of a license or certificate issued under 717  
this chapter shall not be effective unless or until accepted by 718  
the board. A telephone conference call may be utilized for 719  
acceptance of the surrender of an individual's license or 720  
certificate to practice. The telephone conference call shall be 721  
considered a special meeting under division (F) of section 722  
121.22 of the Revised Code. Reinstatement of a license or 723  
certificate surrendered to the board requires an affirmative 724  
vote of not fewer than six members of the board. 725

(2) An application for a license or certificate made under 726  
the provisions of this chapter may not be withdrawn without 727  
approval of the board. 728

(3) Failure by an individual to renew a license or 729  
certificate to practice in accordance with this chapter or a 730  
certificate to recommend in accordance with rules adopted under 731  
section 4731.301 of the Revised Code shall not remove or limit 732  
the board's jurisdiction to take any disciplinary action under 733  
this section against the individual. 734

(4) At the request of the board, a license or certificate 735  
holder shall immediately surrender to the board a license or 736  
certificate that the board has suspended, revoked, or 737  
permanently revoked. 738

(N) Sanctions shall not be imposed under division (B) (28) 739  
of this section against any person who waives deductibles and 740  
copayments as follows: 741

(1) In compliance with the health benefit plan that 742  
expressly allows such a practice. Waiver of the deductibles or 743  
copayments shall be made only with the full knowledge and 744  
consent of the plan purchaser, payer, and third-party 745  
administrator. Documentation of the consent shall be made 746  
available to the board upon request. 747

(2) For professional services rendered to any other person 748  
authorized to practice pursuant to this chapter, to the extent 749  
allowed by this chapter and rules adopted by the board. 750

(O) Under the board's investigative duties described in 751  
this section and subject to division (F) of this section, the 752  
board shall develop and implement a quality intervention program 753  
designed to improve through remedial education the clinical and 754

communication skills of individuals authorized under this 755  
chapter to practice medicine and surgery, osteopathic medicine 756  
and surgery, and podiatric medicine and surgery. In developing 757  
and implementing the quality intervention program, the board may 758  
do all of the following: 759

(1) Offer in appropriate cases as determined by the board 760  
an educational and assessment program pursuant to an 761  
investigation the board conducts under this section; 762

(2) Select providers of educational and assessment 763  
services, including a quality intervention program panel of case 764  
reviewers; 765

(3) Make referrals to educational and assessment service 766  
providers and approve individual educational programs 767  
recommended by those providers. The board shall monitor the 768  
progress of each individual undertaking a recommended individual 769  
educational program. 770

(4) Determine what constitutes successful completion of an 771  
individual educational program and require further monitoring of 772  
the individual who completed the program or other action that 773  
the board determines to be appropriate; 774

(5) Adopt rules in accordance with Chapter 119. of the 775  
Revised Code to further implement the quality intervention 776  
program. 777

An individual who participates in an individual 778  
educational program pursuant to this division shall pay the 779  
financial obligations arising from that educational program. 780

**Sec. 4755.60.** As used in sections 4755.60 to 4755.65 and 781  
4755.99 of the Revised Code: 782

(A) ~~"Athletic training" means the practice of prevention, recognition, and assessment of an athletic injury and the complete management, treatment, disposition, and reconditioning of acute athletic injuries upon the referral of an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatry, a dentist licensed under Chapter 4715. of the Revised Code, a physical therapist licensed under this chapter, or a chiropractor licensed under Chapter 4734. of the Revised Code. Athletic training includes the administration of topical drugs that have been prescribed by a licensed health professional authorized to prescribe drugs, as defined in section 4729.01 of the Revised Code. Athletic training also includes the organization and administration of educational programs and athletic facilities, and the education of and consulting with the public as it pertains to athletic training.~~ 783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798

~~(B) "Athletic trainer" means a person who meets the qualifications of this chapter for licensure and who is employed by an educational institution, professional or amateur organization, athletic facility, or health care facility to practice athletic training authorized to engage in the activities described in section 4755.621 or 4755.622 of the Revised Code.~~ 799  
800  
801  
802  
803  
804

~~(C) "The national athletic trainers association, inc." means the national professional organization of athletic trainers that provides direction and leadership for quality athletic training practice, education, and research.~~ 805  
806  
807  
808

~~(D) "Athletic injury" means any injury sustained by an individual that affects the individual's participation or performance in sports, games, recreation, exercise, or other activity that requires physical strength, agility, flexibility,~~ 809  
810  
811  
812

~~speed, stamina, or range of motion~~(B) "Licensed health professional authorized to prescribe drugs" or "prescriber" has the same meaning as in section 4729.01 of the Revised Code. 813  
814  
815

(C) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery. 816  
817  
818  
819

**Sec. 4755.62.** (A) No person shall claim to the public to be an athletic trainer or imply by words, actions, or letters that the person is an athletic trainer, or otherwise engage in the practice of athletic training, unless the person is licensed as an athletic trainer pursuant to this chapter. 820  
821  
822  
823  
824

(B) Except as otherwise provided in division (B) of section 4755.65 of the Revised Code, no educational institution, partnership, association, or corporation shall advertise or otherwise offer to provide or convey the impression that it is providing athletic training unless an individual licensed as an athletic trainer pursuant to this chapter is employed by, or under contract to, the educational institution, partnership, association, or corporation and will be performing the athletic training services to which reference is made. 825  
826  
827  
828  
829  
830  
831  
832  
833

(C) To qualify for an athletic trainers license, a person shall: 834  
835

(1) Have satisfactorily completed an application for licensure in accordance with rules adopted by the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board under section 4755.61 of the Revised Code; 836  
837  
838  
839  
840

(2) Have paid the examination fee required under this 841

section; 842

(3) Be of good moral character; 843

(4) Have shown, to the satisfaction of the athletic 844  
trainers section, that the applicant has received a 845  
baccalaureate or higher degree from an institution of higher 846  
education, approved by the athletic trainers section of the 847  
board and the federal regional accreditation agency and 848  
recognized by the council on postsecondary accreditation, and 849  
has satisfactorily completed the educational course work 850  
requirements established by rule of the athletic trainers 851  
section under section 4755.61 of the Revised Code. 852

(5) In addition to educational course work requirements, 853  
have obtained supervised clinical experience that meets the 854  
requirements established in rules adopted by the athletic 855  
trainers section under section 4755.61 of the Revised Code; 856

(6) Have passed an examination adopted by the athletic 857  
trainers section under division (A) (8) of section 4755.61 of the 858  
Revised Code. Each applicant for licensure shall pay, at the 859  
time of application, the nonrefundable examination fee set by 860  
the athletic trainers section. 861

(D) The section may waive the requirements of division (C) 862  
of this section for any applicant who presents proof of current 863  
licensure in another state whose standards for licensure, as 864  
determined by the section, are equal to or greater than those in 865  
effect in this state on the date of application. 866

(E) The section shall issue a license to every applicant 867  
who complies with the requirements of division (C) of this 868  
section, files the required application form, and pays the fees 869  
required by section 4755.61 of the Revised Code. ~~A~~ Each licensee 870

shall display the licensee's license in a conspicuous place at 871  
the licensee's principal place of employment. 872

A license issued under this section entitles the holder to 873  
engage in the practice of athletic training, to claim to the 874  
public to be an athletic trainer, or to imply by words or 875  
letters that the licensee is an athletic trainer. ~~Each licensee~~ 876  
~~shall display the licensee's license in a conspicuous place at~~ 877  
~~the licensee's principal place of employment.~~ 878  
A license issued 879  
under this section does not entitle the holder to provide, offer 880  
to provide, or represent that the holder is qualified to provide 881  
any care or services for which the holder lacks the education, 882  
training, or experience to provide or is prohibited by law from 883  
providing.

