



# ATHLETIC TRAINER LAWS AND RULES

Effective December 29, 2023

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This document includes the chapters of the Ohio Revised Code (ORC) and Ohio Administrative Code (OAC) related to the practice of athletic training in Ohio. This is not an official version of the ORC or OAC and may contain errors. Official version may be found online:

<https://codes.ohio.gov/ohio-revised-code/chapter-4755>

<https://codes.ohio.gov/ohio-administrative-code/4755>

<https://codes.ohio.gov/ohio-administrative-code/4755:3>

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## Summary of Changes

### **Recent Statute Changes (Ohio Revised Code)**

#### December 2023

Ohio Revised Code Chapter 4796 (Senate Bill 131)

- Sets forth new criteria for licensure by endorsement based on licensure in another state, private certification, or experience working in another state
- Continues to require passage of a national examination, background checks, and to follow Ohio's scope of practice

Ohio Revised Code 4755.62 License qualifications

- Changes cross reference to reflect new Chapter 4796 and Senate Bill 131

Ohio Revised Code 4755.65 Exemptions

- Changes cross reference to reflect new Chapter 4796 and Senate Bill 131

#### October 2023

Ohio Revised Code 4755.64

- Changes how the OTPTAT Board serves notice of a summary suspension of license

#### April 2023

Ohio Revised Code 4755.01 Ohio occupational therapy, physical therapy, and athletic trainers board.

- Changes OTPTAT Board composition

#### November 2021

ORC 4755.60/4755.62/4755.621/4755.622/4755.623/4755.64 (House Bill 176)

- [House Bill 176](#) makes changes to the scope of practice for athletic trainers practicing under a collaboration agreement with a physician.
- For more information and guidance from the AT Section, visit: <https://otptat.ohio.gov/athletic-training/collaboration-agreements>
- House Bill 176 includes the following changes:
  - Establishes two scopes of practice for athletic trainers, authorizing additional skills when practicing under a collaboration agreement with a physician.
  - Defines a collaboration agreement and the elements it must address.
  - Provides for an athletic training diagnosis.
  - Maintains the current referral relationship under standard operating procedures under the current scope of practice.

## Recent Rule Changes (Ohio Administrative Code)

### December 2023

Ohio Administrative Code 4755-5-01 (formerly 4755-43-13) Youth sports concussion and head injury assessment and clearance

- Reflects the adoption of the updated Amsterdam Guidelines consensus statement on concussion in sport
- Rule renumbered and combined with OT/PT

Ohio Administrative Code 4755:3-1-03 (formerly 4755-43-04) Education

- Changes cross reference to reflect new Chapter 4796 and Senate Bill 131

### November 2023

Rule Number	Title	Summary of Changes	Rules being rescinded and replaced
4755-1-01	Notice of meetings	Replaces identical rules for all OTPTAT Board sections detail how a person can receive notice of OTPTAT Board meetings in accordance with the sunshine law. Changes relate to removing specificity around exact contact information, which can be more easily found on the board website.	4755-40-01,
4755-1-02	Method of public notice in adopting, amending, or rescinding rules	Replaces identical rules for all OTPTAT Board sections detail the rule-making process for the Board in accordance with Chapter 119 and section 106.03 of the Ohio Revised Code. The Common Sense Initiative process was added to the rule.	4755-40-02,
4755-1-03, 1-04, 1-05, 1-06, 1-07, 1-08	Personal Information Systems, Definitions, Procedures for accessing confidential personal information, confidentiality statutes, restricting and logging access to CPI in computerized personal information systems	Replaces identical rules for all OTPTAT Board sections implement the restrictions to accessing confidential personal information that are Ohio Revised Code Chapter 1347.	4755-40-03, -04, -05, -06, -07

4755-2-02	Denial and disciplinary procedures	Replaces rules that detail the board's authority to discipline or deny a license in accordance with Ohio Revised Code Chapters 4755 and 4779.	4755-48-02
4755-2-03	Reinstatement of a revoked license or reconsideration of a denied license	Replaces rules that detail the board's authority and the questions to consider when asked to reconsider the reinstatement of a revoked or denied license	4755-43-10
4755-2-04	Investigations and inspections	Replaces rules that detail the various Board sections' ability to conduct investigations and inspections at workplaces related Ohio Revised Code chapters 4755 and 4779. Only change is to reiterate the ORC Section that deems investigations confidential since we receive so many questions about public records.	4755-48-01
4755-3-01	Certificate of license; display; copies	Replaces rules that detail the manner by which a license holder must be able to display their certificate of license. No substantive change.	4755-44-02
4755-3-02	Notice of change of name, place of employment, e-mail, and mailing address	Replaces rules to remind a license holder that they must update the board with important contact information within 30 days of a change.	4755-44-01
4755-3-03	Verification of licensure	Replaces rules that detail the process to obtain an official verification to another state or entity of license status from the OTPTAT Board.	4755-43-09
4755-3-05	Criminal records check	Replaces rules that detail the process for obtaining a criminal background check as required by ORC 4779.091 and 4755.70 for the purpose of obtaining an initial license	4755-43-07



