



**Rules & Policies Agenda for Board Meeting  
April 9, 2025**

- A. Rule Review Update
- B. Criminal Background Check Rules & MD/DO Licensure Rules
- C. Rules on Clearance for Return to Practice or Competition, Final Adoption
- D. Legislative Update



**MEMORANDUM**

TO: Yeshwant Reddy, M.D., President  
Members, State Medical Board of Ohio

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Rule Review Update

DATE: April 2, 2025

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Attached please find the rule spreadsheet and rule schedule for April 2025.

**Requested Action:** No action requested.

## Legal Dept. Rules Schedule

As of April 2, 2025

### Rules Filed with JCARR

#### Notice of Meetings-No change-JCARR Jurisdiction

ends 4/27/25

4731-7-01

#### Termination of Physician-Patient Relationship-No

#### Change-JCARR Jurisdiction ends 4/27/25

4731-27-01

4731-27-02

4731-27-03

#### Return of Athlete to Practice of Competition-Public

#### Hearing 3/5/25-JCARR jurisdiction ends 4/5/25-

#### Ready for Final Adoption

4731-31-01

#### Standards for Prescribing Dangerous Drugs for

#### Administration By Injection by a Pharmacist-No

#### Change-JCARR jurisdiction ends 4/28/25

4731-34-01

### Rules Ready to File with JCARR

#### Genetic Counselor Rules

4778-1-01 4778-1-02

4778-1-03 4778-1-05

4778-1-06

#### Recordation of Meetings-Withdrawn-Will be refiled

#### to correct technical error

4731-9-01

### Rules Filed with CSI-Comments Due 1/31/25

#### Dietetics Rules

4759-2-01 4759-5-03

4759-4-01 4759-5-04

4759-4-02 4759-5-05

4759-4-03 4759-5-06

4759-4-04 4759-6-01

4759-4-08 4759-6-02

4759-4-09 4759-6-03

4759-5-01 4759-9-01

4759-5-02

#### Physician Assistant Rules

4730-1-06 4730-2-04

4730-2-05 4730-2-10

### Anesthesiologist Assistant Rules

4731-24-01

4731-24-02

4731-24-03

### Rules Sent for Initial Circulation-Comments Due

1/31/25:

Respiratory Care Rules (Chapter 4761)

### Criminal Records Checks

4731-4-01

4731-4-02

### MD/DO Licensure Rules

4731-6-01

4731-6-02

4731-6-14

4731-6-15

4731-6-21

4731-6-22

4731-6-30

4731-6-31

4731-6-33

4731-6-34

### Rules Ready for Initial Circulation

#### Limited Branches of Medicine and Surgery

4731-1-02

4731-1-05

4731-1-06

#### Consult Agreements

4731-35-01

4731-35-02

#### Military Provisions

4731-36-01

4731-36-02

4731-36-03

4731-36-04

**Prescribing Rules**

4731-11-01

4731-11-13

4731-11-14

4731-29-01

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date	Notes
4730-1-01	Regulation of Physician Assistants - Definitions		06/12/19	07/16/19	11/07/19	06/18/20	No change rule			09/16/20	06/18/25	
4730-1-05	Quality Assurance System		06/12/19	07/16/19	11/07/19	06/19/20	No change rule			09/17/20	06/19/25	
4730-1-06	Licensure as a physician assistant	04/01/24	06/11/24	01/14/25						03/28/24	Extension given for Review Date	
4730-1-07	Miscellaneous Provisions	06/21/23	07/12/23	07/25/23	08/11/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	02/28/28	
4730-2-01	Physician Delegated Prescriptive Authority - Definitions		06/12/19	07/16/19	11/07/19	06/18/20	No change rule	01/30/23	02/08/23	02/28/23	02/28/28	
4730-2-04	Period of on-site supervision of physician-delegated prescriptive authority	04/01/24	06/11/24	01/14/25							11/15/23	
4730-2-05	Addition of valid prescriber number after initial licensure	04/01/24	06/11/24	01/14/25							09/30/23	
4730-2-07	Standards for Prescribing	02/12/22	05/11/22	05/16/22	09/22/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4730-2-10	Standards and Procedures for use of OARRS	04/01/24	06/11/24	01/14/25							03/28/24	Extension given for Review Date
4730-4-01	Definitions	09/15/23	03/13/24	04/04/24	07/15/24	07/25/24	08/29/24	09/09/24	10/09/24	10/31/24	10/31/29	
4730-4-02	Standards and procedures for withdrawal management for drug or alcohol addition	09/15/23	03/13/24	04/04/24	07/15/24	07/25/24	08/29/24	09/09/24	10/09/24	10/31/24	10/31/29	
4730-4-03	Office Based Treatment for Opioid addiction	09/15/23	03/13/24	04/04/24	07/15/24	07/25/24	08/29/24	09/09/24	10/09/24	10/31/24	10/31/29	
4730-4-04	Medication assisted treatment using naltrexone	09/15/23	03/13/24	04/04/24	07/15/24	07/25/24	08/29/24	09/09/24	10/09/24	10/31/24	10/31/29	
4731-1-01	Limited Practitioners - Definition of Terms	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-1-02	Application of Rules Governing Limited Branches of Medicine or Surgery	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	07/31/24	
4731-1-03	General Prohibitions	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-1-04	Scope of Practice: Mechanotherapy	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-1-05	Scope of Practice: Massage Therapy	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	11/05/24	
4731-1-06	Scope of Practice: Naprapathy									08/31/18	08/31/23	
4731-1-07	<i>Eligibility of Electrologists Licensed by the Ohio State Board of Cosmetology to Obtain Licensure as Cosmetic Therapists Pursuant to Chapter 4731 ORC and Subsequent Limitations</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date	Notes
4731-1-08	<i>Continuing Cosmetic Therapy Education Requirements for Registration or Reinstatement of a License to Practice Cosmetic Therapy</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-1-09	<i>Cosmetic Therapy Curriculum Requirements</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-1-10	<i>Distance Education</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-1-11	<i>Application and Certification for certificate to practice cosmetic therapy</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-1-12	<i>Examination</i>			09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-1-15	<i>Determination of Standing of School, College or Institution</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-1-16	<i>Massage Therapy curriculum rule (Five year review)</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-1-17	<i>Instructional Staff</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-1-18	<i>Grounds for Suspension, Revocation or Denial of Certificate of Good Standing, Hearing Rights</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-1-19	<i>Probationary Status of a limited branch school</i>	06/17/21		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-2-01	<i>Public Notice of Rules Procedure</i>	05/15/22			10/31/22	09/28/22				09/28/22	09/28/27	
4731-4-01	<i>Criminal Records Checks - Definitions</i>	01/15/25								09/30/19	09/30/24	
4731-4-02	<i>Criminal Records Checks</i>	01/15/25								09/30/19	09/30/24	
4731-5-01	<i>Admission to Examinations</i>	05/15/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-5-02	<i>Examination Failure; Inspection and Regrading</i>	05/15/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-5-03	<i>Conduct During Examinations</i>	05/15/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-5-04	<i>Termination of Examinations</i>	05/15/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-6-01	<i>Medical or Osteopathic Licensure: Definitions</i>	01/15/25			10/31/22					07/31/19	07/31/24	
4731-6-02	<i>Preliminary Education for Medical and Osteopathic Licensure</i>	01/15/25			10/31/22					07/31/19	07/31/24	
4731-6-04	<i>Demonstration of proficiency in spoken English</i>	05/15/22		09/22/22	10/31/22	11/14/22			no change	11/14/22	11/14/27	
4731-6-05	<i>Format of Medical and Osteopathic Examination</i>		09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	01/31/27	
4731-6-14	<i>Examination for physician licensure</i>	01/15/25								07/31/19	07/31/24	
4731-6-15	<i>Eligibility for Licensure of National Board Diplomats and Medical Council of Canada Licentiates</i>	01/15/25								07/31/19	07/31/24	
4731-6-21	<i>Application Procedures for Certificate Issuance; Investigation; Notice of Hearing Rights</i>	01/15/25								07/31/19	07/31/24	

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4731-6-22	Abandonment and Withdrawal of Medical and Osteopathic Licensure Applications	01/15/25								07/31/19	07/31/24	
4731-6-30	Training Certificates	01/15/25								07/31/19	07/31/24	
4731-6-31	Limited Preexamination Registration and Limited Certification	01/15/25								07/31/19	07/31/24	
4731-6-33	Special Activity Certificates	01/15/25								07/31/19	07/31/24	
4731-6-34	Volunteer's Certificates	01/15/25								07/31/19	07/31/24	
4731-7-01	Method of Notice of Meetings	03/04/24	04/10/24	11/26/24	01/13/25	01/27/25	N/A	04/08/25		07/31/19	07/31/24	
4731-8-01	Personal Information Systems	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26	
4731-8-02	Definitions	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26	
4731-8-03	Procedures for accessing confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26	
4731-8-04	Valid reasons for accessing confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-8-05	Confidentiality Statutes	04/29/20		10/05/20	11/18/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-8-06	Restricting & Logging access to confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21	N/A		no change	02/11/21	02/11/26	
4731-9-01	Record of Board Meetings; Recording, Filming, and Photographing of Meetings	03/04/24	04/10/24	11/26/24	01/13/25	01/27/25				09/15/19	06/17/24	
4731-10-01	Definitions	10/25/19		05/26/20		Revised filing 11/3/20 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26	
4731-10-02	Requisite Hours of Continuing Medical Education for License Renewal or Reinstatement	10/25/19		05/26/20		Revised filing 11/3/20 10/30/20	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-10-03	CME Waiver	10/25/19		05/26/20		Revised filings 11/24 & 11/3 - orig 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26	
4731-10-04	Continuing Medical Education Requirements for Restoration of a License	10/25/19		05/26/20		Revised filings 11/24 & 11/3 - orig 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26	