Sec. 4755.621. (A) As used in this section, "athletic 884  
training diagnosis" means the judgment made after examining, 885  
evaluating, assessing, or interpreting symptoms presented by a 886  
patient to establish the cause and nature of the patient's 887  
injury, emergent condition, or functional impairment and the 888  
plan of care for that injury, emergent condition, or functional 889  
impairment within the scope of athletic training. "Athletic 890  
training diagnosis" does not include a medical diagnosis. 891

(B) A person licensed as an athletic trainer pursuant to 892  
this chapter may enter into a collaboration agreement with one 893  
or more physicians. 894

The agreement shall be in writing and signed by the 895  
athletic trainer and each physician with whom the athletic 896  
trainer collaborates. A copy of the agreement shall be 897  
maintained in the records of the athletic trainer and each 898  
collaborating physician. 899

<u>The agreement shall address all of the following:</u>	900
<u>(1) The duties and responsibilities to be fulfilled by the athletic trainer when engaging in the activities described in division (C) of this section;</u>	901 902 903
<u>(2) Any limitations on the athletic trainer's performance of the activities described in division (C) of this section;</u>	904 905
<u>(3) A plan of care for patients treated by the athletic trainer.</u>	906 907
<u>(C) Subject to division (B) of this section and section 4755.623 of the Revised Code, a person licensed as an athletic trainer pursuant to this chapter who enters into a collaboration agreement is authorized to engage in all of the following activities:</u>	908 909 910 911 912
<u>(1) The prevention, examination, and athletic training diagnosis of injuries or emergent conditions resulting from physical activities that require physical skill and utilize strength, power, endurance, speed, flexibility, range of motion, or agility;</u>	913 914 915 916 917
<u>(2) The complete management, treatment, disposition, and reconditioning of injuries or emergent conditions resulting from physical activities;</u>	918 919 920
<u>(3) The provision of emergent care, therapeutic interventions, and rehabilitation for injuries or emergent conditions resulting from physical activities;</u>	921 922 923
<u>(4) The promotion of and education about wellness;</u>	924
<u>(5) The administration of drugs, including topical drugs, that have been prescribed by a licensed health professional authorized to prescribe drugs and are administered under the</u>	925 926 927



<u>direction of the prescriber;</u>	928
<u>(6) The performance of athletic training research;</u>	929
<u>(7) The organization and administration of educational programs and athletic training facilities;</u>	930 931
<u>(8) The education of and consulting with the public as it pertains to athletic training.</u>	932 933
<b>Sec. 4755.622.</b> (A) <u>As used in this section, "athletic injury" means any injury sustained by an individual that affects the individual's participation or performance in sports, games, recreation, exercise, or other activity that requires physical strength, agility, flexibility, speed, stamina, or range of motion.</u>	934 935 936 937 938 939
(B) <u>Subject to section 4755.623 of the Revised Code, in the event a person licensed as an athletic trainer pursuant to this chapter does not enter into a collaboration agreement with one or more physicians as described in division (B) of section 4755.621 of the Revised Code, the person is authorized to engage only in the following activities:</u>	940 941 942 943 944 945
<u>(1) The practice of prevention, recognition, and assessment of an athletic injury;</u>	946 947
<u>(2) The complete management, treatment, disposition, and reconditioning of acute athletic injuries;</u>	948 949
<u>(3) The administration of topical drugs that have been prescribed by a licensed health professional authorized to prescribe drugs;</u>	950 951 952
<u>(4) The organization and administration of educational programs and athletic facilities;</u>	953 954

(5) The education of and consulting with the public as it 955  
pertains to athletic training. 956

**Sec. 4755.623.** (A) A person licensed as an athletic 957  
trainer pursuant to this chapter shall engage in the activities 958  
described in section 4755.621 or 4755.622 only if the person 959  
acts upon the referral of one or more of the following: 960

(1) A physician; 961

(2) A dentist licensed under Chapter 4715. of the Revised 962  
Code; 963

(3) A physical therapist licensed under this chapter; 964

(4) A chiropractor licensed under Chapter 4734. of the 965  
Revised Code; 966

(5) Subject to division (B) of this section, an athletic 967  
trainer licensed under this chapter; 968

(6) A physician assistant licensed under Chapter 4730. of 969  
the Revised Code; 970

(7) A certified nurse practitioner licensed under Chapter 971  
4723. of the Revised Code. 972

(B) A person licensed as an athletic trainer pursuant to 973  
this chapter may practice upon the referral of an athletic 974  
trainer described in division (A) of this section only if 975  
athletic training has already been recommended and referred by a 976  
health care provider described in division (A) of this section 977  
who is not an athletic trainer. 978

**Sec. 4755.64.** (A) In accordance with Chapter 119. of the 979  
Revised Code, the athletic trainers section of the Ohio 980  
occupational therapy, physical therapy, and athletic trainers 981

board may suspend, revoke, or refuse to issue or renew an	982
athletic trainers license, or reprimand, fine, or place a	983
licensee on probation, for any of the following:	984
(1) Conviction of a felony or offense involving moral	985
turpitude, regardless of the state or country in which the	986
conviction occurred;	987
(2) Violation of sections 4755.61 to 4755.65 of the	988
Revised Code or any order issued or rule adopted thereunder;	989
(3) Obtaining a license through fraud, false or misleading	990
representation, or concealment of material facts;	991
(4) Negligence or gross misconduct in the practice of	992
athletic training;	993
(5) Violating the standards of ethical conduct in the	994
practice of athletic training as adopted by the athletic	995
trainers section under section 4755.61 of the Revised Code;	996
(6) Using any controlled substance or alcohol to the	997
extent that the ability to practice athletic training at a level	998
of competency is impaired;	999
(7) Practicing in an area of athletic training for which	1000
the individual is untrained, <u>or</u> incompetent, or practicing	1001
without the referral of a practitioner <del>licensed under Chapter</del>	1002
<del>4731. of the Revised Code, a dentist licensed under Chapter</del>	1003
<del>4715. of the Revised Code, a chiropractor licensed under Chapter</del>	1004
<del>4734. of the Revised Code, or a physical therapist licensed</del>	1005
<del>under this chapter described in division (A) of section 4755.623</del>	1006
<u>of the Revised Code;</u>	1007
(8) Employing, directing, or supervising a person in the	1008
performance of athletic training procedures who is not	1009

authorized to practice as a licensed athletic trainer under this chapter; 1010  
1011

(9) Misrepresenting educational attainments or the functions the individual is authorized to perform for the purpose of obtaining some benefit related to the individual's athletic training practice; 1012  
1013  
1014  
1015

(10) Failing the licensing examination; 1016

(11) Aiding or abetting the unlicensed practice of athletic training; 1017  
1018

(12) Denial, revocation, suspension, or restriction of authority to practice a health care occupation, including athletic training, for any reason other than a failure to renew, in Ohio or another state or jurisdiction; 1019  
1020  
1021  
1022

(13) In the case of an athletic trainer who has entered into a collaboration agreement as described in section 4755.621 of the Revised Code, failing to practice in accordance with the agreement. 1023  
1024  
1025  
1026

(B) If the athletic trainers section places a licensee on probation under division (A) of this section, the section's order for placement on probation shall be accompanied by a written statement of the conditions under which the person may be removed from probation and restored to unrestricted practice. 1027  
1028  
1029  
1030  
1031

(C) A licensee whose license has been revoked under division (A) of this section may apply to the athletic trainers section for reinstatement of the license one year following the date of revocation. The athletic trainers section may accept or deny the application for reinstatement and may require that the applicant pass an examination as a condition for reinstatement. 1032  
1033  
1034  
1035  
1036  
1037

(D) On receipt of a complaint that a person licensed by the athletic trainers section has committed any of the prohibited actions listed in division (A) of this section, the section may immediately suspend the license of a licensed athletic trainer prior to holding a hearing in accordance with Chapter 119. of the Revised Code if it determines, based on the complaint, that the licensee poses an immediate threat to the public. The section may review the allegations and vote on the suspension by telephone conference call. If the section votes to suspend a license under this division, the section shall issue a written order of summary suspension to the licensed athletic trainer in accordance with section 119.07 of the Revised Code. If the individual whose license is suspended fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the section shall enter a final order permanently revoking the individual's license. Notwithstanding section 119.12 of the Revised Code, a court of common pleas shall not grant a suspension of the section's order of summary suspension pending the determination of an appeal filed under that section. Any order of summary suspension issued under this division shall remain in effect, unless reversed on appeal, until a final adjudication order issued by the section pursuant to division (A) of this section becomes effective. The section shall issue its final adjudication order regarding an order of summary suspension issued under this division not later than ninety days after completion of its hearing. Failure to issue the order within ninety days shall result in immediate dissolution of the suspension order, but shall not invalidate any subsequent, final adjudication order.