4755-4-01	Fees	Each individual rule sets a single fee amount or ceiling. These will be consolidated into one single rule with all board fees. No fees are being raised by the Board.	4755-47-01, -02, -03, -04, -05, -06,
4755-4-02	Waiver of fees	Replaces rules that detail the circumstances when the Board may waive a required fee.	New Rule
4755:3-2-01	Code of ethical conduct	Establishes a code of ethics for athletic trainers and combines three rules into one to include the requirements that a license holder self-report certain offenses to the board within 30 days.	4755-41-01, 4755-41-02, 4755-41-03
4755:3-2-03	Unauthorized practice	Reiterates that a license is required to practice athletic training in the state of Ohio.	4755-42-01
4755:3-2-05	Required credential to indicated licensure	Specifies the correct credentials to use to indicate licensure.	4755-42-03

### October 2023

#### Ohio Administrative Code 4755:3-1-01 Applications for initial license

- Renumbered from 4755-43-01
- Requires applicants for initial licensure (examination and endorsement) to complete a presentation on the Board's Safe Haven program.

#### Ohio Administrative Code 4755:3-1-04 Reinstatement of licensure

- Renumbered from 4755-43-06
- Allows continuing education submitted as a part of a reinstatement application submitted on or after November first of the year in which the applicant's license expired to count toward the subsequent renewal's continuing education requirement.

### August 2023

#### Ohio Administrative Code 4755:3-3-01 Continuing Education

- Renumbered from 4755-45-01
- Adds a requirement for one hour of continuing education on mental health or substance use education as a part of the biennial renewal. This will count for one of the required 25 hours. Any course offering by the Board's Safe Haven program provider will count. Free course offerings are being planned.

- Conforms the terminology for license holders with that of other rules
- Corrects the new legal new change for BOC to Board of Certification, Inc.

### December 2022

#### Safe Haven Program

A safe haven program will:

- Provide confidential services to OTPTAT Board practitioners who are seeking help with burnout, mental health, or substance use disorders.
- Be a safe space that is intended to be an early intervention before patient safety becomes a concern.
- Serve as a therapeutic alternative to Board involvement in a problematic situation while still meeting the Board's mandate of public protection.

Participants of a safe haven program will, in most circumstances, be unknown to the Board as long as they remain in compliance with their treatment program.

Ohio Administrative Code 4755-2-01 Impaired practitioner rules and safe haven program for license holders and applicants

- This rule defines impaired practitioners and establishes a safe haven program for use by licensees of and applicants to the OTPTAT Board. The rule establishes the parameters of confidentiality in the safe haven program and details the kinds of assistance the program can provide. The rule also spells out the consequences for violating the participation agreement of the program. The program, which is run by an external organization, uses licensed professionals to evaluate and monitor the treatment of OTPTAT Board license holders who choose to participate. As long as license holders are compliant with the treatment plan, the Board will be unaware of their case. License holders are responsible for the cost of their own treatment.

Ohio Administrative Code 4755-41-01 Code of ethical conduct (now 4755:3-2-01)

This rule sets for the code of ethical conduct for athletic training. Changes include:

- Inclusion of reports of impairment issues to the safe haven program as fulfilling a practitioner's "duty to report" a fellow practitioner instead of making a report to the Board.
- Clarifies that the Board may take action against the license of an impaired practitioner unless they are a participant in the safe haven program.
- States that athletic trainers shall not engage in harassment that creates a hostile work environment.
- States that conversations with patients should not be sexually demeaning.
- States that sexual activity includes sexual conduct and sexual contact as a prohibited activity with patients.

- Corrects statutory references that changed with the passage of HB 176, Athletic Training Practice Act.
- Establishes a new requirement that athletic trainers shall make a reasonable attempt to either offer a chaperone during an intimate examination or treatment or follow their employer's chaperone policy.