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date	Notes
4371-10-08	Evidence of Continuing Medical Education	10/25/19		05/26/20		Revised filings 11/24 & 11/3 - orig 10/30/20	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-11-01	Controlled substances; General Provisions Definitions	02/12/22								10/31/20	10/31/25	
4731-11-02	Controlled Substances - General Provisions	07/26/19	11/13/19	10/05/20		05/27/21			no change		05/27/26	
4731-11-03	Schedule II Controlled Substance Stimulants			09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-11-04	Controlled Substances: Utilization for Weight Reduction			09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-11-04.1	Controlled substances: Utilization for chronic weight management			09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	Rescinded	Rescinded
4731-11-07	Research Utilizing Controlled Substances	07/26/19	11/13/19	10/05/20		05/27/21			no change		05/27/26	
4731-11-08	Utilizing Controlled Substances for Self and Family Members	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26	
4731-11-09	Controlled Substance and telehealth prescribing	02/12/22	05/11/22	05/16/22	09/22/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-11-11	Standards and procedures for review of "Ohio Automated Rx Reporting System" (OARRS).	07/26/19	11/13/19	10/05/20		05/27/21	06/28/21		09/08/21	09/30/21	09/30/26	
4731-11-13	Prescribing of Opioid Analgesics for Acute Pain									08/31/17	08/31/22	
4731-11-14	Prescribing for subacute and chronic pain	11/18/22				04/17/23	05/24/23	06/01/23			12/23/23	
4731-12-01	Preliminary Education for Licensure in Podiatric Medicine and Surgery	04/18/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-12-02	Standing of Colleges of Podiatric Surgery and Medicine	04/18/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/02/23	02/28/28	
4731-12-03	Eligibility for the Examination in Podiatric Surgery and Medicine	04/18/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-12-04	Eligibility of Licensure in Podiatric Medicine and Surgery by Endorsement from Another State	04/18/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-12-05	Application Procedures for Licensure in Podiatric Medicine and Surgery, Investigation, Notice of Hearing Rights.	04/18/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-12-06	Visiting Podiatric Faculty Certificates	04/18/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23		Rescinded
4731-12-07	Podiatric Training Certificates	04/18/22		09/22/22	10/31/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-13-01	Conduct of Hearings - Representative; Appearances	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	

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4731-13-02	Filing Request for Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	No change				04/12/26	
				amended filing 1/6/21								
4731-13-03	Authority and Duties of Hearing Examiners	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-04	Consolidation	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-05	Intervention	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-06	Continuance of Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-07	Motions	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-07.1	Form and page limitations for briefs and memoranda	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-08	Filing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-09	Service	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-10	Computation and Extension of Time	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-11	Notice of Hearings	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-12	Transcripts	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-13	Subpoenas for Purposes of Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-14	Mileage Reimbursement and Witness Fees	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-15	Reports and Recommendations	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-16	Reinstatement or Restoration of Certificate	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-17	Settlements, Dismissals, and Voluntary Surrenders	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-18	Exchange of Documents and Witness Lists	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-20	Depositions in Lieu of Live Testimony and Transcripts in place of Prior Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-20.1	Electronic Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-21	Prior Action by the State Medical Board	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-22	Stipulation of Facts	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-23	Witnesses	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-24	Conviction of a Crime	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	

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4731-13-25	Evidence	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-26	Broadcasting and Photographing Administrative Hearings	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-27	Sexual Misconduct Evidence	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-28	Supervision of Hearing Examiners	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-30	Prehearing Conference	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-31	Transcripts of Prior Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-32	Prior Statements of the Respondent	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-33	Physician's Desk Physician	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-13-34	Ex Parte Communication	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-35	Severability	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26	
4731-13-36	Disciplinary Actions	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26	
4731-14-01	Pronouncement of Death	01/25/21	03/10/21	03/18/21		05/27/21	06/28/21			09/08/21	09/30/21	09/30/26
4731-15-01	Licensee Reporting Requirement; Exceptions	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-15-02	Healthcare Facility Reporting Requirement	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/12	11/30/23	11/30/28	
4731-15-03	Malpractice Reporting Requirement	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-15-04	Professional Society Reporting	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-15-05	Liability; Reporting Forms; Confidentiality and Disclosure	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-01	Rules governing impaired physicians and approval of treatments programs - Definitions	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-02	General Procedures in Impairment Cases	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-04	Other Violations	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-05	Examinations	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-06	Consent Agreements and Orders for Reinstatement of Impaired Practitioners	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-07	Treatment Provider Program Obligations	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-08	Criteria for Approval	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-09	Procedures for Approval	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-10	Aftercare Contracts	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	

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4731-16-11	Revocation, Suspension, or Denial of Certificate of Good Standing	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-12	Out-of-State Impairment Cases	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-13	Patient Consent; Revocation of Consent	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-14	Caffeine, Nicotine, and Over-The Counter Drugs	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-15	Patient Rights	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-17	Requirements for the one-bite program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-18	Eligibility for the one-bite program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-16-19	Monitoring organization for one-bite program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-20	Treatment providers in the one-bite program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4731-16-21	Continuing care for the one-bite program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/24	Rescinded	
4731-17-01	Exposure-Prone Invasive Procedure Precautions - Definitions	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-17-02	Universal Precautions	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26	
4731-17-03	Hand Washing	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26	
4731-17-04	Disinfection and Sterilization	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-17-05	Handling and Disposal of Sharps and Wastes	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-17-06	Barrier Techniques	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26	
4731-17-07	Violations	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-18-01	Definitions				09/22/22	12/22/22	03/06/23	02/10/23	03/06/23	04/12/23	04/30/23	04/30/28
4731-18-02	Use of Light Based Medical Devices				09/22/22	12/22/22	03/06/23	02/10/23	03/06/23	04/12/23	04/30/23	04/30/28
4731-18-03	Delegation of the Use of Light Based Medical Devices				09/22/22	12/22/22	03/06/23	02/10/23	03/06/23	04/12/23	04/30/23	04/30/28
4731-18-04	Delegation of phototherapy and photodynamic therapy	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6-9-21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26	
4731-20-01	Surgery Privileges of Podiatrist - Definition of Foot	10/16/23	11/08/23	11/09/23		01/23/24		04/15/24			01/23/29	
4731-20-02	Surgery: Ankle Joint	10/16/23	11/08/23	11/09/23		01/23/24		04/15/24			01/23/29	
4731-22-01	Retired License Status	09/15/23	10/11/23	11/02/23	11/27/23	11/28/23	01/04/24	01/08/24	02/14/24	02/29/24	02/28/29	
4731-22-02	Application	09/15/23	10/11/23	11/02/23	11/27/23	11/28/23	01/04/24	01/08/24	02/14/24	rescinded		
4731-22-03	Status of Registrant	09/15/23	10/11/23	11/02/23	11/27/23	11/28/23	01/04/24	01/08/24	02/14/24	rescinded		

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4731-22-04	Continuing Education Requirements	09/15/23	10/11/23	11/02/23	11/27/23	11/28/23	01/04/24	01/08/24	02/14/24	rescinded		
4731-22-06	Renewal of Cycle of Fees	09/15/23	10/11/23	11/02/23	11/27/23	11/28/23	01/04/24	01/08/24	02/14/24	rescinded		
4731-22-07	Change to Active Status	09/15/23	10/11/23	11/02/23	11/27/23	11/28/23	01/04/24	01/08/24	02/14/24	rescinded		
4731-22-08	Cancellation of or Refusal to Issue an Emeritus Registration	09/15/23	10/11/23	11/02/23	11/27/23	11/28/23	01/04/24	01/08/24	02/14/24	rescinded		
4731-23-01	Delegation of Medical Tasks - Definitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21				no change	05/27/26	
4731-23-02	Delegation of Medical Tasks	01/25/21	03/10/21	03/18/21	04/23/21	refiled 7/14/21 5/27/2021	06/28/21		09/08/21	09/30/21	09/30/26	
4731-23-03	Delegation of Medical Tasks: Prohibitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21				no change	05/27/26	
4731-23-04	Violations	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21				no change	05/27/26	
4731-24-01	Anesthesiologist Assistants - Definitions	04/01/24	06/11/24	01/14/25							07/31/24	
4731-24-02	Anesthesiologist Assistants; Supervision	04/01/24	06/11/24	01/14/25							07/31/24	
4731-24-03	Anesthesiologist Assistants; Enhanced Supervision	04/01/24	06/11/24	01/14/25							07/31/24	
4731-25-01	Office-Based Surgery - Definition of Terms	06/16/23									03/01/23	
4731-25-02	General Provisions	06/16/23	01/10/24	01/19/24	02/15/24	02/16/24	03/27/24	04/15/24		05/18/24	05/18/29	
4731-25-03	Standards for Surgery Using Moderate Sedation/Analgesia	06/16/23									05/31/18	08/31/23
4731-25-04	Standards for Surgery Using Anesthesia Services	06/16/23									05/31/18	05/31/23
4731-25-05	Liposuction in the Office Setting	06/16/23									03/01/18	03/01/23
4731-25-07	Accreditation of Office Settings	06/16/23									05/31/18	05/31/23
4731-25-08	Standards for Surgery	06/16/23									09/30/19	09/30/24
4731-26-01	Sexual Misconduct - Definitions	01/25/21	03/10/21	03/18/21	04/23/21	refiled 7/14/21 5/27/2021	06/28/21		09/08/21	09/30/21	09/30/26	
4731-26-02	Prohibitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21	06/28/21		09/08/21	09/30/21	09/30/26	
4731-26-03	Violations; Miscellaneous	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21	06/28/21		09/08/21	09/30/21	09/30/26	
4731-27-01	Definitions	03/04/24	04/10/24	11/26/24	01/13/25	01/27/25	Not Applicable	04/08/25		02/04/19	02/02/24	
4731-27-02	Dismissing a patient from the medical practice	03/04/24	04/10/24	11/26/24	01/13/25	01/27/25	Not Applicable	04/08/25		05/31/19	05/31/24	