**Section 2.** That existing sections 4731.22, 4755.60, 4755.62, and 4755.64 of the Revised Code are hereby repealed.

**Section 3.** That versions of sections 4731.22, 4755.62, and 4755.64 of the Revised Code that are scheduled to take effect October 9, 2021, be amended to read as follows:

**Sec. 4731.22.** (A) The state medical board, by an affirmative vote of not fewer than six of its members, may limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to grant a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate if the individual applying for or holding the license or certificate is found by the board to have committed fraud during the administration of the examination for a license or certificate to practice or to have committed fraud, misrepresentation, or deception in applying for, renewing, or securing any license or certificate to practice or certificate to recommend issued by the board.

(B) Except as provided in division (P) of this section, the board, by an affirmative vote of not fewer than six members, shall, to the extent permitted by law, limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to issue a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate for one or more of the following reasons:

(1) Permitting one's name or one's license or certificate to practice to be used by a person, group, or corporation when the individual concerned is not actually directing the treatment given;

(2) Failure to maintain minimal standards applicable to

the selection or administration of drugs, or failure to employ 1099  
acceptable scientific methods in the selection of drugs or other 1100  
modalities for treatment of disease; 1101

(3) Except as provided in section 4731.97 of the Revised 1102  
Code, selling, giving away, personally furnishing, prescribing, 1103  
or administering drugs for other than legal and legitimate 1104  
therapeutic purposes or a plea of guilty to, a judicial finding 1105  
of guilt of, or a judicial finding of eligibility for 1106  
intervention in lieu of conviction of, a violation of any 1107  
federal or state law regulating the possession, distribution, or 1108  
use of any drug; 1109

(4) Willfully betraying a professional confidence. 1110

For purposes of this division, "willfully betraying a 1111  
professional confidence" does not include providing any 1112  
information, documents, or reports under sections 307.621 to 1113  
307.629 of the Revised Code to a child fatality review board; 1114  
does not include providing any information, documents, or 1115  
reports to the director of health pursuant to guidelines 1116  
established under section 3701.70 of the Revised Code; does not 1117  
include written notice to a mental health professional under 1118  
section 4731.62 of the Revised Code; and does not include the 1119  
making of a report of an employee's use of a drug of abuse, or a 1120  
report of a condition of an employee other than one involving 1121  
the use of a drug of abuse, to the employer of the employee as 1122  
described in division (B) of section 2305.33 of the Revised 1123  
Code. Nothing in this division affects the immunity from civil 1124  
liability conferred by section 2305.33 or 4731.62 of the Revised 1125  
Code upon a physician who makes a report in accordance with 1126  
section 2305.33 or notifies a mental health professional in 1127  
accordance with section 4731.62 of the Revised Code. As used in 1128

this division, "employee," "employer," and "physician" have the 1129  
same meanings as in section 2305.33 of the Revised Code. 1130

(5) Making a false, fraudulent, deceptive, or misleading 1131  
statement in the solicitation of or advertising for patients; in 1132  
relation to the practice of medicine and surgery, osteopathic 1133  
medicine and surgery, podiatric medicine and surgery, or a 1134  
limited branch of medicine; or in securing or attempting to 1135  
secure any license or certificate to practice issued by the 1136  
board. 1137

As used in this division, "false, fraudulent, deceptive, 1138  
or misleading statement" means a statement that includes a 1139  
misrepresentation of fact, is likely to mislead or deceive 1140  
because of a failure to disclose material facts, is intended or 1141  
is likely to create false or unjustified expectations of 1142  
favorable results, or includes representations or implications 1143  
that in reasonable probability will cause an ordinarily prudent 1144  
person to misunderstand or be deceived. 1145

(6) A departure from, or the failure to conform to, 1146  
minimal standards of care of similar practitioners under the 1147  
same or similar circumstances, whether or not actual injury to a 1148  
patient is established; 1149

(7) Representing, with the purpose of obtaining 1150  
compensation or other advantage as personal gain or for any 1151  
other person, that an incurable disease or injury, or other 1152  
incurable condition, can be permanently cured; 1153

(8) The obtaining of, or attempting to obtain, money or 1154  
anything of value by fraudulent misrepresentations in the course 1155  
of practice; 1156

(9) A plea of guilty to, a judicial finding of guilt of, 1157



or a judicial finding of eligibility for intervention in lieu of 1158  
conviction for, a felony; 1159

(10) Commission of an act that constitutes a felony in 1160  
this state, regardless of the jurisdiction in which the act was 1161  
committed; 1162

(11) A plea of guilty to, a judicial finding of guilt of, 1163  
or a judicial finding of eligibility for intervention in lieu of 1164  
conviction for, a misdemeanor committed in the course of 1165  
practice; 1166

(12) Commission of an act in the course of practice that 1167  
constitutes a misdemeanor in this state, regardless of the 1168  
jurisdiction in which the act was committed; 1169

(13) A plea of guilty to, a judicial finding of guilt of, 1170  
or a judicial finding of eligibility for intervention in lieu of 1171  
conviction for, a misdemeanor involving moral turpitude; 1172

(14) Commission of an act involving moral turpitude that 1173  
constitutes a misdemeanor in this state, regardless of the 1174  
jurisdiction in which the act was committed; 1175

(15) Violation of the conditions of limitation placed by 1176  
the board upon a license or certificate to practice; 1177

(16) Failure to pay license renewal fees specified in this 1178  
chapter; 1179

(17) Except as authorized in section 4731.31 of the 1180  
Revised Code, engaging in the division of fees for referral of 1181  
patients, or the receiving of a thing of value in return for a 1182  
specific referral of a patient to utilize a particular service 1183  
or business; 1184

(18) Subject to section 4731.226 of the Revised Code, 1185

violation of any provision of a code of ethics of the American 1186  
medical association, the American osteopathic association, the 1187  
American podiatric medical association, or any other national 1188  
professional organizations that the board specifies by rule. The 1189  
state medical board shall obtain and keep on file current copies 1190  
of the codes of ethics of the various national professional 1191  
organizations. The individual whose license or certificate is 1192  
being suspended or revoked shall not be found to have violated 1193  
any provision of a code of ethics of an organization not 1194  
appropriate to the individual's profession. 1195

For purposes of this division, a "provision of a code of 1196  
ethics of a national professional organization" does not include 1197  
any provision that would preclude the making of a report by a 1198  
physician of an employee's use of a drug of abuse, or of a 1199  
condition of an employee other than one involving the use of a 1200  
drug of abuse, to the employer of the employee as described in 1201  
division (B) of section 2305.33 of the Revised Code. Nothing in 1202  
this division affects the immunity from civil liability 1203  
conferred by that section upon a physician who makes either type 1204  
of report in accordance with division (B) of that section. As 1205  
used in this division, "employee," "employer," and "physician" 1206  
have the same meanings as in section 2305.33 of the Revised 1207  
Code. 1208

(19) Inability to practice according to acceptable and 1209  
prevailing standards of care by reason of mental illness or 1210  
physical illness, including, but not limited to, physical 1211  
deterioration that adversely affects cognitive, motor, or 1212  
perceptive skills. 1213