#### Ohio Administrative Code 4755-41-03 Reporting requirements (now 4755:3-2-01)

- This rule sets for the circumstances that a license holder must self-report to the Board within 30 days. It includes an option to participate in the safe haven program in lieu of self-reporting impairment to the Board.

#### Ohio Administrative Code 4755-41-04 Scope of Practice

- This new rule defines the scope of practice for those practicing with a collaboration agreement with a physician versus those who are not.

#### Ohio Administrative Code 4755-42-02 Referring Practitioners

- House Bill 176 makes changes to the list of referring practitioners to explicitly refer to other athletic trainers, physician assistants, and certified nurse practitioners. This rule has been updated with those changes. This rule is being rescinded and replaced due to the number of changes for clarity reasons.



## Ohio Revised Code Section 4755.60 Athletic trainer definitions.

Effective: January 27, 2022

Legislation: House Bill 176

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As used in sections 4755.60 to 4755.65 and 4755.99 of the Revised Code:

(A) "Athletic trainer" means a person who meets the qualifications of this chapter for licensure and is authorized to engage in the activities described in section 4755.621 or 4755.622 of the Revised Code.

(B) "Licensed health professional authorized to prescribe drugs" or "prescriber" has the same meaning as in section 4729.01 of the Revised Code.

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

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## Ohio Revised Code

### Section 4755.61 Athletic trainers section of board - powers and duties.

Effective: March 24, 2008

Legislation: House Bill 104 - 127th General Assembly

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(A) The athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall:

(1) Adopt rules, not inconsistent with this chapter, for the licensure of athletic trainers, including rules that specify the application form and educational course work and clinical experience requirements for licensure and rules that prescribe requirements for criminal records checks of applicants under section 4776.03 of the Revised Code;

(2) Establish and deposit fees in accordance with division (B) of this section and section 4755.03 of the Revised Code;

(3) Conduct hearings, keep records of its proceedings, and do all things necessary and proper to administer and enforce sections 4755.60 to 4755.65 of the Revised Code;

(4) Publish and make available, upon request and for a fee not to exceed the actual cost of printing and mailing, the requirements for the issuance of an athletic trainers license under this chapter and the rules adopted under it;

(5) Maintain a register of every person licensed to practice athletic training in this state, including the addresses of the licensee's last known place of business and residence, and the effective date and identification number of the person's license. The section shall make this list available to any person upon request and payment of a fee not to exceed the actual cost of printing and mailing.

(6) Publish and make available, upon request and for a fee not to exceed the actual cost of printing and mailing, a list of persons who passed the examination required under section 4755.62 of the Revised Code;

(7) Investigate complaints concerning alleged violations of section 4755.62 of the Revised Code or



other grounds for the suspension, revocation, or refusal to issue a license under section 3123.47 or 4755.64 of the Revised Code. In connection with its investigations, the athletic trainers section may subpoena witnesses, issue subpoenas, examine witnesses, administer oaths, and, under the direction of the executive director of the board, investigate complaints and make inspections and other inquiries as in the judgment of the section are appropriate to enforce sections 3123.41 to 3123.50 and this chapter of the Revised Code. The section may review and audit the records of any licensee during normal business hours at the licensee's place of business or at any other place where the licensee's records are kept. Notwithstanding section 149.43 of the Revised Code, the athletic trainers section and its employees, except pursuant to a court order, shall maintain in confidence all information obtained.

(8) Adopt rules governing the nature and scope of the examination required under section 4755.62 of the Revised Code and the reexamination required under section 4755.63 of the Revised Code and the minimum examination score for licensure or renewal thereof. The rules for the examination required under section 4755.62 of the Revised Code shall ensure the testing of the applicant's knowledge of the basic and clinical sciences relating to athletic training theory and practice, including professional skills and judgment in the utilization of athletic training techniques and such other subjects as the athletic trainers section considers useful in determining competency to practice athletic training.

(9) Conduct the examination required under section 4755.62 of the Revised Code at least twice a year at a time and place and under such supervision as the athletic trainers section determines;

(10) Adopt rules to determine which states' standards for licensure are equal to or greater than this state's for the purpose of waiving requirements under division (D) of section 4755.62 of the Revised Code;

(11) Adopt rules to determine which examinations meet the requirements of division (E) of section 4755.62 of the Revised Code;

(12) Adopt rules establishing the standards of ethical conduct for licensed athletic trainers under this chapter;

(13) Adopt rules specifying the scope and nature of the continuing education courses that are



acceptable to the athletic trainers section and the number of courses that must be completed to comply with the requirement for renewal of a license under section 4755.63 of the Revised Code.

