



**Rules & Policies Agenda for Board Meeting
January 8, 2025**

- A. Rule Review Update
- B. Physician Licensure Rules
- C. 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: January 2, 2025

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

Requested Action: No action requested.

Legal Dept. Rules Schedule

As of January 2, 2025

Rules Filed with CSI:

Filed 11/26/24, Comments Due 12/13/24-no
comments received

Notice of Meetings

4731-7-01

Recordation of Meetings

4731-9-01

Termination of Physician-Patient Relationship

4731-27-01

4731-27-02

4731-27-03

Return of Athlete to Practice of Competition

4731-31-01

Standards for Prescribing Dangerous Drugs for

Administration By Injection by a Pharmacist

4731-34-01

Rules Approved to File with CSI

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

4731-2-05 4731-2-10

Anesthesiologist Assistant Rules

4731-24-01

4731-24-02

4731-24-03

Genetic Counselor Rules

4778-1-01 4778-1-02

4778-1-03 4778-1-05

4778-1-06

Rules Approved for Initial Circulation:

Respiratory Care Rules (Chapter 4761)

Criminal Records Checks

4731-4-01

4731-4-02

Rules Presented for Initial Circulation

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

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									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									11/15/23	
4730-2-05	Addition of valid prescriber number after initial licensure	04/01/24									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									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 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	
4730-4-03	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
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	

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
4731-1-15	Determination of Standing of School, College or Institution	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	Massage Therapy curriculum rule (Five year review)	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	Instructional Staff	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	Grounds for Suspension, Revocation or Denial of Certificate of Good Standing, Hearing Rights	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	Probationary Status of a limited branch school	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	Public Notice of Rules Procedure	05/15/22			10/31/22	09/28/22				09/28/22	09/28/27	
4731-4-01	Criminal Records Checks - Definitions	03/04/24	04/10/24							09/30/19	09/30/24	
4731-4-02	Criminal Records Checks	03/04/24	04/10/24							09/30/19	09/30/24	
4731-5-01	Admission to Examinations	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	Examination Failure; Inspection and Regrading	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	Conduct During Examinations	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	Termination of Examinations	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	Medical or Osteopathic Licensure: Definitions				10/31/22					07/31/19	07/31/24	
4731-6-02	Preliminary Education for Medical and Osteopathic Licensure				10/31/22					07/31/19	07/31/24	
4731-6-04	Demonstration of proficiency in spoken English	05/15/22		09/22/22	10/31/22	11/14/22			no change	11/14/22	11/14/27	
4731-6-05	Format of Medical and Osteopathic Examination		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	Examination for physician licensure	09/03/20								07/31/19	07/31/24	
4731-6-15	Eligibility for Licensure of National Board Diplomats and Medical Council of Canada Licentiates									07/31/19	07/31/24	
4731-6-21	Application Procedures for Certificate Issuance; Investigation; Notice of Hearing Rights									07/31/19	07/31/24	
4731-6-22	Abandonment and Withdrawal of Medical and Osteopathic Licensure Applications									07/31/19	07/31/24	
4731-6-30	Training Certificates									07/31/19	07/31/24	
4731-6-31	Limited Preexamination Registration and Limited Certification									07/31/19	07/31/24	
4731-6-33	Special Activity Certificates									07/31/19	07/31/24	
4731-6-34	Volunteer's Certificates									07/31/19	07/31/24	
4731-7-01	Method of Notice of Meetings	03/04/24	04/10/24	11/26/24						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	

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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			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						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	
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	Recinded	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	

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
4731-11-11	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	
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	
4731-13-03	Authority and Duties of Hearing Examiners	08/26/20	10/14/20	amended filing 1/6/21 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	

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
4731-13-18	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	
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	11/08/23	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	
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	

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
4731-24-03	Anesthesiologist Assistants; Enhanced Supervision	04/01/24									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						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						05/31/19	05/31/24	
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						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						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	

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
4731-32-03	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	
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						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								11/30/19	11/30/24	
4759-4-01	Applications	03/04/24								11/30/19	11/30/24	
4759-4-02	Preprofessional experience	03/04/24									08/28/24	
4759-4-03	Examination	03/04/24								11/30/19	11/30/24	
4759-4-04	Continuing Education	03/04/24								07/31/21	07/31/26	
4759-4-08	Limited permit	03/04/24								07/31/21	07/31/26	
4759-4-09	License certificates and permits	03/04/24								11/30/19	11/30/24	
4759-5-01	Supervision of persons claiming exemption	03/04/24								08/28/19	08/28/24	
4759-5-02	Student practice exemption	03/04/24								11/30/19	11/30/24	
4759-5-03	Plan of treatment exemption	03/04/24								11/30/19	11/30/24	
4759-5-04	Additional nutritional activities exemption	03/04/24									07/01/24	
4759-5-05	Distribution of literature exemption	03/04/24									07/01/24	
4759-5-06	Weight control program exemption	03/04/24									07/01/24	
4759-6-01	Standards of practice innutrition care	03/04/24								11/30/19	11/30/24	