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4731-27-03	Notice of termination of physician employment or physician leaving a practice, selling a practice, or retiring from the practice of medicine	03/04/24	04/10/24	11/26/24	01/13/25	01/27/25	Not Applicable	04/08/25		05/31/19	05/31/24	see comments for future folder
4731-28-01	Mental or Physical Impairment	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-28-02	Eligibility for confidential monitoring program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-28-03	Participation in the confidential monitoring program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-28-04	Disqualification from continued participation in the confidential monitoring program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-28-05	Termination of the participation agreement for the confidential monitoring program	07/28/23	08/09/23	08/11/23	08/31/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	Rescinded	
4731-29-01	Standards and procedures for operation of a pain management clinic.									06/30/17	06/30/22	
4731-30-01	Internal Management Definitions									09/23/18	09/23/23	
4731-30-02	Internal Management Board Metrics	07/26/19								09/23/18	09/23/23	
4731-30-03	Approval of Licensure Applications	08/28/23								10/11/23	10/31/23	10/17/24
4731-30-04	Maintenance of List of Disqualifying Criminal Offenses	08/13/21				refiled 11-4-21				09/08/21	12/31/21	12/31/26
4731-31-01	Requirements for assessing and granting clearance for return to practice or competition. (concussion rule)	03/04/24	04/10/24	11/26/24	01/13/25	01/30/25	03/05/25	03/24/25		11/30/19	11/30/24	
4731-32-01	Definition of Terms	02/09/23	03/08/23	03/30/23	08/31/23	11/28/23	01/04/24	01/08/24	02/14/24	02/29/24	02/28/29	
4731-32-02	Certificate to Recommend Medical Marijuana	02/09/23	03/08/23	03/30/23	08/31/23	11/28/23	01/04/24	01/08/24	02/14/24	02/29/24	02/28/29	
4731-32-03	Standard of Care	02/09/23	03/08/23	03/30/23	08/31/23	11/28/23	01/04/24	01/08/24	02/14/24	02/29/24	02/28/29	
4731-32-04	Suspension and Revocation of Certificate to Recommend	02/09/23	03/08/23	03/30/23	08/31/23	11/28/23	No change rule	01/08/24	N/A	02/27/24	11/28/28	
4731-32-05	Petition to Request Additional Qualifying Condition or Disease	02/09/23	03/08/23	03/30/23	08/31/23	11/28/23	No change rule	01/08/24	N/A	02/27/24	11/28/28	
4731-33-01	Definitions	09/15/23	03/13/24	04/04/24	07/15/24	07/25/24	08/29/24	09/09/24	10/09/24	10/31/24	10/31/29	
4731-33-02	Standards and procedures for withdrawal management for drug or alcohol addiction	09/15/23	03/13/24	04/04/24	07/15/24	07/25/24	08/29/24	09/09/24	10/09/24	10/31/24	10/31/29	
4731-33-03	Office-Based Treatment for Opioid Addiction	09/15/23	03/13/24	04/04/24	07/15/24	07/25/24	08/29/24	09/09/24	10/09/24	10/31/24	10/31/29	
4731-33-04	Medication Assisted Treatment Using Naltrexone	09/15/23	03/13/24	04/04/24	07/15/24	07/25/24	08/29/24	09/09/24	10/09/24	10/31/24	10/31/29	

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4731-34-01	Standards and Procedures to be followed by physicians when prescribing a dangerous drug that may be administered by a pharmacist by injection.	03/04/24	04/10/24	11/26/24	01/13/25	1/29/255	No change rule	04/08/25		07/31/19	07/31/24	
4731-35-01	Consult Agreements	01/25/21	04/14/21	04/26/21	06/04/21	09/22/21	10/29/21	11/08/21	12/08/21	12/31/21	10/31/25	
4731-35-02	Standards for managing drug therapy	01/25/21	04/14/21	04/26/21	06/04/21	09/22/21	10/29/21	11/08/21	12/08/21	12/31/21	10/31/25	
4731-36-01	Military provisions related to education and experience requirements for licensure	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	10/29/21	and 1/31/27
4731-36-02	Military provisions related to renewal of license and continuing education	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25	
4731-36-03	Processing applications from service members, veterans, or spouses of service members or veterans.	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25	
4731-36-04	Temporary license for military spouse	02/11/20	02/12/20	02/14/20		02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4731-37-01	Telehealth	02/12/22	05/11/22	05/16/22	09/22/22	11/29/22	01/04/23	01/30/23	02/08/23	02/28/23	02/28/28	
4731-38-01	Licenses Issued or Renewed Under the Interstate Medical Licensure Compact	11/12/21	01/12/22	01/14/22	02/14/22	02/18/22	03/25/22		05/11/22	05/31/22	05/31/27	
4731-38-02	Issuance of Licenses to Out-of-State Licensees or Certificate Holders	06/21/23	07/12/23	07/25/23	08/11/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4759-2-01	Definitions	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-4-01	Applications	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-4-02	Preprofessional experience	03/04/24	08/14/24	01/14/25							08/28/24	
4759-4-03	Examination	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-4-04	Continuing Education	03/04/24	08/14/24	01/14/25						07/31/21	07/31/26	
4759-4-08	Limited permit	03/04/24	08/14/24	01/14/25						07/31/21	07/31/26	
4759-4-09	License certificates and permits	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-5-01	Supervision of persons claiming exemption	03/04/24	08/14/24	01/14/25						08/28/19	08/28/24	
4759-5-02	Student practice exemption	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-5-03	Plan of treatment exemption	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-5-04	Additional nutritional activities exemption	03/04/24	08/14/24	01/14/25							07/01/24	
4759-5-05	Distribution of literature exemption	03/04/24	08/14/24	01/14/25							07/01/24	
4759-5-06	Weight control program exemption	03/04/24	08/14/24	01/14/25							07/01/24	
4759-6-01	Standards of practice innutrition care	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-6-02	Standards of professional performance	03/04/24	08/14/24	01/14/25						07/31/21	07/31/26	
4759-6-03	Interpretation of standards	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-9-01	Severability	03/04/24	08/14/24	01/14/25						11/30/19	11/30/24	
4759-11-01	Miscellaneous Provisions	06/21/23	07/12/23	07/25/23	08/11/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4761-2-03	Board Records	01/14/25								02/28/19	02/28/24	
4761-3-01	Definition of terms	01/14/25								02/28/19	02/28/24	
4761-4-01	Approval of educational programs	01/14/25								02/28/19	02/28/24	

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date	Notes
4761-4-02	Monitoring of Ohio respiratory care educational programs	01/14/25								02/28/19	02/28/24	
4761-5-01	Waiver of licensing requirements pursuant to division (B) of section 4761.04 or the Revised Code	01/14/25								09/30/20	09/30/25	
4761-5-02	Admission to the Ohio credentialing examination	01/14/25								09/19/20	06/19/25	
4761-5-04	License application procedure	01/14/25								09/30/20	09/30/25	
4761-5-06	Respiratory care practice by polysomnographic technologists	01/14/25								09/18/20	06/18/25	
4761-6-01	Limited permit application procedure	01/14/25								09/30/20	02/28/24	
4761-7-01	Original license or permit, identification card or electronic license verification	01/14/25								02/28/19	02/28/24	
4761-7-03	Scope of respiratory care defined	01/14/25									11/15/23	
4761-7-04	Supervision	01/14/25								09/30/20	09/30/25	
4761-7-05	Administration of medicines	01/14/25									11/15/23	
4761-8-01	Renewal of license or permits	01/14/25								12/31/20	12/31/25	
4761-9-01	Definition of respiratory care continuing education	01/14/25								09/30/20	02/28/24	
4761-9-02	General RCCE requirements and reporting mechanism	01/14/25								12/31/20	12/31/25	
4761-9-03	Activities which do not meet the Ohio RCCE requirements	01/14/25								02/28/19	02/28/24	
4761-9-04	Ohio respiratory care law and professional ethics course criteria	01/14/25									02/28/24	Look at adding OOA as an approving organization
4761-9-05	Approved sources of RCCE	01/14/25								09/30/20	02/28/24	Look at adding OOA as an approving organization
4761-9-07	Auditing for compliance with RCCE requirements	01/14/25								09/30/20	09/30/25	
4761-10-01	Ethical and professional conduct	01/14/25								02/28/19	02/28/24	
4761-10-02	Proper use of credentials	01/14/25									11/15/23	
4761-10-03	Providing information to the Board	01/14/25								09/30/20	09/30/25	
4761-15-01	Miscellaneous Provisions	06/21/23	07/12/23	07/25/23	08/11/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4774-1-01	Definitions	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21			no change	02/11/21	02/11/26	
4774-1-02	Application for Certificate to Practice	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4774-1-03	Renewal of Certificate to Practice	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26	
4774-1-04	Miscellaneous Provisions	06/21/23	07/12/23	07/25/23	08/11/23	08/31/23	10/04/23	10/30/23	11/08/23	11/30/23	11/30/28	
4778-1-01	Definition	04/01/24	06/11/24	01/14/25							01/24/24	
4778-1-02	Application	04/01/24	06/11/24	01/14/25							04/30/24	
4778-1-03	Special Activity License	04/01/24	06/11/24	01/14/25							01/24/24	
4778-1-05	Collaboration Agreement	04/01/24	06/11/24	01/14/25							04/30/24	





## MEMORANDUM

TO: Yeshwant Reddy, M.D., President  
Members, State Medical Board of Ohio

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Approval for CSI Filing-Criminal Background Check Rules and MD/DO Licensure Rules

DATE: April 2, 2025

The following rules were circulated to interested parties with comments due on January 31, 2025. No comments were received:

### **Criminal Background Checks:**

4731-4-01	Definitions	Proposed Amendment
4731-4-02	Criminal Records Checks	Proposed Amendment

The following rules were circulated to interested parties with comments due on January 31, 2025. Comments were received which are attached and outlined below.

### **MD/DO Licensure Rules**

Rule 4731-6-01	Definitions	Proposed Amendment
Rule 4731-6-02	Preliminary education for medical and osteopathic licensure	Proposed No Change
Rule 4731-6-14	Eligibility for licensure	Proposed Amendment
Rule 4731-6-15	Eligibility for licensure of national board diplomates and medical council of Canada licentiates.	Proposed Rescission
Rule 4731-6-21	Application procedures for license issuance; investigation	Proposed No Change
Rule 4731-6-22	Abandonment and withdrawal of medical and osteopathic licensure applications	Proposed Amendment
Rule 4731-6-30	Training certificates	Proposed Amendment
Rule 4731-6-31	Limited preexamination registration and limited certification	Proposed Rescission
Rule 4731-6-33	Special activity certificates	Proposed No Change
Rule 4731-6-34	Volunteer certificates	Proposed Amendment

Jill Harman, M.Ed., Senior Director of Admissions and Recruitment for Ohio University Heritage College of Osteopathic Medicine commented that in Rule 4731-6-02, the title of Preliminary Education for Medical and Osteopathic Licensure should be changed to Preliminary Education for Medical Licensure with the rationale that there should not be a distinction between medicine and osteopathic medicine. The language of Rule 4731-6-02, OAC addresses preliminary education for both medical and osteopathic licensure, so the current title is descriptive of the content. The Board's licensure statutes and rules describe the practice of medicine and practice of osteopathic medicine.

**Requested Action:** Approve filing of rules with Common Sense Initiative.

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4731-4-01

## Definitions.

- (A) "Applicant for an initial license or certificate to practice" includes a person seeking an initial license or certificate to practice under Chapter 4730., 4731., 4759., 4760. , 4761., 4762., 4774., ~~or 4778., or 4796.~~ of the Revised Code.
- (B) "Applicant for a restored license or certificate to practice" includes a person seeking restoration of a license or certificate to practice pursuant to Chapter 4730., 4731., 4759., 4760., 4761., 4762., 4774., or 4778. of the Revised Code.
- (C) "Applicant for a reactivated license or certificate to practice" includes a person seeking to reactivate a retired license or certificate to practice pursuant to Chapter 4730., 4731., 4759., 4760., 4761., 4762., 4774., or 4778. of the Revised Code.
- (D) ~~(C)~~ "Criminal records check" has the same meaning as in division (G) of section 109.572 of the Revised Code.
- (E) ~~(D)~~ BCI means the "Ohio Bureau of Criminal Identification and Investigation."
- (F) ~~(E)~~ "FBI" means the "Federal Bureau of Investigation."