(14) Adopt rules establishing the schedule when licenses to practice as an athletic trainer expire during a biennium for purposes of section 4755.63 of the Revised Code.

(B) The fees adopted by the athletic trainers section pursuant to division (A)(2) of this section shall be established and adjusted as required to provide sufficient revenues to meet the expenses of the section in administering sections 4755.60 to 4755.66 of the Revised Code. The fees shall include the following:

(1) A nonrefundable examination fee, not to exceed the amount necessary to cover the expense of administering the examination;

(2) An initial license fee;

(3) A biennial license renewal fee;

(4) A late renewal penalty, not to exceed fifty per cent of the renewal fee.

The athletic trainers section may, by rule, provide for the waiver of all or part of a license fee if the license is issued less than one hundred days before its expiration date.

(C) All rules under sections 4755.60 to 4755.65 of the Revised Code shall be adopted by the athletic trainers section in accordance with Chapter 119. of the Revised Code.



## Ohio Revised Code

### Section 4755.62 License qualifications.

Effective: December 29, 2023

Legislation: Senate Bill 131

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

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

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

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

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

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

(4) In addition to educational course work requirements, have obtained supervised clinical experience that meets the requirements established in rules adopted by the athletic trainers section





under section 4755.61 of the Revised Code;

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

(D) The section shall issue a license to engage in the practice of athletic training in accordance with Chapter 4796. of the Revised Code to an applicant who holds a license in another state or to an applicant who has satisfactory work experience, a government certification, or a private certification as described in that chapter as an athletic trainer in a state that does not issue that license.

(E) The section shall issue a license to every applicant who complies with the requirements of division (C) of this section, files the required application form, and pays the fees required by section 4755.61 of the Revised Code. Each licensee shall display the licensee's license in a conspicuous place at the licensee's principal place of employment.

A license issued under this section entitles the holder to engage in the practice of athletic training, to claim to the public to be an athletic trainer, or to imply by words or letters that the licensee is an athletic trainer. A license issued under this section does not entitle the holder to provide, offer to provide, or represent that the holder is qualified to provide any care or services for which the holder lacks the education, training, or experience to provide or is prohibited by law from providing.



## Ohio Revised Code

### Section 4755.621 Athletic trainers' practice under collaboration agreements.

Effective: January 27, 2022

Legislation: House Bill 176 - 134th General Assembly

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(A) As used in this section, "athletic training diagnosis" means the judgment made after examining, evaluating, assessing, or interpreting symptoms presented by a patient to establish the cause and nature of the patient's injury, emergent condition, or functional impairment and the plan of care for that injury, emergent condition, or functional impairment within the scope of athletic training.

"Athletic training diagnosis" does not include a medical diagnosis.

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

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

The agreement shall address all of the following:

- (1) The duties and responsibilities to be fulfilled by the athletic trainer when engaging in the activities described in division (C) of this section;
- (2) Any limitations on the athletic trainer's performance of the activities described in division (C) of this section;
- (3) A plan of care for patients treated by the athletic trainer.

(C) Subject to division (B) of this section and section 4755.623 of the Revised Code, a person licensed as an athletic trainer pursuant to this chapter who enters into a collaboration agreement is authorized to engage in all of the following activities:

- (1) The prevention, examination, and athletic training diagnosis of injuries or emergent conditions



resulting from physical activities that require physical skill and utilize strength, power, endurance, speed, flexibility, range of motion, or agility;

(2) The complete management, treatment, disposition, and reconditioning of injuries or emergent conditions resulting from physical activities;

(3) The provision of emergent care, therapeutic interventions, and rehabilitation for injuries or emergent conditions resulting from physical activities;

(4) The promotion of and education about wellness;

(5) The administration of drugs, including topical drugs, that have been prescribed by a licensed health professional authorized to prescribe drugs and are administered under the direction of the prescriber, except that an athletic trainer shall not administer intra-articular or intratendinous injections ;

(6) The performance of athletic training research;

(7) The organization and administration of educational programs and athletic training facilities;

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



## Ohio Revised Code

### Section 4755.622 Athletic trainers' practice without collaboration agreements.

Effective: January 27, 2022

Legislation: House Bill 176 - 134th General Assembly

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(A) As used in this section, "athletic injury" means any injury sustained by an individual that affects the individual's participation or performance in sports, games, recreation, exercise, or other activity that requires physical strength, agility, flexibility, speed, stamina, or range of motion.