In enforcing this division, the board, upon a showing of a 1214  
possible violation, may compel any individual authorized to 1215

practice by this chapter or who has submitted an application 1216  
pursuant to this chapter to submit to a mental examination, 1217  
physical examination, including an HIV test, or both a mental 1218  
and a physical examination. The expense of the examination is 1219  
the responsibility of the individual compelled to be examined. 1220  
Failure to submit to a mental or physical examination or consent 1221  
to an HIV test ordered by the board constitutes an admission of 1222  
the allegations against the individual unless the failure is due 1223  
to circumstances beyond the individual's control, and a default 1224  
and final order may be entered without the taking of testimony 1225  
or presentation of evidence. If the board finds an individual 1226  
unable to practice because of the reasons set forth in this 1227  
division, the board shall require the individual to submit to 1228  
care, counseling, or treatment by physicians approved or 1229  
designated by the board, as a condition for initial, continued, 1230  
reinstated, or renewed authority to practice. An individual 1231  
affected under this division shall be afforded an opportunity to 1232  
demonstrate to the board the ability to resume practice in 1233  
compliance with acceptable and prevailing standards under the 1234  
provisions of the individual's license or certificate. For the 1235  
purpose of this division, any individual who applies for or 1236  
receives a license or certificate to practice under this chapter 1237  
accepts the privilege of practicing in this state and, by so 1238  
doing, shall be deemed to have given consent to submit to a 1239  
mental or physical examination when directed to do so in writing 1240  
by the board, and to have waived all objections to the 1241  
admissibility of testimony or examination reports that 1242  
constitute a privileged communication. 1243

(20) Except as provided in division (F)(1)(b) of section 1244  
4731.282 of the Revised Code or when civil penalties are imposed 1245  
under section 4731.225 of the Revised Code, and subject to 1246

section 4731.226 of the Revised Code, violating or attempting to 1247  
violate, directly or indirectly, or assisting in or abetting the 1248  
violation of, or conspiring to violate, any provisions of this 1249  
chapter or any rule promulgated by the board. 1250

This division does not apply to a violation or attempted 1251  
violation of, assisting in or abetting the violation of, or a 1252  
conspiracy to violate, any provision of this chapter or any rule 1253  
adopted by the board that would preclude the making of a report 1254  
by a physician of an employee's use of a drug of abuse, or of a 1255  
condition of an employee other than one involving the use of a 1256  
drug of abuse, to the employer of the employee as described in 1257  
division (B) of section 2305.33 of the Revised Code. Nothing in 1258  
this division affects the immunity from civil liability 1259  
conferred by that section upon a physician who makes either type 1260  
of report in accordance with division (B) of that section. As 1261  
used in this division, "employee," "employer," and "physician" 1262  
have the same meanings as in section 2305.33 of the Revised 1263  
Code. 1264

(21) The violation of section 3701.79 of the Revised Code 1265  
or of any abortion rule adopted by the director of health 1266  
pursuant to section 3701.341 of the Revised Code; 1267

(22) Any of the following actions taken by an agency 1268  
responsible for authorizing, certifying, or regulating an 1269  
individual to practice a health care occupation or provide 1270  
health care services in this state or another jurisdiction, for 1271  
any reason other than the nonpayment of fees: the limitation, 1272  
revocation, or suspension of an individual's license to 1273  
practice; acceptance of an individual's license surrender; 1274  
denial of a license; refusal to renew or reinstate a license; 1275  
imposition of probation; or issuance of an order of censure or 1276

other reprimand;	1277
(23) The violation of section 2919.12 of the Revised Code	1278
or the performance or inducement of an abortion upon a pregnant	1279
woman with actual knowledge that the conditions specified in	1280
division (B) of section 2317.56 of the Revised Code have not	1281
been satisfied or with a heedless indifference as to whether	1282
those conditions have been satisfied, unless an affirmative	1283
defense as specified in division (H) (2) of that section would	1284
apply in a civil action authorized by division (H) (1) of that	1285
section;	1286
(24) The revocation, suspension, restriction, reduction,	1287
or termination of clinical privileges by the United States	1288
department of defense or department of veterans affairs or the	1289
termination or suspension of a certificate of registration to	1290
prescribe drugs by the drug enforcement administration of the	1291
United States department of justice;	1292
(25) Termination or suspension from participation in the	1293
medicare or medicaid programs by the department of health and	1294
human services or other responsible agency;	1295
(26) Impairment of ability to practice according to	1296
acceptable and prevailing standards of care because of habitual	1297
or excessive use or abuse of drugs, alcohol, or other substances	1298
that impair ability to practice.	1299
For the purposes of this division, any individual	1300
authorized to practice by this chapter accepts the privilege of	1301
practicing in this state subject to supervision by the board. By	1302
filing an application for or holding a license or certificate to	1303
practice under this chapter, an individual shall be deemed to	1304
have given consent to submit to a mental or physical examination	1305

when ordered to do so by the board in writing, and to have 1306  
waived all objections to the admissibility of testimony or 1307  
examination reports that constitute privileged communications. 1308

If it has reason to believe that any individual authorized 1309  
to practice by this chapter or any applicant for licensure or 1310  
certification to practice suffers such impairment, the board may 1311  
compel the individual to submit to a mental or physical 1312  
examination, or both. The expense of the examination is the 1313  
responsibility of the individual compelled to be examined. Any 1314  
mental or physical examination required under this division 1315  
shall be undertaken by a treatment provider or physician who is 1316  
qualified to conduct the examination and who is chosen by the 1317  
board. 1318

Failure to submit to a mental or physical examination 1319  
ordered by the board constitutes an admission of the allegations 1320  
against the individual unless the failure is due to 1321  
circumstances beyond the individual's control, and a default and 1322  
final order may be entered without the taking of testimony or 1323  
presentation of evidence. If the board determines that the 1324  
individual's ability to practice is impaired, the board shall 1325  
suspend the individual's license or certificate or deny the 1326  
individual's application and shall require the individual, as a 1327  
condition for initial, continued, reinstated, or renewed 1328  
licensure or certification to practice, to submit to treatment. 1329

Before being eligible to apply for reinstatement of a 1330  
license or certificate suspended under this division, the 1331  
impaired practitioner shall demonstrate to the board the ability 1332  
to resume practice in compliance with acceptable and prevailing 1333  
standards of care under the provisions of the practitioner's 1334  
license or certificate. The demonstration shall include, but 1335

shall not be limited to, the following: 1336

(a) Certification from a treatment provider approved under 1337  
section 4731.25 of the Revised Code that the individual has 1338  
successfully completed any required inpatient treatment; 1339

(b) Evidence of continuing full compliance with an 1340  
aftercare contract or consent agreement; 1341

(c) Two written reports indicating that the individual's 1342  
ability to practice has been assessed and that the individual 1343  
has been found capable of practicing according to acceptable and 1344  
prevailing standards of care. The reports shall be made by 1345  
individuals or providers approved by the board for making the 1346  
assessments and shall describe the basis for their 1347  
determination. 1348

The board may reinstate a license or certificate suspended 1349  
under this division after that demonstration and after the 1350  
individual has entered into a written consent agreement. 1351

When the impaired practitioner resumes practice, the board 1352  
shall require continued monitoring of the individual. The 1353  
monitoring shall include, but not be limited to, compliance with 1354  
the written consent agreement entered into before reinstatement 1355  
or with conditions imposed by board order after a hearing, and, 1356  
upon termination of the consent agreement, submission to the 1357  
board for at least two years of annual written progress reports 1358  
made under penalty of perjury stating whether the individual has 1359  
maintained sobriety. 1360

(27) A second or subsequent violation of section 4731.66 1361  
or 4731.69 of the Revised Code; 1362

(28) Except as provided in division (N) of this section: 1363

(a) Waiving the payment of all or any part of a deductible 1364  
or copayment that a patient, pursuant to a health insurance or 1365  
health care policy, contract, or plan that covers the 1366  
individual's services, otherwise would be required to pay if the 1367  
waiver is used as an enticement to a patient or group of 1368  
patients to receive health care services from that individual; 1369

(b) Advertising that the individual will waive the payment 1370  
of all or any part of a deductible or copayment that a patient, 1371  
pursuant to a health insurance or health care policy, contract, 1372  
or plan that covers the individual's services, otherwise would 1373  
be required to pay. 1374

(29) Failure to use universal blood and body fluid 1375  
precautions established by rules adopted under section 4731.051 1376  
of the Revised Code; 1377

(30) Failure to provide notice to, and receive 1378  
acknowledgment of the notice from, a patient when required by 1379  
section 4731.143 of the Revised Code prior to providing 1380  
nonemergency professional services, or failure to maintain that 1381  
notice in the patient's medical record; 1382

(31) Failure of a physician supervising a physician 1383  
assistant to maintain supervision in accordance with the 1384  
requirements of Chapter 4730. of the Revised Code and the rules 1385  
adopted under that chapter; 1386