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4731-4-02

## Criminal records checks.

(A) An applicant for an initial license or certificate to practice, for a reactivated license or certificate to practice, or for a restored license or certificate to practice pursuant to Chapter 4730., 4731., 4759., 4760., 4761., 4762., 4774., ~~or 4778., or 4796.~~ of the Revised Code, shall submit fingerprints, required forms, and required fees to BCI for completion of BCI and FBI criminal records checks.

- (1) An applicant who is present in Ohio shall use the services of an entity that has been designated by the Ohio attorney general to participate in the "National WebCheck" program (available at <http://www.ohioattorneygeneral.gov/>) and pay any processing fee charged by the entity, with the "State Medical Board of Ohio" designated to receive the results;
- (2) An applicant who resides in a state or jurisdiction other than Ohio shall either appear in Ohio in order to comply with the requirements of paragraph (A)(1) of this rule or request that the board provide the forms required to complete the criminal records checks.

Upon receipt of the forms, the applicant shall have his or her fingerprints processed and pay any applicable processing fees.

(B) The board shall maintain the criminal records check reports in a manner that ensures the confidentiality of the results, prevents disclosure pursuant to a public records request, and complies with applicable state and federal requirements.

(C) The board shall not accept the results of a criminal records check submitted by an entity other than BCI.

(D) In reviewing the results of criminal records checks to determine whether the applicant should be granted an initial a reactivated or restored license or certificate to practice, the board may consider all of the following:

- (1) The nature and seriousness of the crime;
- (2) The extent of the applicant's past criminal activity;
- (3) The age of the applicant when the crime was committed;
- (4) The amount of time that has elapsed since the applicant's last criminal activity;
- (5) The conduct and work activity of the applicant before and after the criminal activity;

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- (6) Whether the applicant has completed the terms of any probation or deferred adjudication;
- (7) Evidence of the applicant's rehabilitation;
- (8) Whether the applicant fully disclosed the arrest or conviction to the board; and
- (9) Any other factors the board considers relevant.

(E) In reviewing the results of criminal records checks to determine whether an applicant should be granted an initial license or certificate to practice, the board shall comply with section 9.79 of the Revised Code.

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4731-6-01

## Definitions.

As used in Chapter 4731-6 of the Administrative Code, the following definitions are applicable:

- (A) "AOA" means the American osteopathic association.
- (B) "Board" means the state medical board of Ohio.
- (C) "COMPLEX-USA" means the comprehensive osteopathic medical licensing examination prepared by the national board of osteopathic medical examiners.
- (D) "COMVEX-USA" means the comprehensive osteopathic medical variable purpose examination prepared by the national board of osteopathic medical examiners.
- (E) "ECFMG" means the educational commission for foreign medical graduates.
- (F) "FCVS" means the federation credentials verification service.
- (G) "Federation" means the federation of state medical boards of the United States, Inc.
- (H) "FLEX" means the federation licensing examination as prepared by the federation.
- (I) "LCME" means the liaison committee on medical education.
- (J) "License" means a license to practice medicine and surgery or osteopathic medicine and surgery issued under section 4731.14 of the Revised Code.
- (K) ~~"LMCC" means licentiate of the medical council of Canada.~~
- (L) "Medical and osteopathic examinations" means the examinations to determine competency to practice medicine and surgery or osteopathic medicine and surgery under section 4731.09 of the Revised Code.
- (M) "SPEX" means the special purpose examination as prepared by the federation.
- (N) "TOEFL iBT" means the test of spoken English of the educational testing service.
- (O) "Training Program" means an internship, residency, clinical fellowship, or elective clinical rotation that meets the requirements of division (A)(2) of section 4731.291 of the Revised Code.

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(PQ)"USMLE" means the United States medical licensing examination as prepared by the federation and the national board of medical examiners in a joint program.

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4731-6-02

**Preliminary education for medical and osteopathic licensure.**

- (A) The following constitutes *prima facie* evidence that an applicant for a license has met the requirements of divisions (A)(2) and (A)(3) of section 4731.09 of the Revised Code.
  - (1) The applicant holds a diploma from a medical or osteopathic medical school that, at the time the diploma was issued, was a medical school accredited by the LCME or an osteopathic medical school accredited by the AOA; or
  - (2) The applicant holds certification from the ECFMG.
- (B) Sixty semester hours or its equivalent shall be considered two years of undergraduate work as required by division (A)(3) of section 4731.09 of the Revised Code.

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4731-6-14

**Eligibility for licensure** **Other licensing exam sequences.**

(A) The board shall issue a license to each individual who meets all applicable requirements under section 4731.09 of the Revised Code, and who passes the medical and osteopathic examination in accordance with rule 4731-6-05 of the Administrative Code, or has passed one of the following examinations:

(B)

(1) One of the following examination sequences, with all steps, parts, levels or components having been administered prior to January 2000. The score achieved on each step, part, level or component must have equaled or exceeded the figure established by the USMLE program, the national board of medical examiners, the national board of osteopathic medical examiners or the federation as a passing score for that step, part, level or component, respectively.

(a) Part I of the national board of medical examiners examination or step 1 of the USMLE, part II of the national board of medical examiners examination or step 2 of the USMLE, and part III of the national board of medical examiners examination or step 3 of the USMLE or component 2 of the FLEX; or

(b) Part I of the national board of osteopathic medical examiners examination or level 1 of the COMLEX-USA, part II of the national board of osteopathic medical examiners examination or level 2 of the COMLEX-USA, and part III of the national board of osteopathic medical examiners examination or level 3 of the COMLEX-USA.

(2) Component 1 of the FLEX and step 3 of the USMLE. The component and step must have been administered prior to January 2000. A score of seventy-five or above must have been achieved on component 1. The performance achieved on step 3 must have been recognized by the USMLE program as a recommended passing performance; or

(3) Component 1 and 2 of the FLEX. Both components must have been administered after June 1985 and prior to January 2000. A score of seventy-five or above must have been achieved on each component. Both components must have been passed within a seven year period; or

(4) A written state medical board of the United States licensing examination other than the FLEX, USMLE or COMLEX-USA administered prior to June 1982 without previous or subsequent FLEX, USMLE or COMLEX-USA failure; or

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- (5) A single three day FLEX administered prior to June 1985. The FLEX-weighted average score must be seventy-five or above for the entire examination, or must be seventy-two or above if the examination was taken during the first two years of a state's administration of the FLEX and such score was accepted by that state as a passing score; or
- (6) A written examination provided by the national board of osteopathic medical examiners for an administering state.

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4731.6.15

## ~~Eligibility for licensure of national board diplomates and medical council of Canada licentiates.~~

~~A diplomate of the national board of medical examiners or the national board of osteopathic medical examiners or an LMCC is eligible for licensure if the applicant meets the requirements of section 4731.09 of the Revised Code.~~

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4731-6-21

**Application procedures for license issuance; investigation.**

- (A) Pursuant to division (B) of section 4731.09 of the Revised Code, all applicants for a license shall submit to the board an application under oath in the manner determined by the board, and provide such other facts and materials as the board requires. No application shall be considered submitted to the board until the appropriate fee has been received by the board.
- (B) Except for applicants applying for a license under section 4731.299 of the Revised Code, all applicants for a license shall cause the FCVS to release the applicant's "Physician Information Profile" to the board.
- (C) No application submitted to the board shall be considered complete until the applicant has complied with the requirements of paragraph (A) of rule 4731-4-02 of the Administrative Code and the board has received the results of the criminal records checks.
- (D) The board reserves the right to thoroughly investigate all materials submitted as part of an application. The board may contact individuals, agencies, or organizations for recommendations or other information about applicants as the board deems necessary. Applicants may be requested to appear before the board or a representative thereof as part of the application process.

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4731-6-22

## Abandonment and withdrawal of applications.

- (A) If an applicant for any license or certificate issued under section 4731.14, 4731.222, 4731.281, 4731.291, 4731.292, 4731.293, 4731.294, 4731.295, 4731.296, 4731.297, 4731.298, or 4731.299, Chapter 4796, or a reactivation from retired status under section 4731.283 fails to complete the application process within six months of initial application filing, the board may notify the applicant in writing of its intention to consider the application abandoned. If no response to that notice is received by the board within thirty days, the board shall consider the application as abandoned and no further processing shall be undertaken with respect to that application.
- (B) If an applicant for a license under section 4731.11 fails to complete the application process within the timeframe specified in the interstate compact commission rule, the board may notify the applicant in writing of its intention to consider the application abandoned or withdrawn.
- (C) If the application process extends for a period longer than six months, the board may require updated information as it deems necessary.
- (D) No application being investigated under section 4731.22 of the Revised Code, may be withdrawn without approval of the board.
- (E) Application fees are not refundable.



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4731-6-30

## Training certificates.

- (A) A training certificate is mandatory for participation in a training program unless the participant holds a license to practice medicine and surgery or osteopathic medicine and surgery. The participation in the programs prior to receiving an acknowledgment letter or a training certificate from the board is the unlicensed practice of medicine pursuant to section 4731.34 of the Revised Code.
- (B) An individual may not begin participation in a training program unless the individual has been issued one of the following:
  - (1) A diploma from an LCME accredited medical school or AOA accredited osteopathic medical school; or
  - (2) An ECFMG certificate; or
  - (3) ~~a~~A fifth pathway certificate.
- (C) Evidence that the applicant for a training certificate has been accepted or appointed to a training ~~program~~ program meeting the requirements of division (A)(2) of section 4731.291 of the Revised Code must include a certification from the training program of both of the following:
  - (1) The training program will verify that the applicant has been issued a diploma, ECFMG certificate, or a fifth pathway certificate before permitting the applicant to begin participation in the training program; and
  - (2) The training program will notify the board if a holder of a training certificate has not been issued a diploma, an ECFMG certificate, or a fifth pathway certificate before the start date of the training program.
- (D) The holder of a training certificate shall immediately notify the board in writing if the holder has not been issued a diploma, an ECFMG certificate, or a fifth pathway certificate before the start date of the training program.
- (E) Upon the board's receipt of an application for a training certificate, or upon the board's receipt of written notice from an applicant for a license that the applicant intends to participate in a training program, and after verifying that the applicant has paid the appropriate fee, the board may issue to the applicant an acknowledgment letter. Fees are neither refundable nor transferable.
  - (1) Upon receipt of that acknowledgment letter, the applicant may begin participating in the training program that meets the requirements of section 4731.291 of the Revised Code, and this chapter of the Administrative Code, to which the applicant has been appointed while the application is being

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processed. The acknowledgment letter will serve as proof that the board has received the application and that the applicant is entitled to continue participation in the training program.