(B) Subject to section 4755.623 of the Revised Code, in the event a person licensed as an athletic trainer pursuant to this chapter does not enter into a collaboration agreement with one or more physicians as described in division (B) of section 4755.621 of the Revised Code, the person is authorized to engage only in the following activities:

- (1) The practice of prevention, recognition, and assessment of an athletic injury;
  - (2) The complete management, treatment, disposition, and reconditioning of acute athletic injuries;
  - (3) The administration of topical drugs that have been prescribed by a licensed health professional authorized to prescribe drugs;
  - (4) The organization and administration of educational programs and athletic facilities;
  - (5) The education of and consulting with the public as it pertains to athletic training.
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## Ohio Revised Code

### Section 4755.623 Required referrals for athletic training.

Effective: January 27, 2022

Legislation: House Bill 176 - 134th General Assembly

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

(1) A physician;

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

(3) A physical therapist licensed under this chapter;

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

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

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

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

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

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## Ohio Revised Code

### Section 4755.63 Renewal of license.

Effective: April 6, 2007

Legislation: House Bill 403 - 126th General Assembly

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Each license issued under section 4755.62 of the Revised Code expires biennially in accordance with the schedule established in rules adopted by the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board under section 4755.61 of the Revised Code, but each person holding a valid, unexpired license may apply to the athletic trainers section, on forms approved by the section, for license renewal. The section shall renew a license upon the payment of the license renewal fee prescribed by section 4755.61 of the Revised Code, submission of the renewal application, and submission to the section of proof of satisfactory completion of the required number of continuing education courses, as specified in rules adopted by the section under section 4755.61 of the Revised Code.

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## Ohio Revised Code Section 4755.64 Disciplinary actions.

Effective: October 3, 2023

Legislation: House Bill 33

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

- (1) Conviction of a felony or offense involving moral turpitude, regardless of the state or country in which the conviction occurred;
- (2) Violation of sections 4755.61 to 4755.65 of the Revised Code or any order issued or rule adopted thereunder;
- (3) Obtaining a license through fraud, false or misleading representation, or concealment of material facts;
- (4) Negligence or gross misconduct in the practice of athletic training;
- (5) Violating the standards of ethical conduct in the practice of athletic training as adopted by the athletic trainers section under section 4755.61 of the Revised Code;
- (6) Using any controlled substance or alcohol to the extent that the ability to practice athletic training at a level of competency is impaired;
- (7) Practicing in an area of athletic training for which the individual is untrained or incompetent, or practicing without the referral of a practitioner described in division (A) of section 4755.623 of the Revised Code;
- (8) Employing, directing, or supervising a person in the performance of athletic training procedures who is not authorized to practice as a licensed athletic trainer under this chapter;



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

(10) Failing the licensing examination;

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

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

(13) Regardless of whether it is consensual, engaging in any of the following with a patient other than the spouse of the athletic trainer:

(a) Sexual conduct, as defined in section 2907.01 of the Revised Code;

(b) Sexual contact, as defined in section 2907.01 of the Revised Code;

(c) Verbal behavior that is sexually demeaning to the patient or may be reasonably interpreted by the patient as sexually demeaning;

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

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

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





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

(E) On receipt of a complaint that a person licensed by the athletic trainers section has committed any of the prohibited actions listed in division (A) of this section, the section may immediately suspend the license of a licensed athletic trainer prior to holding a hearing in accordance with Chapter 119. of the Revised Code if it determines, based on the complaint, that the licensee poses an immediate threat to the public. The section may review the allegations and vote on the suspension by telephone conference call. If the section votes to suspend a license under this division, the section shall serve a written order of summary suspension to the licensed athletic trainer in accordance with sections 119.05 and 119.07 of the Revised Code. If the individual whose license is suspended fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the section shall enter a final order permanently revoking the individual's license. Notwithstanding section 119.12 of the Revised Code, a court of common pleas shall not grant a suspension of the section's order of summary suspension pending the determination of an appeal filed under that section. Any order of summary suspension issued under this division shall remain in effect, unless reversed on appeal, until a final adjudication order issued by the section pursuant to division (A) of this section becomes effective. The section shall issue its final adjudication order regarding an order of summary suspension issued under this division not later than ninety days after completion of its hearing. Failure to issue the order within ninety days shall result in immediate dissolution of the suspension order, but shall not invalidate any subsequent, final adjudication order.