(32) Failure of a physician or podiatrist to enter into a 1387  
standard care arrangement with a clinical nurse specialist, 1388  
certified nurse-midwife, or certified nurse practitioner with 1389  
whom the physician or podiatrist is in collaboration pursuant to 1390  
section 4731.27 of the Revised Code or failure to fulfill the 1391  
responsibilities of collaboration after entering into a standard 1392



care arrangement;	1393
(33) Failure to comply with the terms of a consult	1394
agreement entered into with a pharmacist pursuant to section	1395
4729.39 of the Revised Code;	1396
(34) Failure to cooperate in an investigation conducted by	1397
the board under division (F) of this section, including failure	1398
to comply with a subpoena or order issued by the board or	1399
failure to answer truthfully a question presented by the board	1400
in an investigative interview, an investigative office	1401
conference, at a deposition, or in written interrogatories,	1402
except that failure to cooperate with an investigation shall not	1403
constitute grounds for discipline under this section if a court	1404
of competent jurisdiction has issued an order that either	1405
quashes a subpoena or permits the individual to withhold the	1406
testimony or evidence in issue;	1407
(35) Failure to supervise an acupuncturist in accordance	1408
with Chapter 4762. of the Revised Code and the board's rules for	1409
providing that supervision;	1410
(36) Failure to supervise an anesthesiologist assistant in	1411
accordance with Chapter 4760. of the Revised Code and the	1412
board's rules for supervision of an anesthesiologist assistant;	1413
(37) Assisting suicide, as defined in section 3795.01 of	1414
the Revised Code;	1415
(38) Failure to comply with the requirements of section	1416
2317.561 of the Revised Code;	1417
(39) Failure to supervise a radiologist assistant in	1418
accordance with Chapter 4774. of the Revised Code and the	1419
board's rules for supervision of radiologist assistants;	1420

(40) Performing or inducing an abortion at an office or	1421
facility with knowledge that the office or facility fails to	1422
post the notice required under section 3701.791 of the Revised	1423
Code;	1424
(41) Failure to comply with the standards and procedures	1425
established in rules under section 4731.054 of the Revised Code	1426
for the operation of or the provision of care at a pain	1427
management clinic;	1428
(42) Failure to comply with the standards and procedures	1429
established in rules under section 4731.054 of the Revised Code	1430
for providing supervision, direction, and control of individuals	1431
at a pain management clinic;	1432
(43) Failure to comply with the requirements of section	1433
4729.79 or 4731.055 of the Revised Code, unless the state board	1434
of pharmacy no longer maintains a drug database pursuant to	1435
section 4729.75 of the Revised Code;	1436
(44) Failure to comply with the requirements of section	1437
2919.171, 2919.202, or 2919.203 of the Revised Code or failure	1438
to submit to the department of health in accordance with a court	1439
order a complete report as described in section 2919.171 or	1440
2919.202 of the Revised Code;	1441
(45) Practicing at a facility that is subject to licensure	1442
as a category III terminal distributor of dangerous drugs with a	1443
pain management clinic classification unless the person	1444
operating the facility has obtained and maintains the license	1445
with the classification;	1446
(46) Owning a facility that is subject to licensure as a	1447
category III terminal distributor of dangerous drugs with a pain	1448
management clinic classification unless the facility is licensed	1449

with the classification;	1450
(47) Failure to comply with any of the requirements	1451
regarding making or maintaining medical records or documents	1452
described in division (A) of section 2919.192, division (C) of	1453
section 2919.193, division (B) of section 2919.195, or division	1454
(A) of section 2919.196 of the Revised Code;	1455
(48) Failure to comply with the requirements in section	1456
3719.061 of the Revised Code before issuing for a minor a	1457
prescription for an opioid analgesic, as defined in section	1458
3719.01 of the Revised Code;	1459
(49) Failure to comply with the requirements of section	1460
4731.30 of the Revised Code or rules adopted under section	1461
4731.301 of the Revised Code when recommending treatment with	1462
medical marijuana;	1463
(50) Practicing at a facility, clinic, or other location	1464
that is subject to licensure as a category III terminal	1465
distributor of dangerous drugs with an office-based opioid	1466
treatment classification unless the person operating that place	1467
has obtained and maintains the license with the classification;	1468
(51) Owning a facility, clinic, or other location that is	1469
subject to licensure as a category III terminal distributor of	1470
dangerous drugs with an office-based opioid treatment	1471
classification unless that place is licensed with the	1472
classification;	1473
(52) A pattern of continuous or repeated violations of	1474
division (E) (2) or (3) of section 3963.02 of the Revised Code;	1475
<u>(53) Failure to fulfill the responsibilities of a</u>	1476
<u>collaboration agreement entered into with an athletic trainer as</u>	1477
<u>described in section 4755.621 of the Revised Code.</u>	1478

(C) Disciplinary actions taken by the board under 1479  
divisions (A) and (B) of this section shall be taken pursuant to 1480  
an adjudication under Chapter 119. of the Revised Code, except 1481  
that in lieu of an adjudication, the board may enter into a 1482  
consent agreement with an individual to resolve an allegation of 1483  
a violation of this chapter or any rule adopted under it. A 1484  
consent agreement, when ratified by an affirmative vote of not 1485  
fewer than six members of the board, shall constitute the 1486  
findings and order of the board with respect to the matter 1487  
addressed in the agreement. If the board refuses to ratify a 1488  
consent agreement, the admissions and findings contained in the 1489  
consent agreement shall be of no force or effect. 1490

A telephone conference call may be utilized for 1491  
ratification of a consent agreement that revokes or suspends an 1492  
individual's license or certificate to practice or certificate 1493  
to recommend. The telephone conference call shall be considered 1494  
a special meeting under division (F) of section 121.22 of the 1495  
Revised Code. 1496

If the board takes disciplinary action against an 1497  
individual under division (B) of this section for a second or 1498  
subsequent plea of guilty to, or judicial finding of guilt of, a 1499  
violation of section 2919.123 or 2919.124 of the Revised Code, 1500  
the disciplinary action shall consist of a suspension of the 1501  
individual's license or certificate to practice for a period of 1502  
at least one year or, if determined appropriate by the board, a 1503  
more serious sanction involving the individual's license or 1504  
certificate to practice. Any consent agreement entered into 1505  
under this division with an individual that pertains to a second 1506  
or subsequent plea of guilty to, or judicial finding of guilt 1507  
of, a violation of that section shall provide for a suspension 1508  
of the individual's license or certificate to practice for a 1509

period of at least one year or, if determined appropriate by the 1510  
board, a more serious sanction involving the individual's 1511  
license or certificate to practice. 1512

(D) For purposes of divisions (B) (10), (12), and (14) of 1513  
this section, the commission of the act may be established by a 1514  
finding by the board, pursuant to an adjudication under Chapter 1515  
119. of the Revised Code, that the individual committed the act. 1516  
The board does not have jurisdiction under those divisions if 1517  
the trial court renders a final judgment in the individual's 1518  
favor and that judgment is based upon an adjudication on the 1519  
merits. The board has jurisdiction under those divisions if the 1520  
trial court issues an order of dismissal upon technical or 1521  
procedural grounds. 1522

(E) The sealing of conviction records by any court shall 1523  
have no effect upon a prior board order entered under this 1524  
section or upon the board's jurisdiction to take action under 1525  
this section if, based upon a plea of guilty, a judicial finding 1526  
of guilt, or a judicial finding of eligibility for intervention 1527  
in lieu of conviction, the board issued a notice of opportunity 1528  
for a hearing prior to the court's order to seal the records. 1529  
The board shall not be required to seal, destroy, redact, or 1530  
otherwise modify its records to reflect the court's sealing of 1531  
conviction records. 1532

(F) (1) The board shall investigate evidence that appears 1533  
to show that a person has violated any provision of this chapter 1534  
or any rule adopted under it. Any person may report to the board 1535  
in a signed writing any information that the person may have 1536  
that appears to show a violation of any provision of this 1537  
chapter or any rule adopted under it. In the absence of bad 1538  
faith, any person who reports information of that nature or who 1539

testifies before the board in any adjudication conducted under 1540  
Chapter 119. of the Revised Code shall not be liable in damages 1541  
in a civil action as a result of the report or testimony. Each 1542  
complaint or allegation of a violation received by the board 1543  
shall be assigned a case number and shall be recorded by the 1544  
board. 1545