- (2) If an applicant has not received an acknowledgment letter or training certificate from the board within forty-five days after submitting an application, then the applicant shall immediately inform the board and the director of his or her training program in writing.
- (3) An acknowledgment letter issued under this rule shall authorize participation in a training program for one hundred twenty days, unless prior to that time the board:
  - (a) Issues the certificate; or
  - (b) Issues an order in accordance with Ohio law suspending without a prior hearing the authority to participate; or
  - (c) Accepts a withdrawal of the application; or
  - (d) Issues a notice of opportunity for hearing in accordance with Chapter 119. of the Revised Code, in which case the authority to participate shall continue until the board's issuance of a final order granting or denying the application, or until the end of the training year, whichever comes first; or
  - (e) In the case of an applicant for a license, advises the applicant in writing that a substantial question of a violation of this chapter or the rules adopted under it exists and that investigation is continuing, in which case the authority to participate shall continue until one of the following occur:
    - (i) The board issues a license; or
    - (ii) The board issues a final order in accordance with Chapter 119. of the Revised Code; or
    - (iii) The training year ends.

Except as provided in this rule, participation in a training program pursuant to an acknowledgment letter cannot be renewed or

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extended beyond one hundred twenty days.

- (F) If at the end of one hundred twenty days following issuance of an acknowledgment letter to an applicant for a training certificate the board has commenced but not yet concluded investigation or inquiry into issues of possible violations of Chapter 4731. of the Revised Code, it shall issue a training certificate to the applicant but shall not be deemed to have waived any issues which would constitute grounds to impose discipline under Chapter 4731. of the Revised Code.
- (G) If the applicant or training certificate holder changes training programs, the board must be notified in writing immediately. A new application need not be completed and a new training certificate will not be issued. The training certificate will continue to be valid until its date of expiration.
- (H) A person who holds a suspended license to practice medicine and surgery or osteopathic medicine and surgery is not eligible for a training certificate. Such a person must restore that license in accordance with sections 4731.222 and 4731.281 of the Revised Code before beginning postgraduate training in Ohio. A person whose license to practice medicine and surgery or osteopathic medicine and surgery has been permanently revoked or permanently denied is ineligible to participate in a training program in Ohio.

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4731-6-31

## ~~Limited preexamination registration and limited certification.~~

(A) An applicant for a limited preexamination registration to practice in state-operated institutions under section 4731.292 of the Revised Code must be a graduate of a medical or osteopathic school or college that was reputable and in good standing in the judgment of the board at the time the diploma was issued. A school shall be considered reputable and in good standing if it is accredited by the LCME or the AOA, or if its graduates are eligible for ECFMG certification. In addition, an applicant for limited preexamination registration must:

- (1) Submit an application for limited preexamination registration and pay the appropriate fee.
- (2) Have achieved a recognized passing performance on step 1 and step 2 of the USMLE or levels 1 and 2 of the COMLEX-USA.

(B) Limited preexamination registration shall permit practice of medicine or surgery or osteopathic medicine and surgery only in the state institution for which the registration is issued and only under the supervision of the medical staff of that institution. The preexamination registration shall be valid only until such time as the applicant takes and receives the results from step 3 or level 3, as applicable, of the licensure examination specified by rule 4731-6-05 of the Administrative Code. That examination must be taken at the applicant's first reasonable opportunity. "First reasonable opportunity" shall mean the first examination for which the applicant can make a timely registration. The applicant shall be allowed to take two consecutive examinations before the applicant's registration expires.

(C) If the holder of a preexamination registration passes the examination identified in paragraph (B) of this rule, the holder shall be granted a limited certificate under section 4731.292 of the Revised Code upon submitting an application for a limited certificate and furnishing proof satisfactory to the board that the applicant has met all applicable requirements of section 4731.292 of the Revised Code.

(D) A holder of a limited certificate, upon completion of requisite training and upon receipt of United States citizenship, shall be entitled to receive a license. "Requisite training" shall be defined to mean that the holder of a limited certificate has completed a total of two years of training, which shall include:

- (1) Training at an institution or institutions under a preexamination registration or registrations; or
- (2) Training at an institution or institutions under a limited certificate or certificates; or

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- ~~(3) Training in graduate medical education as defined in section 4731.04 of the Revised Code.~~
- ~~(E) A limited certificate shall be valid for a period of one year, but can be renewed annually not more than four times. The applicant for renewal shall:~~

  - ~~(1) Submit a renewal application containing such information as required by the board; and~~
  - ~~(2) Submit evidence of written approval of the medical staff of the institution for which the certificate is issued; and~~
  - ~~(3) Submit the required renewal fee.~~
- ~~(F) In the case of Mexican diplomas, only the titulo or the acta, along with appropriate evidence of nonconcurrent internship and social service, is considered equivalent to the degree of doctor of medicine.~~
- ~~(G) Rule 4731-6-05 and 4731-6-21 of the Administrative Code shall apply to applicants for limited certificates under section 4731.292 of the Revised Code.~~

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4731-6-33

## Special activity certificates.

- (A) A special activity certificate shall not be issued for purposes of locum tenens.
- (B) For purposes of meeting the requirement of division (B)(1)(c) of section 4731.294 of the Revised Code, the applicant must have done one of the following:
  - (1) Passed step 3 of the USMLE or level 3 of the COMLEX-USA, as applicable. All three steps must have been passed in accordance with rule 4731-6-05 of the Administrative Code; or
  - (2) Passed the SPEX or the COMVEX-USA.
- (C) The determination that an applicant's practice in conjunction with the special activity program or event will be in the public interest and that a special activity certificate can thus be issued shall be made by the secretary of the board or, in his or her absence, by another member designated by the board. In making that determination, the secretary of the board or board designee shall take into consideration the nature and length of the activity, the existence of any information warranting investigation prior to issuance of a certificate, the number of prior special activity certificates issued to the applicant, and any available information regarding prior performance while practicing in this state.
- (D) If the application is complete and the secretary or board designee refuses or fails to authorize issuance of a special activity certificate prior to the initial date of the activity program or event, the special activity certificate application shall be deemed converted to an application for a full license to practice medicine and surgery or osteopathic medicine and surgery to be processed under the provisions of Chapter 4731. of the Revised Code and this chapter of the Administrative Code. Failure to submit additional required fees or information required for full licensure may result in the application being considered abandoned as provided under rule 4731-6-22 of the Administrative Code.
- (E) An individual may only apply six times within a consecutive two year period for a special activity certificate.

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4731-6-34

## Volunteer certificates.

- (A) –For purposes of meeting the requirement of division (C)(3) of section 4731.295 of the Revised Code, good standing means the authority to practice medicine and surgery or osteopathic medicine and surgery without government restriction or limitation.
- (B) For purposes of issuance of a volunteer's certificate, an applicant shall be considered retired from practice if the applicant's license has been surrendered or allowed to expire with the intention of ceasing to practice medicine and surgery or osteopathic medicine and surgery for remuneration in this or any other state, without request to do so by the proper licensing authority of the state and without knowledge that the applicant is the subject of an active investigation by the proper licensing authority of the state.
- (C) The board may require the applicant to demonstrate present fitness to practice in the manner provided in section 4731.222 of the Revised Code before issuing a volunteer's certificate to an applicant whose license has been in an inactive status for more than two years or who has not been engaged in the active practice of the applicant's profession for more than two years.

**From:** [Harman, Jill](#)  
**To:** [Anderson, Kimberly](#)  
**Subject:** Response to opportunity for public comment on proposed language for rules  
**Date:** Thursday, January 16, 2025 2:47:25 PM  
**Attachments:** [image001.png](#)

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Hello Kimberly,

I was researching the State Medical Board of Ohio's website for age requirements for licensure and came across the opportunity to comment on [MD DO Licensure Rules](#). In section 4731-6-02, Preliminary Education for Medical and Osteopathic Licensure, it occurred to me that the way that title is written implies that osteopathic medicine is something other than medicine. I propose changing the rule title to simply Preliminary Education for Medical Licensure. I would also like this change implemented throughout other sections that refer to medicine and osteopathic medicine, such as the title of rule 4731-6-22.

My rationale for the suggestion is that MDs and DOs have parity regarding medical education, clinical training, practice rights, and licensure, so there is no need to distinguish between medicine and osteopathic medicine. Of course, it is essential to reference the American Osteopathic Association when talking about accreditation and COMLEX when referencing licensing board exams.

Thank you for entertaining this request for a minor language update.

Sincerely,

Jill

**Jill L. Harman, M.Ed., Senior Director of Admissions & Recruitment**

She/Her/Hers

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**MEMORANDUM**

TO: Yeshwant Reddy, M.D., President  
Members, State Medical Board of Ohio

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Final Adoption of Rule 4731-31-01, Ohio Administrative Code

DATE: April 2, 2025

---

This memo proposes adoption of Rule 4731-31-01, Ohio Administrative Code, Requirements for Assessing and Granting Clearance for Return to Practice or Competition, as amended.

The public hearing was held on March 5, 2025. The hearing report and transcript are attached. The rules were considered at the JCARR meeting on March 25, 2025. JCARR jurisdiction will end on April 5, 2025.

**Requested Motion: I move to adopt and amend Rule 4731-31-01, Ohio Administrative Code and assign the effective date of April 30, 2025.**

STATE MEDICAL BOARD  
OF OHIO

RECEIVED:  
March 28, 2025

**SUMMARY OF THE MARCH 5, 2025 PUBLIC HEARING  
REGARDING PROPOSED CHANGES TO THE OHIO ADMINISTRATIVE CODE**

Pursuant to Section 119.03, Ohio Revised Code, a public hearing was held on March 5, 2025, to hear comments concerning proposed changes to the administrative rules of the State Medical Board of Ohio (“Board”). Thomas E. Madden, Hearing Examiner, presided.

**PURPOSE OF THE HEARING**

**The following changes are proposed:**

Prescribing for subacute and chronic pain

Rule No.	Title	Proposed Action
4731-31-01	Requirements for Assessing and Granting Clearance for Return to Practice or Competition	Amendment

**PROCEDURAL MATTERS**

1. The record was held open until 5:00 p.m. on March 5, 2025, for the purpose of receiving additional written comments concerning the proposed changes to the Ohio Administrative Code. No additional comments were received.
2. The hearing examiner marked Exhibits 1 through 3 post hearing.

**TESTIMONY HEARD**

Kimberly Anderson, Chief Legal Counsel for the Board

**EXHIBITS EXAMINED**

Exhibit 1: Copy of the rule originally filed in Package 211490 with JCARR, Secretary of State, and the Legislative Services Commission via the Electronic Rule-Filing System on January 30, 2025, and a copy of the confirmation of filing.