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
4759-6-02	Standards of professional performance	03/04/24								07/31/21	07/31/26	
4759-6-03	Interpretation of standards	03/04/24								11/30/19	11/30/24	
4759-9-01	Severability	03/04/24								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									02/28/19	02/28/24	
4761-3-01	Definition of terms									02/28/19	02/28/24	
4761-4-01	Approval of educational programs									02/28/19	02/28/24	
4761-4-02	Monitoring of Ohio respiratory care educational programs									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	04/23/19	06/12/19	11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25	
4761-5-02	Admission to the Ohio credentialing examination	04/23/19	06/12/19	11/06/19	01/10/20	06/19/20	No change rule			09/19/20	06/19/25	
4761-5-04	License application procedure	04/23/19	06/12/19	11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25	
4761-5-06	Respiratory care practice by polysomnographic technologists	04/23/19	06/12/19	11/06/19	01/10/20	06/18/20	No change rule			09/18/20	06/18/25	
4761-6-01	Limited permit application procedure	04/23/19	06/12/19	11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	02/28/24	
4761-7-01	Original license or permit, identification card or electronic license verification									02/28/19	02/28/24	
4761-7-03	Scope of respiratory care defined										11/15/23	
4761-7-04	Supervision			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25	
4761-7-05	Administration of medicines										11/15/23	
4761-8-01	Renewal of license or permits	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	
4761-9-01	Definition of respiratory care continuing education			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	02/28/24	
4761-9-02	General RCCE requirements and reporting mechanism	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	
4761-9-03	Activities which do not meet the Ohio RCCE requirements									02/28/19	02/28/24	
4761-9-04	Ohio respiratory care law and professional ethics course criteria			11/06/19	01/10/20	Refiled 8/24/20 6/18/2020	9/24/20 7/23/2020	08/17/20	11/10/20		02/28/24	Look at adding OOA as an approving organization
4761-9-05	Approved sources of RCCE			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	02/28/24	Look at adding OOA as an approving organization
4761-9-07	Auditing for compliance with RCCE requirements			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25	
4761-10-01	Ethical and professional conduct									02/28/19	02/28/24	
4761-10-02	Proper use of credentials										11/15/23	
4761-10-03	Providing information to the Board	04/23/19	06/12/19	11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	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	

[illegible]



MEMORANDUM

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

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: MD & DO Licensure Rules-Proposed for Initial Circulation

DATE: December 30, 2024

The following rules are due for five-year rule review. OAC Chapter 4731-6 covers Medical and Osteopathic Licensure. The proposed changes being recommended are technical in nature and due to statutory law changes, clean-up, and formatting updates. There are no substantive changes recommended in this rule set.

Rule 4731-6-01	Definitions Proposed to amend
Rule 4731-6-02	Preliminary education for medical and osteopathic licensure Proposed no change
Rule 4731-6-14	Eligibility for licensure Proposed to amend
Rule 4731-6-15	Eligibility for licensure of national board diplomates and medical council of Canada licentiates. Proposed to rescind
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 to amend
Rule 4731-6-30	Training certificates Proposed to amend
Rule 4731-6-31	Limited preexamination registration and limited certification Proposed to rescind
Rule 4731-6-33	Special activity certificates Proposed no change

Rule 4731-6-34

Volunteer certificates

Proposed to amend

Requested action: Approve initial circulation of rules to interested parties.

*** DRAFT - NOT YET FILED ***

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) "COMLEX-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)~~K "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)~~L "SPEX" means the special purpose examination as prepared by the federation.
- ~~(N)~~M "TOEFL iBT" means the test of spoken English of the educational testing service.
- ~~(O)~~N "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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4731-6-01

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(~~P~~Q)"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.

***** DRAFT - NOT YET FILED *****

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.
- (~~B~~C) If the application process extends for a period longer than six months, the board may require updated information as it deems necessary.
- (~~E~~D) No application being investigated under section 4731.22 of the Revised Code, may be withdrawn without approval of the board.
- (~~D~~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 none concurrent 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.



Legislative Update:

Austin Lucous, Legislative Director
January 2025

Recent activity

Final Passage:

- S.B. 95 - 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)**
- H.B. 257 – To authorize certain public bodies to meet virtually. (Rep. Hoops / Rep. Claggett)
 - Permits members of public bodies to attend meetings or hearings by video conference when the public body has adopted certain policies, including methods by which members of the public may observe and attend meetings and hearings.
 - **House (73-3); Senate (29-1); House Concurrence (81-0)**
- S.B. 211 – Dietitian Licensure Compact (Sen. Roegner)
 - Enters Ohio as a party to the Dietician Licensure Compact, the purpose of which is to facilitate the interstate practice of dietetics and improve public access to dietetics services.
 - Requires the State Medical Board to appoint a member to the Dietician Licensure Compact Commission – a joint government agency created by the Compact to enforce the provisions and rules of the Compact.
 - Seven states need to enact the legislation for the compact to begin to take effect. If signed, Ohio will enter as the 4th state.
 - **Senate (27-1); House (90-3); Senate Concurrence (29-0)**
- H.B. 497 - To make various changes regarding county law and to amend the version of section 153.39 of the Revised Code that is scheduled to take effect January 1, 2025.
 - Senate Bill 255 was amended into the bill in the Senate.
 - Establishes new eligibility requirements for the office of coroner (must be an MD or DO), with exceptions for those currently in office.
 - Requires health care workers who obtain knowledge of facts related to an individual's suspicious or unusual death, including criminal and violent

deaths, suicides, and deaths of individuals with developmental disabilities, to immediately notify the coroner of those facts.

- Requires that collaboration agreements between advanced practice registered nurses and collaborating physicians, and supervision agreements between physician assistants and supervising physicians, contain an agreement that the physician must complete and sign the medical certificate of death.
- **House (96-0); Senate (30-0); House Concurrence (87-2)**

Operationalizing:

- S.B. 109 - 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)**