(2) Investigations of alleged violations of this chapter 1546  
or any rule adopted under it shall be supervised by the 1547  
supervising member elected by the board in accordance with 1548  
section 4731.02 of the Revised Code and by the secretary as 1549  
provided in section 4731.39 of the Revised Code. The president 1550  
may designate another member of the board to supervise the 1551  
investigation in place of the supervising member. No member of 1552  
the board who supervises the investigation of a case shall 1553  
participate in further adjudication of the case. 1554

(3) In investigating a possible violation of this chapter 1555  
or any rule adopted under this chapter, or in conducting an 1556  
inspection under division (E) of section 4731.054 of the Revised 1557  
Code, the board may question witnesses, conduct interviews, 1558  
administer oaths, order the taking of depositions, inspect and 1559  
copy any books, accounts, papers, records, or documents, issue 1560  
subpoenas, and compel the attendance of witnesses and production 1561  
of books, accounts, papers, records, documents, and testimony, 1562  
except that a subpoena for patient record information shall not 1563  
be issued without consultation with the attorney general's 1564  
office and approval of the secretary and supervising member of 1565  
the board. 1566

(a) Before issuance of a subpoena for patient record 1567  
information, the secretary and supervising member shall 1568  
determine whether there is probable cause to believe that the 1569

complaint filed alleges a violation of this chapter or any rule 1570  
adopted under it and that the records sought are relevant to the 1571  
alleged violation and material to the investigation. The 1572  
subpoena may apply only to records that cover a reasonable 1573  
period of time surrounding the alleged violation. 1574

(b) On failure to comply with any subpoena issued by the 1575  
board and after reasonable notice to the person being 1576  
subpoenaed, the board may move for an order compelling the 1577  
production of persons or records pursuant to the Rules of Civil 1578  
Procedure. 1579

(c) A subpoena issued by the board may be served by a 1580  
sheriff, the sheriff's deputy, or a board employee or agent 1581  
designated by the board. Service of a subpoena issued by the 1582  
board may be made by delivering a copy of the subpoena to the 1583  
person named therein, reading it to the person, or leaving it at 1584  
the person's usual place of residence, usual place of business, 1585  
or address on file with the board. When serving a subpoena to an 1586  
applicant for or the holder of a license or certificate issued 1587  
under this chapter, service of the subpoena may be made by 1588  
certified mail, return receipt requested, and the subpoena shall 1589  
be deemed served on the date delivery is made or the date the 1590  
person refuses to accept delivery. If the person being served 1591  
refuses to accept the subpoena or is not located, service may be 1592  
made to an attorney who notifies the board that the attorney is 1593  
representing the person. 1594

(d) A sheriff's deputy who serves a subpoena shall receive 1595  
the same fees as a sheriff. Each witness who appears before the 1596  
board in obedience to a subpoena shall receive the fees and 1597  
mileage provided for under section 119.094 of the Revised Code. 1598

(4) All hearings, investigations, and inspections of the 1599

board shall be considered civil actions for the purposes of 1600  
section 2305.252 of the Revised Code. 1601

(5) A report required to be submitted to the board under 1602  
this chapter, a complaint, or information received by the board 1603  
pursuant to an investigation or pursuant to an inspection under 1604  
division (E) of section 4731.054 of the Revised Code is 1605  
confidential and not subject to discovery in any civil action. 1606

The board shall conduct all investigations or inspections 1607  
and proceedings in a manner that protects the confidentiality of 1608  
patients and persons who file complaints with the board. The 1609  
board shall not make public the names or any other identifying 1610  
information about patients or complainants unless proper consent 1611  
is given or, in the case of a patient, a waiver of the patient 1612  
privilege exists under division (B) of section 2317.02 of the 1613  
Revised Code, except that consent or a waiver of that nature is 1614  
not required if the board possesses reliable and substantial 1615  
evidence that no bona fide physician-patient relationship 1616  
exists. 1617

The board may share any information it receives pursuant 1618  
to an investigation or inspection, including patient records and 1619  
patient record information, with law enforcement agencies, other 1620  
licensing boards, and other governmental agencies that are 1621  
prosecuting, adjudicating, or investigating alleged violations 1622  
of statutes or administrative rules. An agency or board that 1623  
receives the information shall comply with the same requirements 1624  
regarding confidentiality as those with which the state medical 1625  
board must comply, notwithstanding any conflicting provision of 1626  
the Revised Code or procedure of the agency or board that 1627  
applies when it is dealing with other information in its 1628  
possession. In a judicial proceeding, the information may be 1629



admitted into evidence only in accordance with the Rules of Evidence, but the court shall require that appropriate measures are taken to ensure that confidentiality is maintained with respect to any part of the information that contains names or other identifying information about patients or complainants whose confidentiality was protected by the state medical board when the information was in the board's possession. Measures to ensure confidentiality that may be taken by the court include sealing its records or deleting specific information from its records.

(6) On a quarterly basis, the board shall prepare a report that documents the disposition of all cases during the preceding three months. The report shall contain the following information for each case with which the board has completed its activities:

(a) The case number assigned to the complaint or alleged violation;

(b) The type of license or certificate to practice, if any, held by the individual against whom the complaint is directed;

(c) A description of the allegations contained in the complaint;

(d) The disposition of the case.

The report shall state how many cases are still pending and shall be prepared in a manner that protects the identity of each person involved in each case. The report shall be a public record under section 149.43 of the Revised Code.

(G) If the secretary and supervising member determine both of the following, they may recommend that the board suspend an individual's license or certificate to practice or certificate

to recommend without a prior hearing: 1659

(1) That there is clear and convincing evidence that an 1660  
individual has violated division (B) of this section; 1661

(2) That the individual's continued practice presents a 1662  
danger of immediate and serious harm to the public. 1663

Written allegations shall be prepared for consideration by 1664  
the board. The board, upon review of those allegations and by an 1665  
affirmative vote of not fewer than six of its members, excluding 1666  
the secretary and supervising member, may suspend a license or 1667  
certificate without a prior hearing. A telephone conference call 1668  
may be utilized for reviewing the allegations and taking the 1669  
vote on the summary suspension. 1670

The board shall issue a written order of suspension by 1671  
certified mail or in person in accordance with section 119.07 of 1672  
the Revised Code. The order shall not be subject to suspension 1673  
by the court during pendency of any appeal filed under section 1674  
119.12 of the Revised Code. If the individual subject to the 1675  
summary suspension requests an adjudicatory hearing by the 1676  
board, the date set for the hearing shall be within fifteen 1677  
days, but not earlier than seven days, after the individual 1678  
requests the hearing, unless otherwise agreed to by both the 1679  
board and the individual. 1680

Any summary suspension imposed under this division shall 1681  
remain in effect, unless reversed on appeal, until a final 1682  
adjudicative order issued by the board pursuant to this section 1683  
and Chapter 119. of the Revised Code becomes effective. The 1684  
board shall issue its final adjudicative order within seventy- 1685  
five days after completion of its hearing. A failure to issue 1686  
the order within seventy-five days shall result in dissolution 1687

of the summary suspension order but shall not invalidate any 1688  
subsequent, final adjudicative order. 1689

(H) If the board takes action under division (B) (9), (11), 1690  
or (13) of this section and the judicial finding of guilt, 1691  
guilty plea, or judicial finding of eligibility for intervention 1692  
in lieu of conviction is overturned on appeal, upon exhaustion 1693  
of the criminal appeal, a petition for reconsideration of the 1694  
order may be filed with the board along with appropriate court 1695  
documents. Upon receipt of a petition of that nature and 1696  
supporting court documents, the board shall reinstate the 1697  
individual's license or certificate to practice. The board may 1698  
then hold an adjudication under Chapter 119. of the Revised Code 1699  
to determine whether the individual committed the act in 1700  
question. Notice of an opportunity for a hearing shall be given 1701  
in accordance with Chapter 119. of the Revised Code. If the 1702  
board finds, pursuant to an adjudication held under this 1703  
division, that the individual committed the act or if no hearing 1704  
is requested, the board may order any of the sanctions 1705  
identified under division (B) of this section. 1706