Exhibit 2: Copy of the Notice of Public Hearing for the rule in package 211490 that was filed on January 30, 2025.

Exhibit 3: Copies of the address portion of e-mails sent to persons and organizations pursuant to their standing request to be notified when the Medical Board proposes rules.

## **SUMMARY OF EVIDENCE**

1. Kimberly Anderson, Chief Legal Counsel for the Board, identified Exhibits 1 through 3. She further testified with respect to the notice that the Board provided to the public and interested parties regarding the proposed rule change, and with respect to other procedural matters. Ms. Anderson further testified that no written comments were received by the Board concerning the proposed new rule. (Hearing Transcript at 5-8).
2. No public testimony was received during the hearing.

## **CONCLUSION**

The requirements of Chapter 119, Ohio Revised Code, have been satisfied. The Board may proceed to take action regarding the proposed amendment to Rule 4731-31-01.



Thomas E. Madden  
Hearing Examiner

BEFORE THE MEDICAL BOARD

STATE OF OHIO

- - -

RULES HEARING

4731-31-01 Requirements for Assessing  
and Granting Clearance for Return to  
Practice of Competition.

- - -

PROCEEDINGS

before Thomas Madden, Hearing Examiner, at the State  
Medical Board of Ohio, 30 East Broad Street, Suite  
422, Columbus, Ohio, called at 1:30 p.m. on  
Wednesday, March 5th, 2025.

- - -

ARMSTRONG & OKEY, INC.  
222 East Town Street, Second Floor  
Columbus, Ohio 43215-4620  
(614) 224-9481

- - -

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## Wednesday Afternoon Session,

March 5th, 2025.

— — —

THE EXAMINER: We're now on the record.

14 The members of the Board will review the  
15 report concerning this hearing, including any written  
16 materials submitted as evidence, and have the  
17 transcript of today's hearing available for review.

25 Any affected person may present his or

1       her position, arguments, or contentions orally or in  
2       writing, and may present evidence tending to show  
3       that the proposed adoption of this rule as proposed  
4       will be unreasonable or unlawful.

5               If you have a written copy of your  
6       testimony, submission of the written copy will assist  
7       the Board in its review of your comments. Written  
8       statements may also be submitted today without  
9       testimony.

10               Please send electronic copies of your  
11       comments to my email address,  
12       Thomas.madden@med.Ohio.gov. I'll repeat that address  
13       during this proceeding, so there's no need to write  
14       it down now.

15               I now recognize Kimberly Anderson, Chief  
16       Legal Counsel for the Medical Board for the  
17       presentation of testimony on the Board's compliance  
18       with the legal requirements in this matter.

19               I call Kimberly Anderson and ask that  
20       the witness be sworn.

21               (EXHIBITS MARKED FOR IDENTIFICATION.)

22               - - -

23  
24  
25

1 KIMBERLY ANDERSON

2 being first duly sworn, as prescribed by law, was  
3 examined and testified as follows:

## EXAMINATION

5 | By the Hearing Examiner:

6 Q. Please state your name and how you are  
7 employed.

8                   A. Kimberly Anderson, Chief Legal Counsel,  
9 State Medical Board of Ohio.

10 Q. Okay. Are you familiar with the filings  
11 and other actions taken for purposes of the Rule  
12 being considered today?

13 A. Yes.

14 Q. What part did you play in filing of  
15 these Rules?

16           A. I participated in their filing and the  
17 distribution of the Notice of Public Hearing.

18 Q. Can you identify the documents that you  
19 have that have been marked as exhibits, please?

20                   A. Yes. Exhibit 1 is a copy of the Rule  
21 originally filed in Package 211490 with JCARR,  
22 Secretary of State, and the Legislative Services  
23 Commission via the electronic rule filing system on  
24 January 30th, 2025, and a copy of the confirmation of  
25 filing.

1                   Exhibit 2 is a copy of the Notice of  
2                   Public Hearing for the rule in Package 211490 showing  
3                   that it was filed on January 30th, 2025.

4                   Exhibit 3 contains copies of the address  
5                   portion of emails sent to persons and organizations  
6                   pursuant to their standing request to be notified  
7                   when the Medical Board proposes rules.

8                   Q. Was public notice of the Rule that is  
9                   the subject of this hearing given in the Registrar of  
10                   Ohio at least 30 days prior to today?

11                  A. Yes. Exhibit 2 is a copy of the Notice  
12                  of Public Hearing for the Rule in Package 211490  
13                  showing it was filed on January 30th, 2025.

14                  Q. Was notice of the proposed rule provided  
15                  to any persons or organizations?

16                  A. Yes. Exhibit 3 contains copies of the  
17                  address portion of emails sent to persons and  
18                  organizations pursuant to their standing request to  
19                  be notified when the Medical Board proposes rules.

20                  Q. Were any requests for copies of the  
21                  proposed Rule received in the Board office?

22                  A. No.

23                  Q. Were any written comments on the  
24                  proposed Rule received in the Board's office?

25                  A. No.

1                   THE EXAMINER: Exhibits 1 through 3 are  
2 admitted into the record. Thank you.

3                   (EXHIBITS ADMITTED INTO EVIDENCE.)

4                   THE EXAMINER: It is now time to receive  
5 testimony on the proposed rule from interested  
6 parties.

7                   Please remember that the purpose of this  
8 hearing is to receive ideas, comments, and concerns  
9 regarding the proposed Rule, it is not the  
10 appropriate time to seek debate on those proposed  
11 Rules.

12                  Moreover, the Board reserves the right  
13 to limit the testimony of any witness if the  
14 testimony appears to be irrelevant or cumulative.

15                  If a witness has a written copy of his  
16 or her testimony, or other documents that you wish to  
17 have marked as exhibits, the documents should be  
18 emailed to me, Thomas.madden@med.Ohio.gov at the  
19 conclusion of your testimony.

20                  If you have any written statement you  
21 wish to submit without giving testimony, please email  
22 the statement to Thomas.madden@med.Ohio.gov so that  
23 it can be marked as an exhibit.

24                  Witnesses will be called to testify in  
25 the order that they are registered. Keep in mind

1 that some persons may have registered prior to  
2 today's hearing.

3                   Is there anybody who wishes to testify?

4                   (No response.)

5                   THE EXAMINER: No one has come forward.

6                   The record will be held open until 5:00  
7 p.m. today for the sole purpose of receiving any  
8 additional written comments on the proposed Rule.

9                   Please send them to my email address, again,  
10 Thomas.madden@med.Ohio.gov.

11                  I thank you all for attending this  
12 public hearing. The Board will weigh the testimony  
13 and the evidence presented today before considering  
14 action on the proposed Rule.

15                  Any future action by the Board on these  
16 proposed -- on these proposed Rules will take place  
17 at a regular monthly meeting of the Board, which is  
18 open to the public. Any formal action by the Board  
19 will comply with Chapter 119 of the Ohio Revised  
20 Code.

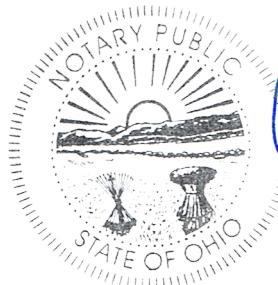
21                  This public hearing is concluded at 1:38  
22 p.m. Thank you very much for your time.

23                  (Thereupon, the hearing was  
24 adjourned at 1:38 p.m.)

25                  - - -

1 | CERTIFICATE

2 I do hereby certify that the foregoing  
3 is a true and correct transcript of the proceedings  
4 taken by me in this matter on Wednesday, March 5th,  
5 2025, and carefully compared with my original  
6 stenographic notes.



Valerie Grubach  
Valerie A. Grubach

Valerie J. Grubaugh,  
Court Reporter and Notary  
Public in and for the State  
of Ohio.

My commission expires August 11, 2026.

4731-31-01

**Requirements for assessing and granting clearance for return to practice or competition.**

(A) A physician holding a current license to practice medicine and surgery or osteopathic medicine and surgery issued under Chapter 4731. of the Revised Code meets the minimum education requirements to assess and clear athletes for return to practice or competition under section 3313.539 or 3707.511 of the Revised Code.

- (1) A physician shall diagnose and treat concussions and determine the return-to-play protocol for athletes under section 3313.539 or 3707.511 of the Revised Code in accordance with the "Consensus statement on concussion in sport issued by the ~~5th international conference on concussion in sport held in Berlin, October 2016.~~"[6th international conference on concussion in sport held in Amsterdam in October 2022](#) (Available from the website of the state medical board of Ohio at: med.ohio.gov.)
- (2) A physician shall use the model form developed by the Ohio youth sports concussion and head injury return-to-play guidelines committee to document written clearance for the return to practice or competition. The model form may be found on the state medical board of Ohio's website at med.ohio.gov.

(B) A physician assistant holding a current license issued under Chapter 4730. of the Revised Code may assess and clear a youth to return to practice or competition under section 3313.539 or 3707.511 of the Revised Code if all of the following requirements are met:

- (1) The physician assistant is authorized to provide assessment and clearance services by a supervising physician whose normal course of practice includes the assessment and clearance of youth to return to practice or competition under section 3313.539 or 3707.511 of the Revised Code and under whose supervision the physician assistant will provide the services;
- (2) The physician assistant has completed education and training in the detection of concussion, its clinical features, assessment techniques, and the principles of safe return to play protocols consistent with the consensus statement referenced in paragraph (A)(1) of this rule.
- (3) The physician assistant has maintained competency through completion of continuing education in the detection of concussion, its clinical features, assessment techniques, and the principles of safe return to play protocols consistent with the consensus statement referenced in paragraph (A)(1) of this rule; and

- (4) The physician assistant uses the medical clearance return to play form referenced in paragraph (A)(2) of this rule.

Effective:

Five Year Review (FYR) Dates: 1/30/2025

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 3707.521, 4731.05  
Rule Amplifies: 3313.539, 3707.511  
Prior Effective Dates: 09/18/2015, 11/30/2019



# ELECTRONIC RULE-FILING SYSTEM

FILING OF OHIO ADMINISTRATIVE RULES AND RULE-RELATED DOCUMENTS

The Honorable Frank LaRose  
Secretary of State  
180 Civic Center Drive  
Columbus, OH 43215

Wendy Zhan, Director  
Legislative Service Commission  
77 South High St., 9th Floor  
Columbus, OH 43215

Ian Dollenmayer, Executive Director  
Joint Committee on Agency Rule Review  
77 South High St., Concourse Level  
Columbus, OH 43215

It is hereby confirmed that the State Medical Board **original filed** the following rule(s) pursuant to section 119.03 of the Ohio Revised Code.