## Ohio Revised Code Section 4755.65 Exemptions.

Effective: December 29, 2023

Legislation: Senate Bill 131

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(A) Nothing in sections 4755.61 to 4755.64 of the Revised Code shall be construed to prevent or restrict the practice, services, or activities of any person who:

- (1) Is an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatry, a dentist licensed under Chapter 4715. of the Revised Code, a chiropractor licensed under Chapter 4734. of the Revised Code, a dietitian licensed under Chapter 4759. of the Revised Code, a physical therapist licensed under this chapter, or a qualified member of any other occupation or profession practicing within the scope of the person's license or profession and who does not claim to the public to be an athletic trainer;
- (2) Is employed as an athletic trainer by an agency of the United States government and provides athletic training solely under the direction or control of the agency by which the person is employed;
- (3) Is a student in an athletic training education program approved by the athletic trainers section leading to a baccalaureate or higher degree from an accredited college or university and is performing duties that are a part of a supervised course of study;
- (4) Is a nonresident individual not licensed as an athletic trainer in this state who practices or offers to practice athletic training while traveling with a visiting team or organization from outside the state or an event approved by the section for the purpose of providing athletic training to the visiting team, organization, or event;
- (5) Provides athletic training only to relatives or in medical emergencies;
- (6) Provides gratuitous care to friends or members of the person's family;
- (7) Provides only self-care.



(B) Nothing in this chapter shall be construed to prevent any person licensed under Chapter 4723. of the Revised Code and whose license is in good standing, any person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery and whose certificate to practice is in good standing, any person authorized under Chapter 4731. of the Revised Code to practice podiatry and whose certificate to practice is in good standing, any person licensed under Chapter 4734. of the Revised Code to practice chiropractic and whose license is in good standing, any person licensed as a dietitian under Chapter 4759. of the Revised Code to practice dietetics and whose license is in good standing, any person licensed as a physical therapist under this chapter to practice physical therapy and whose license is in good standing, or any association, corporation, or partnership from advertising, describing, or offering to provide athletic training, or billing for athletic training if the athletic training services are provided by a person licensed under this chapter and practicing within the scope of the person's license, by a person licensed under Chapter 4723. of the Revised Code and practicing within the scope of the person's license, by a person authorized under Chapter 4731. of the Revised Code to practice podiatry, by a person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, by a person licensed under Chapter 4734. of the Revised Code to practice chiropractic, or by a person licensed under Chapter 4759. of the Revised Code to practice dietetics.

(C) Nothing in this chapter shall be construed as authorizing a licensed athletic trainer to practice medicine and surgery, osteopathic medicine and surgery, podiatry, or chiropractic.

(D) The athletic trainer section of the occupational therapy, physical therapy, and athletic trainers board shall not require a nonresident individual licensed as an athletic trainer in another state to obtain a license in accordance with Chapter 4796. of the Revised Code to practice or offer to practice athletic training in the manner described under division (A)(4) of this section.



## Ohio Revised Code

### Section 4755.01 Ohio occupational therapy, physical therapy, and athletic trainers board.

Effective: April 6, 2023

Legislation: House Bill 509

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(A) There is hereby created the Ohio occupational therapy, physical therapy, and athletic trainers board consisting of sixteen residents of this state, who shall be appointed by the governor with the advice and consent of the senate. The board shall be composed of a physical therapy section, an occupational therapy section, and an athletic trainers section.

(1) Four members of the board shall be physical therapists who are licensed to practice physical therapy and who have been engaged in or actively associated with the practice of physical therapy in this state for at least five years immediately preceding appointment. One member shall be a licensed physical therapist assistant who has been engaged in or actively associated with the practice of assisting in the provision of physical therapy treatments in this state for at least five years immediately preceding appointment. Such members of the board shall sit on the physical therapy section. The physical therapy section also shall consist of four additional members, appointed by the governor with the advice and consent of the senate, who satisfy the same qualifications as the members of the board sitting on the physical therapy section, but who are not members of the board. Of the additional physical therapy section members, at least three shall be physical therapists. The fourth additional member shall be either a physical therapist or a physical therapist assistant. Of the additional physical therapy section members whose terms commence on August 28, 2007, one shall be for a term of one year, one for a term of two years, one for a term of three years, and one for a term of four years. Such additional members of the physical therapy section are vested with only such powers and shall perform only such duties as relate to the affairs of that section.

(2) Four members of the board shall be occupational therapists and one member shall be a licensed occupational therapy assistant, all of whom have been engaged in or actively associated with the practice of occupational therapy or practice as an occupational therapy assistant in this state for at least five years immediately preceding appointment. Such members of the board shall sit on the occupational therapy section.



(3) Four members of the board shall be athletic trainers who have been engaged in the practice of athletic training in Ohio for at least five years immediately preceding appointment. One member of the board shall be a physician licensed to practice medicine and surgery in this state. Such members of the board shall sit on the athletic trainers section.