(I) The license or certificate to practice issued to an 1707  
individual under this chapter and the individual's practice in 1708  
this state are automatically suspended as of the date of the 1709  
individual's second or subsequent plea of guilty to, or judicial 1710  
finding of guilt of, a violation of section 2919.123 or 2919.124 1711  
of the Revised Code. In addition, the license or certificate to 1712  
practice or certificate to recommend issued to an individual 1713  
under this chapter and the individual's practice in this state 1714  
are automatically suspended as of the date the individual pleads 1715  
guilty to, is found by a judge or jury to be guilty of, or is 1716  
subject to a judicial finding of eligibility for intervention in 1717  
lieu of conviction in this state or treatment or intervention in 1718

lieu of conviction in another jurisdiction for any of the 1719  
following criminal offenses in this state or a substantially 1720  
equivalent criminal offense in another jurisdiction: aggravated 1721  
murder, murder, voluntary manslaughter, felonious assault, 1722  
kidnapping, rape, sexual battery, gross sexual imposition, 1723  
aggravated arson, aggravated robbery, or aggravated burglary. 1724  
Continued practice after suspension shall be considered 1725  
practicing without a license or certificate. 1726

The board shall notify the individual subject to the 1727  
suspension by certified mail or in person in accordance with 1728  
section 119.07 of the Revised Code. If an individual whose 1729  
license or certificate is automatically suspended under this 1730  
division fails to make a timely request for an adjudication 1731  
under Chapter 119. of the Revised Code, the board shall do 1732  
whichever of the following is applicable: 1733

(1) If the automatic suspension under this division is for 1734  
a second or subsequent plea of guilty to, or judicial finding of 1735  
guilt of, a violation of section 2919.123 or 2919.124 of the 1736  
Revised Code, the board shall enter an order suspending the 1737  
individual's license or certificate to practice for a period of 1738  
at least one year or, if determined appropriate by the board, 1739  
imposing a more serious sanction involving the individual's 1740  
license or certificate to practice. 1741

(2) In all circumstances in which division (I)(1) of this 1742  
section does not apply, enter a final order permanently revoking 1743  
the individual's license or certificate to practice. 1744

(J) If the board is required by Chapter 119. of the 1745  
Revised Code to give notice of an opportunity for a hearing and 1746  
if the individual subject to the notice does not timely request 1747  
a hearing in accordance with section 119.07 of the Revised Code, 1748

the board is not required to hold a hearing, but may adopt, by 1749  
an affirmative vote of not fewer than six of its members, a 1750  
final order that contains the board's findings. In that final 1751  
order, the board may order any of the sanctions identified under 1752  
division (A) or (B) of this section. 1753

(K) Any action taken by the board under division (B) of 1754  
this section resulting in a suspension from practice shall be 1755  
accompanied by a written statement of the conditions under which 1756  
the individual's license or certificate to practice may be 1757  
reinstated. The board shall adopt rules governing conditions to 1758  
be imposed for reinstatement. Reinstatement of a license or 1759  
certificate suspended pursuant to division (B) of this section 1760  
requires an affirmative vote of not fewer than six members of 1761  
the board. 1762

(L) When the board refuses to grant or issue a license or 1763  
certificate to practice to an applicant, revokes an individual's 1764  
license or certificate to practice, refuses to renew an 1765  
individual's license or certificate to practice, or refuses to 1766  
reinstatement an individual's license or certificate to practice, 1767  
the board may specify that its action is permanent. An 1768  
individual subject to a permanent action taken by the board is 1769  
forever thereafter ineligible to hold a license or certificate 1770  
to practice and the board shall not accept an application for 1771  
reinstatement of the license or certificate or for issuance of a 1772  
new license or certificate. 1773

(M) Notwithstanding any other provision of the Revised 1774  
Code, all of the following apply: 1775

(1) The surrender of a license or certificate issued under 1776  
this chapter shall not be effective unless or until accepted by 1777  
the board. A telephone conference call may be utilized for 1778

acceptance of the surrender of an individual's license or 1779  
certificate to practice. The telephone conference call shall be 1780  
considered a special meeting under division (F) of section 1781  
121.22 of the Revised Code. Reinstatement of a license or 1782  
certificate surrendered to the board requires an affirmative 1783  
vote of not fewer than six members of the board. 1784

(2) An application for a license or certificate made under 1785  
the provisions of this chapter may not be withdrawn without 1786  
approval of the board. 1787

(3) Failure by an individual to renew a license or 1788  
certificate to practice in accordance with this chapter or a 1789  
certificate to recommend in accordance with rules adopted under 1790  
section 4731.301 of the Revised Code shall not remove or limit 1791  
the board's jurisdiction to take any disciplinary action under 1792  
this section against the individual. 1793

(4) At the request of the board, a license or certificate 1794  
holder shall immediately surrender to the board a license or 1795  
certificate that the board has suspended, revoked, or 1796  
permanently revoked. 1797

(N) Sanctions shall not be imposed under division (B) (28) 1798  
of this section against any person who waives deductibles and 1799  
copayments as follows: 1800

(1) In compliance with the health benefit plan that 1801  
expressly allows such a practice. Waiver of the deductibles or 1802  
copayments shall be made only with the full knowledge and 1803  
consent of the plan purchaser, payer, and third-party 1804  
administrator. Documentation of the consent shall be made 1805  
available to the board upon request. 1806

(2) For professional services rendered to any other person 1807

authorized to practice pursuant to this chapter, to the extent 1808  
allowed by this chapter and rules adopted by the board. 1809

(O) Under the board's investigative duties described in 1810  
this section and subject to division (F) of this section, the 1811  
board shall develop and implement a quality intervention program 1812  
designed to improve through remedial education the clinical and 1813  
communication skills of individuals authorized under this 1814  
chapter to practice medicine and surgery, osteopathic medicine 1815  
and surgery, and podiatric medicine and surgery. In developing 1816  
and implementing the quality intervention program, the board may 1817  
do all of the following: 1818

(1) Offer in appropriate cases as determined by the board 1819  
an educational and assessment program pursuant to an 1820  
investigation the board conducts under this section; 1821

(2) Select providers of educational and assessment 1822  
services, including a quality intervention program panel of case 1823  
reviewers; 1824

(3) Make referrals to educational and assessment service 1825  
providers and approve individual educational programs 1826  
recommended by those providers. The board shall monitor the 1827  
progress of each individual undertaking a recommended individual 1828  
educational program. 1829

(4) Determine what constitutes successful completion of an 1830  
individual educational program and require further monitoring of 1831  
the individual who completed the program or other action that 1832  
the board determines to be appropriate; 1833

(5) Adopt rules in accordance with Chapter 119. of the 1834  
Revised Code to further implement the quality intervention 1835  
program. 1836

An individual who participates in an individual 1837  
educational program pursuant to this division shall pay the 1838  
financial obligations arising from that educational program. 1839

(P) The board shall not refuse to issue a license to an 1840  
applicant because of a conviction, plea of guilty, judicial 1841  
finding of guilt, judicial finding of eligibility for 1842  
intervention in lieu of conviction, or the commission of an act 1843  
that constitutes a criminal offense, unless the refusal is in 1844  
accordance with section 9.79 of the Revised Code. 1845

**Sec. 4755.62.** (A) No person shall claim to the public to 1846  
be an athletic trainer or imply by words, actions, or letters 1847  
that the person is an athletic trainer, or otherwise engage in 1848  
the practice of athletic training, unless the person is licensed 1849  
as an athletic trainer pursuant to this chapter. 1850

(B) Except as otherwise provided in division (B) of 1851  
section 4755.65 of the Revised Code, no educational institution, 1852  
partnership, association, or corporation shall advertise or 1853  
otherwise offer to provide or convey the impression that it is 1854  
providing athletic training unless an individual licensed as an 1855  
athletic trainer pursuant to this chapter is employed by, or 1856  
under contract to, the educational institution, partnership, 1857  
association, or corporation and will be performing the athletic 1858  
training services to which reference is made. 1859