**Package Number:** 211490

**File Date and Time:** 01/30/2025 9:02 AM

**Confirmation Number:** 74af6ca5f81ac4625531eb7baa11719b

## ORIGINAL FILE

Rule Number	Type	FYR	CSI	JE Date	Eff Date	Next FYR	Tagline
4731-31-01	Amendment	Y	Y	04/05/2025			Requirements for assessing and granting clearance for return to practice or competition.

**MEDICAL BOARD  
NOTICE OF PUBLIC HEARING**

The **State Medical Board of Ohio**, pursuant to Chapter 119, Ohio Revised Code, hereby gives notice that it will conduct a public hearing to consider the adoption of rules.

The public hearing will be conducted at **1:30 PM on March 5, 2025**, in conference room **420 of the Rhodes State Office Tower, 30 E. Broad St., 4th Floor, Columbus, OH 43215**. Oral or written testimony may be presented by any person affected by the proposed actions.

**4731-31-01 Requirements for Assessing and Granting Clearance for Return to Practice or Competition**      **Proposed to Amend**

**The proposed rules will be available from:**

- State Medical Board of Ohio, 30 East Broad Street, 3rd Floor, Columbus, OH 43215
- Medical Board's website: <https://med.ohio.gov/Laws-Rules/Newly-Adopted-and-Proposed-Rules>  
Under the heading "Public Rules Hearing Notices"
- Register of Ohio website: <http://www.registerofohio.state.oh.us/rules/search>

**All interested persons will be given the opportunity to be heard at the public hearing.** Those persons who wish to provide oral testimony at the hearing should preregister by contacting Kimberly Anderson at the address below. Persons providing oral testimony are encouraged to also submit a copy of the testimony to Kimberly Anderson at the email address below.

All written comments received by the Board before the close of the hearing record will be considered. **Written comments may be provided at the public hearing.** However, persons interested in providing written comments are encouraged to do so prior to March 5, 2025.

- via e-mail to: [Kimberly.Anderson@med.ohio.gov](mailto:Kimberly.Anderson@med.ohio.gov)
- via mail to: **Kimberly Anderson, Chief Legal Counsel  
State Medical Board of Ohio  
30 East Broad Street, 3rd Floor  
Columbus, OH 43215-6127**

**From:** [Anderson, Kimberly](#)  
**To:** [Allison Poulios](#); [Amanda Nelson](#); [Blair Barnhart-Kinkle \(barnhab@ccf.org\)](#); [Bryan Hunt](#); [Caitlen Laudeman](#); [Candace Novak Sabers](#); [Charley Solley \(Charlie.Solley@nationwidechildrens.org\)](#); [Charlie Trefny](#); [Cheryl Markino](#); [Christine Kaiser](#); [Courtney Kallergis](#); [Dave Salisbury](#); [David Corey](#); [Deb Hackathorn](#); [dteite@capitoladvocates.net](#); [Emma Cardone](#); [Glenn Perry](#); [Greg Boehm](#); [Greg Lestini \(Glestini@bricker.com\)](#); [Gretchen Blazer](#); [Heather Davis](#); [Holly Dorr](#); [Janet Shaw](#); [Jeff Klinger \(jeffk@centralohiohealth.com\)](#); [Jeffrey Kasler](#); [\(jeffrey.kaster@ohiohealth.com\)](#); [Jennifer Hayhurst](#); [Jeremy Blake](#); [Jimelle Rumberg \(jrumberg@ohfama.org\)](#); [JJohns@amcno.org](#); [Joe Rosato \(jrosato@osma.org\)](#); [John McClelland](#); [Jon Fishpaw](#); [Jon@allisongroupohio.com](#); [Jonathan Smith](#); [Kate Mahler](#); [Katie Trausch](#); [Kay Mavko](#); [Kellee Long](#); [Kelly Carey](#); [Kelly O'Reilly](#); [Kelsey Stone](#); [Kevin DeWine \(kevin.dewine@cbdadvisors.com\)](#); [Lorrie Paulus](#); [Matt Harney](#); [Melissa Ryan \(qhmmessage@gmail.com\)](#); [Melissa Satadonis](#); [Michael Evans](#); [Mike Mathy](#); [Monica Hueckel \(mhueckel@osma.org\)](#); [Nate Flath](#); [nck.frank@shcare.net](#); [Nick Lashutka](#); [oapa@ohiopa.com](#); [Pat McKnight \(mcknightp@aol.com\)](#); [Paul Kudlak](#); [Richar Whitney](#); [Sarah Damiani](#); [Sarah Thompson \(SThompson@ophp.org\)](#); [Sean Dunn \(sean@spdunn.com\)](#); [Sean McCullough](#); [Shawn Ryan](#); [Stephanie Gilligan](#); [Stephanie Milburn](#); [Steve Landerman](#); [Sue Clarariello](#); [Will Vorys \(wvorys@dickinson-wright.com\)](#); [willa Ebersole](#); [Zach Holzapfel](#); [Dr. Jonithan Feibel](#); [Kent Kulow](#); [Kindra Engle](#); [Michell McDifft](#); [Nishit Mehta](#); [Robert Zaayer](#); [Scott Cakler](#); [Anthony, Melissa Brigano](#); [Lindsey Carnahan](#); [Brian Charity Robi](#); [Emrich, Lisa](#); [Margaret Rolf \(Margaret.Rolf@cos.ohio.gov\)](#); [McNamee, Cameron](#); [Melissa Iannotta \(Lisa.Iannotta@mha.ohio.gov\)](#); [Stir, Theresa](#); [Wandersleben, Eric](#); [Zachary Russell \(Zachary.Russell@den.ohio.gov\)](#); [A DiPasquale](#); [Abby Benjamin](#); [Alvin Zachariah](#); [Ana Ruzika](#); [Aneta Homer MD](#); [Barry T. Doyle \(tod Doyle@aol.com\)](#); [Bruce B. Whitman \(bbwhitmanlaw@aol.com\)](#); [Cameron McNamee](#); [Damion Clifford](#); [Daniel Zinsmaster \(daniel.zinsmaster@dinsmore.com\)](#); [David Paragas](#); [Deborah R. Lydon \(lydon@dinslaw.com\)](#); [Elaine M. Hiatt PhD](#); [Eric Vinyard](#); [Greg Warren](#); [J. Reichman](#); [James Leo](#); [James McGovern \(jmcgovern@grafflaw.com\)](#); [Jeffrey Jurca \(jjurca@jurcalashuk.com\)](#); [Jennifer Armstrong](#); [Joe Feltes](#); [John R. Irwin](#); [Lana Mullet](#); [Levi Tkach](#); [Lisa Pierce Reisz](#); [Lori Herf](#); [M. D. Roland Benton](#); [Mabe, Aaron](#); [Patricia Weisbach](#); [patrick@americanmedspa.org](#); [Reardon, Jill](#); [Shannon Urena](#); [Socrates Tuch](#); [Stefanie Frank](#); [Steven Greer](#); [Thomas W. Hess \(thess@dinslaw.com\)](#); [Vicki Jenkins](#); [amandasines@sbcglobal.net](#); [Ann Warner](#); [Anna Ruzicka MPH](#); [Belinda Jones \(bjones@capitol-consulting.net\)](#); [Bryn Hunt](#); [Carolyn Towner](#); [Catherine Olohan Zwissler](#); [Doug Graff](#); [Dr. Christopher Vashi](#); [Elizabeth Collis \(E-mail\)](#); [Eric Plinke \(eric.plinke@dinslaw.com\)](#); [George Dunigan](#); [Greg Fouché](#); [Gregory W. Bee](#); [Ian Dollenmayer](#); [Ilah Naudasher](#); [Inez 617 \(inez617@msn.com\)](#); [J Richard Ludgin \(E-mail\)](#); [James Lindon](#); [Janet Baker](#); [Jeffrey Fisher](#); [Joel Selmeier \(E-mail\)](#); [John Booher](#); [Kevin Devaney](#); [Kevin L. Miller](#); [Lisa Emrich](#); [Lloyd DePew](#); [M. D. Eliot Mostow \(emostow@akronderm.com\)](#); [Matt Donnelly](#); [McGovern Jim \(jamesmmc.gov@yahoo.com\)](#); [Melissa Guzman](#); [Michael Oros](#); [Michael R. Moran](#); [OHA - Mary Gallagher](#); [Paul Bryson](#); [Paul Hilderbrant](#); [rainykgal](#); [Ricardo del Castillo](#); [Richard Greely](#); [Richard Kasmer \(ohiolawce@yahoo.com\)](#); [Rogers Carol \(cjrogers65@msn.com\)](#); [Scott P. Sandrock](#); [Sean McGlone](#); [Sharon Barnes Ph. D.](#); [State Board of Psychology](#); [Steve Lanier \(stevelanier@yahoo.com\)](#); [Teresa Lample](#); [Terry Guzek](#); [Tim Cosgrove \(E-mail\)](#); [Victor Goodman](#); [Willa Ebersole](#)

**Subject:** Proposed Rule and Public Hearing-4731-31-01  
**Date:** Thursday, January 30, 2025 9:25:53 AM  
**Attachments:** [4731-31-01-Filed.pdf](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[Hearing Notice Rule 4731-31-01.pdf](#)

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Good morning,

## PUBLIC HEARING NOTICE: REQUIREMENTS FOR ASSESSING AND GRANTING CLEARANCE FOR RETURN TO PRACTICE OR COMPETITION

PROPOSED RULES: Seeking comments on the Medical Board's proposed rules filed with the Joint Committee on Agency Rule Review.

The State Medical Board of Ohio, pursuant to Chapter 119, Ohio Revised Code, hereby gives notice that it will conduct a public hearing to consider the adoption of rules. The Public Hearing will be conducted at 1:30 PM on Wednesday, March 5, 2025 in conference room 420 of the Rhodes State Office Tower, 30 East Broad Street, 4<sup>th</sup> Floor, Columbus, OH 43215.

Oral or written testimony may be presented by any person affected by the proposed actions.

A copy of proposed rule 4731-31-01 and the hearing notice are attached to this e-mail.

The information is also available on the Medical Board's website at  
<https://med.ohio.gov/laws-and-regulations/rules/newly-adopted-and-proposed-rules>

Thank you.

**Kimberly C. Anderson**

Chief Legal Counsel  
State Medical Board of Ohio  
30 E. Broad Street, 3rd Floor, Columbus, OH 43215  
O: (614) 466-7207  
C: (614) 230-9077  
[Kimberly.Anderson@med.ohio.gov](mailto:Kimberly.Anderson@med.ohio.gov)  
[med.ohio.gov](https://med.ohio.gov)



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The State Medical Board of Ohio is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act (ADA) and other applicable laws. To request a reasonable accommodation due to a disability please contact Cinnamon Pipkin, Fiscal/HR Administrator, 614-466-9306 or by email [Cinnamon.Pipkin@med.ohio.gov](mailto:Cinnamon.Pipkin@med.ohio.gov) no later than 14 days prior to the event.