(4) One member of the board shall represent the public. This member shall sit on the board and shall attend each year at least three meetings of the physical therapy section, three meetings of the occupational therapy section, and three meetings of the athletic trainers section.

(B) Except for the terms of office specified in division (A)(1) of this section for the additional members of the physical therapy section commencing on August 28, 2007, terms for the members of the board and the additional members of the physical therapy section are for three years. Each member's term shall commence on the twenty-eighth day of August and end on the twenty-seventh day of August. Each member shall serve subsequent to the expiration of the member's term until the member's successor is appointed and qualifies, or until a period of ninety days has elapsed, whichever occurs first. A member shall not serve for more than three consecutive terms. All vacancies shall be filled in the manner prescribed for the regular appointments and are limited to the unexpired terms.

(C) Each member of the board and each additional member of the physical therapy section, before entering upon the official duties of office, shall do both of the following:

(1) Subscribe to and file with the secretary of state the constitutional oath of office;

(2) Sign and file with the executive director of the board a notarized statement that the member has read and understands sections 121.22 and 149.43 of the Revised Code and the provisions of Chapter 119. of the Revised Code that are applicable to the duties of the board.

(D) Annually, upon the qualification of the member or members appointed in that year, the board shall organize by selecting from its members a president and secretary. Each section of the board shall independently organize by selecting from its members a chairperson and secretary.

(E) A majority of the members of the board constitutes a quorum to transact and vote on the business



of the board. A majority of the members of each section constitutes a quorum to transact and vote on the affairs of that section.

(F) Each member of the board and each additional member of the physical therapy section shall receive an amount fixed pursuant to division (J) of section 124.15 of the Revised Code for each day employed in the discharge of official duties. In addition, each member of the board and each additional member of the physical therapy section shall receive the member's actual and necessary expenses incurred in the performance of official duties.

(G) The board of trustees of the Ohio occupational therapy association may recommend, after any term expires or vacancy occurs in an occupational therapy position, at least three persons to fill each such position or vacancy on the board, and the governor may make the appointment from the persons so recommended. The executive board of the Ohio chapter of the American physical therapy association may recommend, after any term expires or vacancy occurs in a physical therapy position, at least three persons to fill each such vacancy on the board, and the governor may make appointments from the persons so recommended. The Ohio athletic trainers association shall recommend to the governor at least three persons when any term expires or any vacancy occurs in an athletic trainer position. The governor may select one of the association's recommendations in making such an appointment.

(H) The board shall meet as a whole to determine all administrative, personnel, and budgetary matters. The executive director of the board appointed by the board shall not be a physical therapist, an occupational therapist, or an athletic trainer who has been licensed to practice physical therapy, occupational therapy, or as an athletic trainer in this state within three years immediately preceding appointment. The executive director shall execute, under the direction of the board, the policies, orders, directives, and administrative functions of the board and shall direct, under rules adopted by the board, the work of all persons employed by the board. Upon the request of the board, the executive director shall report to the board on any matter. The executive director shall serve at the pleasure of the board.

(I) The occupational therapy section of the board shall have the authority to act on behalf of the board on matters concerning the practice of occupational therapy and, in particular, the examination of applicants, the issuance of licenses, and the suspension or revocation of licenses to practice as an



occupational therapist or occupational therapy assistant. The physical therapy section of the board shall have the authority to act on behalf of the board on matters concerning the practice of physical therapy and, in particular, the examination, licensure, and suspension or revocation of licensure of applicants, physical therapists, and physical therapist assistants. The athletic trainers section of the board shall have the authority to act on behalf of the board on matters concerning the practice of athletic training and, in particular, the examination, licensure, and suspension or revocation of licensure of applicants and athletic trainers. All actions taken by any section of the board under this division shall be in accordance with Chapter 119. of the Revised Code.



## Ohio Revised Code

### Section 4755.02 Powers and duties of board.

Effective: April 6, 2007

Legislation: House Bill 403 - 126th General Assembly

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(A) The appropriate section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall investigate compliance with this chapter or any rule or order issued under this chapter and shall investigate alleged grounds for the suspension, revocation, or refusal to issue or renew licenses or limited permits under section 3123.47, 4755.11, 4755.47, or 4755.64 of the Revised Code. The appropriate section may subpoena witnesses and documents in connection with its investigations.