(C) To qualify for an athletic trainers license, a person 1860  
shall: 1861

(1) Have satisfactorily completed an application for 1862  
licensure in accordance with rules adopted by the athletic 1863  
trainers section of the Ohio occupational therapy, physical 1864  
therapy, and athletic trainers board under section 4755.61 of 1865



the Revised Code; 1866

(2) Have paid the examination fee required under this 1867  
section; 1868

(3) Have shown, to the satisfaction of the athletic 1869  
trainers section, that the applicant has received a 1870  
baccalaureate or higher degree from an institution of higher 1871  
education, approved by the athletic trainers section of the 1872  
board and the federal regional accreditation agency and 1873  
recognized by the council on postsecondary accreditation, and 1874  
has satisfactorily completed the educational course work 1875  
requirements established by rule of the athletic trainers 1876  
section under section 4755.61 of the Revised Code. 1877

(4) In addition to educational course work requirements, 1878  
have obtained supervised clinical experience that meets the 1879  
requirements established in rules adopted by the athletic 1880  
trainers section under section 4755.61 of the Revised Code; 1881

(5) Have passed an examination adopted by the athletic 1882  
trainers section under division (A) (8) of section 4755.61 of the 1883  
Revised Code. Each applicant for licensure shall pay, at the 1884  
time of application, the nonrefundable examination fee set by 1885  
the athletic trainers section. 1886

(D) The section may waive the requirements of division (C) 1887  
of this section for any applicant who presents proof of current 1888  
licensure in another state whose standards for licensure, as 1889  
determined by the section, are equal to or greater than those in 1890  
effect in this state on the date of application. 1891

(E) The section shall issue a license to every applicant 1892  
who complies with the requirements of division (C) of this 1893  
section, files the required application form, and pays the fees 1894

required by section 4755.61 of the Revised Code. ~~A Each licensee~~ 1895  
~~shall display the licensee's license in a conspicuous place at~~ 1896  
~~the licensee's principal place of employment.~~ 1897

A license issued under this section entitles the holder to 1898  
engage in the practice of athletic training, to claim to the 1899  
public to be an athletic trainer, or to imply by words or 1900  
letters that the licensee is an athletic trainer. ~~Each licensee~~ 1901  
~~shall display the licensee's license in a conspicuous place at~~ 1902  
~~the licensee's principal place of employment.~~ 1903  
A license issued 1904  
under this section does not entitle the holder to provide, offer 1905  
to provide, or represent that the holder is qualified to provide 1906  
any care or services for which the holder lacks the education, 1907  
training, or experience to provide or is prohibited by law from 1908  
providing.

**Sec. 4755.64.** (A) In accordance with Chapter 119. of the 1909  
Revised Code, the athletic trainers section of the Ohio 1910  
occupational therapy, physical therapy, and athletic trainers 1911  
board may suspend, revoke, or, except as provided in division 1912  
(B) of this section, refuse to issue or renew an athletic 1913  
trainers license, or reprimand, fine, or place a licensee on 1914  
probation, for any of the following: 1915

(1) Conviction of a felony or offense involving moral 1916  
turpitude, regardless of the state or country in which the 1917  
conviction occurred; 1918

(2) Violation of sections 4755.61 to 4755.65 of the 1919  
Revised Code or any order issued or rule adopted thereunder; 1920

(3) Obtaining a license through fraud, false or misleading 1921  
representation, or concealment of material facts; 1922

(4) Negligence or gross misconduct in the practice of 1923

athletic training;	1924
(5) Violating the standards of ethical conduct in the	1925
practice of athletic training as adopted by the athletic	1926
trainers section under section 4755.61 of the Revised Code;	1927
(6) Using any controlled substance or alcohol to the	1928
extent that the ability to practice athletic training at a level	1929
of competency is impaired;	1930
(7) Practicing in an area of athletic training for which	1931
the individual is untrained, <u>or incompetent</u> , or practicing	1932
without the referral of a practitioner <del>licensed under Chapter</del>	1933
<del>4731. of the Revised Code, a dentist licensed under Chapter</del>	1934
<del>4715. of the Revised Code, a chiropractor licensed under Chapter</del>	1935
<del>4734. of the Revised Code, or a physical therapist licensed</del>	1936
<del>under this chapter described in division (A) of section 4755.623</del>	1937
<u>of the Revised Code;</u>	1938
(8) Employing, directing, or supervising a person in the	1939
performance of athletic training procedures who is not	1940
authorized to practice as a licensed athletic trainer under this	1941
chapter;	1942
(9) Misrepresenting educational attainments or the	1943
functions the individual is authorized to perform for the	1944
purpose of obtaining some benefit related to the individual's	1945
athletic training practice;	1946
(10) Failing the licensing examination;	1947
(11) Aiding or abetting the unlicensed practice of	1948
athletic training;	1949
(12) Denial, revocation, suspension, or restriction of	1950
authority to practice a health care occupation, including	1951

athletic training, for any reason other than a failure to renew, 1952  
in Ohio or another state or jurisdiction; 1953

(13) In the case of an athletic trainer who has entered 1954  
into a collaboration agreement as described in section 4755.621 1955  
of the Revised Code, failing to practice in accordance with the 1956  
agreement. 1957

(B) The athletic trainers section shall not refuse to 1958  
issue a license to an applicant because of a criminal conviction 1959  
unless the refusal is in accordance with section 9.79 of the 1960  
Revised Code. 1961

(C) If the athletic trainers section places a licensee on 1962  
probation under division (A) of this section, the section's 1963  
order for placement on probation shall be accompanied by a 1964  
written statement of the conditions under which the person may 1965  
be removed from probation and restored to unrestricted practice. 1966

(D) A licensee whose license has been revoked under 1967  
division (A) of this section may apply to the athletic trainers 1968  
section for reinstatement of the license one year following the 1969  
date of revocation. The athletic trainers section may accept or 1970  
deny the application for reinstatement and may require that the 1971  
applicant pass an examination as a condition for reinstatement. 1972

(E) On receipt of a complaint that a person licensed by 1973  
the athletic trainers section has committed any of the 1974  
prohibited actions listed in division (A) of this section, the 1975  
section may immediately suspend the license of a licensed 1976  
athletic trainer prior to holding a hearing in accordance with 1977  
Chapter 119. of the Revised Code if it determines, based on the 1978  
complaint, that the licensee poses an immediate threat to the 1979  
public. The section may review the allegations and vote on the 1980

suspension by telephone conference call. If the section votes to suspend a license under this division, the section shall issue a written order of summary suspension to the licensed athletic trainer in accordance with section 119.07 of the Revised Code. If the individual whose license is suspended fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the section shall enter a final order permanently revoking the individual's license. Notwithstanding section 119.12 of the Revised Code, a court of common pleas shall not grant a suspension of the section's order of summary suspension pending the determination of an appeal filed under that section. Any order of summary suspension issued under this division shall remain in effect, unless reversed on appeal, until a final adjudication order issued by the section pursuant to division (A) of this section becomes effective. The section shall issue its final adjudication order regarding an order of summary suspension issued under this division not later than ninety days after completion of its hearing. Failure to issue the order within ninety days shall result in immediate dissolution of the suspension order, but shall not invalidate any subsequent, final adjudication order.

**Section 4.** That the existing versions of sections 4731.22, 4755.62, and 4755.64 of the Revised Code that are scheduled to take effect October 9, 2021, are hereby repealed.

**Section 5.** Sections 3 and 4 of this act take effect October 9, 2021.

**Section 6.** The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections,

presented in this act as composites of the sections as amended 2011  
by the acts indicated, are the resulting versions of the 2012  
sections in effect prior to the effective date of the sections 2013  
as presented in this act: 2014

Section 4731.22 of the Revised Code, the version effective 2015  
until October 9, 2021, as amended by both H.B. 442 and S.B. 260 2016  
of the 133rd General Assembly; 2017

Section 4731.22 of the Revised Code, the version effective 2018  
beginning October 9, 2021, as amended by H.B. 263, H.B. 442, and 2019  
S.B. 260, all of the 133rd General Assembly. 2020