**Legislative Update:**

Austin Lucous, Legislative Director  
April 2025

**Recent activity**

**Introduced:**

- H.B. 52 – To revise the law governing the practice of certified registered nurse anesthetists. (Rep. Deeter)
  - The bill changes the supervision requirement for certified registered nurse anesthetists to include consultation rather than direct supervision, enhancing their autonomy in practice.
  - A new section 4723.433 is established, defining the conditions in which a nurse anesthetist must not engage in certain nursing activities if deemed not in the patient's best interest by their consulting physician, podiatrist, or dentist.
  - Certified registered nurse anesthetists are required to obtain informed consent and may perform a series of advanced practices, including administering anesthesia and clinical support functions, provided they are acting in consultation with their practicing physician, podiatrist, or dentist.
  - **Referred to House Health Committee**
- S.B. 149 – Enter into the Respiratory Care Compact (Sen. Roegner)
  - Enters Ohio into the Respiratory Care Interstate Compact to enhance the portability of respiratory care therapist licenses through a comprehensive process that complements the existing authority of the State Medical Board to license and discipline Ohio-licensed respiratory care therapists.
  - As a member of the Compact, requires Ohio to extend the privilege to practice to a respiratory care therapist who is licensed in another state participating in the Compact, subject to Ohio's laws and rules governing respiratory care therapists.
  - **Referred to Senate Health Committee**
- S.B. X – Right to Try 2.0 (Sen. Huffman / Sen. Roegner)
  - Builds upon current right to try law and limits a licensing agency's ability to discipline a licensee in instances when a patient has been diagnosed with a life-threatening or severely debilitating illness; has considered approved treatment options; has a recommendation for an investigative individualized treatment from their physician; and has given written informed consent regarding the risks associated with taking the investigational treatment.
  - "Individualized investigational treatment" is defined as a drug, biological product, or device that is unique to and produced exclusively for use by an individual

- patient, based on the patient's own genetic profile, including individualized gene therapy antisense oligonucleotides and individualized neoantigen vaccines.
- **Introduced. Has not been referred to a committee or designated a bill number as of 4/4/2025.**

### **Committee Hearings:**

- H.B. 11 – Regards legislative rule approval and fiscal analyses of rules. (Rep. Ferguson / Rep. Lorenz)
  - To require legislative approval of administrative rules and other regulatory actions under specified conditions, to allow a JCARR chairperson to request a third-party fiscal analysis of a rule, and to require state agencies to publicly post policy documents.
  - **Third Hearing (Opponent) in House Government Oversight Committee on 3/25/2025**
- H.B. 12 – Regards prescribing, dispensing, and administering drugs and to name this act the Jeff, Dave, and Angie Patient Right to Try Act. (Rep. Gross / Rep. Swearingen)
  - Allows a prescriber to issue a prescription for any drug, including an off-label drug, with informed consent of the patient
  - Does not require the prescriber to obtain a test result, positive screen for a particular disease, or for the patient to have been exposed to an illness before issuing the prescription
  - Does not allow a health-related licensing board to discipline a prescriber for any action taken under this bill
  - **First Hearing (Sponsor) in House Government Oversight Committee on 4/2/2025**
- S.B. 25 – To prohibit the provision of sun lamp tanning services to individuals under age 16. (Sen. Johnson)
  - Prohibits an operator or employee of a tanning facility from allowing a minor to use the facility's sun lamp tanning services.
  - **Second Hearing (Proponent) in Senate Health Committee on 4/2/2025**
- H.B. 96 – Make state operating appropriations for FY 2026-27 (Rep. Stewart)
 

**As Introduced**

  - Medical Board funding of \$14,315,005 in FY2026 and \$14,891,225 in FY2027.

### **House Substitute Bill**

- Medical Board funding of \$14,315,005 in FY2026 and \$14,891,225 in FY2027.
- When an individual applies for or renews their license, the board shall ask the individual if the individual wishes to contribute, on a voluntary basis, to the save our sight fund. (ORC 4743.12)

### **House Omnibus**

- Adopted on 4/8/2025.

## Pending Legislation:

- H.B. 52 – To revise the law governing the practice of certified registered nurse anesthetists. (Rep. Deeter)
  - The bill changes the supervision requirement for certified registered nurse anesthetists to include consultation rather than direct supervision, enhancing their autonomy in practice.
  - A new section 4723.433 is established, defining the conditions in which a nurse anesthetist must not engage in certain nursing activities if deemed not in the patient's best interest by their consulting physician, podiatrist, or dentist.
  - Certified registered nurse anesthetists are required to obtain informed consent and may perform a series of advanced practices, including administering anesthesia and clinical support functions, provided they are acting in consultation with their practicing physician, podiatrist, or dentist.
  - **Pending in House Health Committee**

## Operationalizing:

- S.B. 109 (135<sup>th</sup> General Assembly) - Regards sex offenses and individuals regulated by the State Medical Board and to amend the version of section 4759.05 of the Revised Code that is scheduled to take effect December 29, 2023, to continue the change on and after that date. (Sen. Hackett)
  - Increasing reporting requirements of suspected sexual activity by medical professionals; Allowing the board to suspend a license upon an indictment, as well as permitting an automatic 90 day suspension of a license of an individual whose license was suspended, revoked or surrendered in another jurisdiction; Requiring licensees to provide notification of their probationary status to their patients; Allowing the board to share the confidential investigation status of a licensee with the complainant.
  - House Bill 89 was amended into the bill in the House.
    - Regards intimate examinations of anesthetized or unconscious patients
  - **Senate (32-0); House (88-0); Senate Concurrence (31-0)**
- S.B. 95 (135<sup>th</sup> General Assembly) - Authorize the operation of remote dispensing pharmacies (Sen. Reynolds)
  - Senate Bill 60 was amended into this bill in its entirety.
    - Establishes licensure by the State Medical Board for certified mental health assistants (CMHAs).
    - Authorizes CMHAs to prescribe and personally furnish drugs and therapeutic devices in the exercise of physician-delegated prescriptive authority, including certain identified controlled substances.
    - Establishes within the Medical Board an advisory committee to advise the Board and the Department of Higher Education regarding CMHA education programs.
  - **Senate (31-0); House (90-0); Senate Concurrence (28-3)**



**Policy for Virtual Meetings for the Massage Therapy Advisory Council, Dietetics Advisory Council, and Respiratory Care Advisory Council of the State Medical Board of Ohio**

(approved by State Medical Board of Ohio on \_\_\_\_\_)

**PURPOSE**

The purpose of this policy is to provide the requirements for the use of virtual meetings for the following Medical Board advisory councils: Massage Therapy Advisory Council, Dietetics Advisory Council, and Respiratory Care Advisory Council. This policy includes all requirements for a virtual meeting policy specified in Ohio Revised Code sections 121.221(B)(3).

**DEFINITIONS**

For purposes of this policy:

"Advisory council" shall mean one of the following Medical Board advisory councils: Massage Therapy Advisory Council, Dietetics Advisory Council, or Respiratory Care Advisory Council.  
"Meeting" means any prearranged discussion of the public business of the advisory council by a majority of its members.

"Multi-party meeting" means a meeting in which the members of a public body and the members of at least one other public body are participants.

**STATUTORY REQUIREMENTS FOR VIRTUAL MEETINGS**

**Notification of the meetings**

The advisory council shall provide notification of the advisory council meetings held under this section to the public and to the media that have requested notification of a meeting at least seventy-two hours in advance of the meeting by reasonable methods by which any person may determine the time, location, agenda of the meeting, and the manner by which the meeting will be conducted, except in the event of an emergency requiring immediate official action, as defined by the policy. In the event of an emergency, the advisory council shall immediately notify the news media that have requested notification of the time, place, and purpose of the meeting.

**Public access to the meetings**

The advisory council shall provide the public access to an advisory council meeting held under this section commensurate with the method in which the meeting is being conducted, including for example, livestreaming by means of the internet, television, cable, or public access channels, or by means of any other similar electronic technology. The advisory council shall ensure that the public can observe and hear the discussions and deliberations of all the

members of the advisory council, whether the member is participating in person or electronically. Members of the advisory council shall have a sufficient internet or other electronic connection to allow the member to be seen and heard clearly, and shall be visible at all times.

### **Voting**

All votes taken in the meeting shall be taken by roll call vote unless there is a motion for unanimous consent, and the motion is not objected to by a member of the advisory council. If a vote is taken unanimously, the advisory council shall provide the public with information on how the members of the public body voted, including any members who abstained from voting.

### **Notification by members of intent to attend virtually**

Any member of the advisory council who intends to attend a meeting by means of video conference or other similar electronic technology shall notify Medical Board staff or the chairperson of that intent not less than forty-eight hours before the meeting, except in the case of an emergency as defined in the policy.

### **Statutory exceptions (R.C. 121.221(B)(3)(e)) for a public body to hold a virtual meeting**

No public body may hold, and no member of a public body may attend meetings by means of video conference or other similar electronic technology if any of the following apply:

- (i) The meeting involves a vote to approve a major nonroutine expenditure as defined in the policy adopted by the public body under this section;
- (ii) The meeting involves a vote to approve a significant hiring decision as defined by that policy;
- (iii) The meeting involves a purpose to propose, approve, or vote on a tax issue or tax increase;
- (iv) Excluding expense reimbursements to members for actual expenses incurred while fulfilling their duties, the members of the public body are compensated for their position as members of the public body, except when members are participating in a multi-party meeting if the multi-party meeting does not involve a vote to approve a major nonroutine expenditure or significant hiring decision or involve a purpose to propose, approve, or vote on a tax issue or tax increase;
- (v) The members of the public body are elected by vote of the general public to their positions as members, except when members are participating in a multi-party meeting if the multi-party meeting does not involve a vote to approve a major nonroutine expenditure or significant hiring decision or involve a purpose to propose, approve, or vote on a tax issue or tax increase.

### **Process to call an in-person meeting**

If, upon the notification of an upcoming meeting of an advisory council, and not later than forty-eight hours before the meeting, the greater of at least ten percent of the members of the advisory council or two members of the advisory council, notifies Medical Board staff or the chairperson of the advisory council that an item in the agenda must be acted upon at a meeting conducted fully in person, upon the Medical Board staff or the chairperson's acknowledgment of receipt of the notification, the advisory council shall take action on the item of the agenda only at a meeting conducted fully in person.