(B) Through the attorney general or an appropriate prosecuting attorney, the appropriate section may apply to an appropriate court for an order enjoining the violation of this chapter. On the filing of a verified petition, the court shall conduct a hearing on the petition and give the same preference to the proceeding as is given to all proceedings under Chapter 119. of the Revised Code, irrespective of the position of the proceeding on the court's calendar. On a showing that a person has violated or is about to violate this chapter, the court shall grant an injunction, restraining order, or other order as appropriate. The injunction proceedings provided by this division are in addition to all penalties and other remedies provided in this chapter.

(C) When requested by the appropriate section, the prosecuting attorney of a county, or the village solicitor or city director of law of a municipal corporation, where a violation of this chapter allegedly occurs, shall take charge of and conduct the prosecution.

(D) The appropriate section may employ investigators who shall investigate complaints, conduct inspections, and make inquiries as in the judgment of the section are appropriate to enforce sections 3123.41 to 3123.50 of the Revised Code or this chapter. These investigators have the right to review, obtain copies, and audit the patient records and personnel files of licensees and limited permit holders at the place of business of the licensees or limited permit holders or any other place where such documents may be and shall be given access to such documents during normal business hours.

(E)(1) Subject to division (E)(2) of this section, information and records received or generated by the





board pursuant to an investigation are confidential, are not public records as defined in section 149.43 of the Revised Code, and are not subject to discovery in any civil or administrative action.

(2) For good cause, the board may disclose information gathered pursuant to an investigation to any federal, state, or local law enforcement, prosecutorial, or regulatory agency or its officers or agents engaging in an investigation the board believes is within the agency's jurisdiction. An agency that receives confidential information shall comply with the same requirements regarding confidentiality as those with which the board must comply, notwithstanding any conflicting provision of the Revised Code or procedure of the agency that applies when the agency is dealing with other information in its possession. The information may be admitted into evidence in a criminal trial in accordance with the Rules of Evidence, or in an administrative hearing conducted by an agency, but the court or agency shall require that appropriate measures be taken to ensure that confidentiality is maintained with respect to any part of the information that contains names or other identifying information about patients, complainants, or others whose confidentiality was protected by the board when the information was in the board's possession. Measures to ensure confidentiality that may be taken by the court or agency include sealing its records or redacting specific information from its records.

(F) The appropriate section shall conduct hearings, keep records and minutes, and enforce the relevant sections of this chapter.

(G) Each section of the board shall publish and make available, upon request and for a fee not to exceed the actual cost of printing and mailing, the licensure standards prescribed by the relevant sections of this chapter and the Administrative Code.

(H) The board shall submit to the governor and to the general assembly each year a report of all its official actions during the preceding year, together with any recommendations and findings with regard to the status of the professions of physical therapy, occupational therapy, and athletic training.



## Ohio Revised Code

### Section 4755.03 Fees credited to occupational licensing and regulatory fund.

Effective: September 29, 2007

Legislation: House Bill 119 - 127th General Assembly

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Except as provided in section 4755.99 of the Revised Code, all fees and fines collected and assessed under this chapter by the appropriate section of the Ohio occupational therapy, physical therapy, and athletic trainers board, shall be deposited into the state treasury to the credit of the occupational licensing and regulatory fund.

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## Ohio Revised Code

### Section 4755.031 Fee for costs of sanction proceedings.

Effective: April 6, 2007

Legislation: House Bill 403 - 126th General Assembly

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A person sanctioned under section 4755.11, 4755.47, 4755.482, or 4755.64 of the Revised Code shall pay a fee in the amount of the actual cost of the administrative hearing, including the cost of the court reporter, the hearing officer, transcripts, and any witness fees for lodging and travel, as determined by the appropriate section of the board. The fee shall be collected by the appropriate section.

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## Ohio Revised Code

### Section 4755.66 Effect of child support default on license.

Effective: April 6, 2007

Legislation: House Bill 403 - 126th General Assembly

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On receipt of a notice pursuant to section 3123.43 of the Revised Code, the appropriate section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to a license issued pursuant to this chapter.

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## Ohio Revised Code

### Section 4755.70 License applicant to comply with RC Chapter 4776.

Effective: March 24, 2008

Legislation: House Bill 104

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(A) As used in this section, "license" and "applicant for an initial license" have the same meanings as in section 4776.01 of the Revised Code, except that "license" as used in both of those terms refers to the types of authorizations otherwise issued or conferred under this chapter.

(B) In addition to any other eligibility requirement set forth in this chapter, each applicant for an initial license shall comply with sections 4776.01 to 4776.04 of the Revised Code. The occupational therapy section, the physical therapy section, and the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall not grant a license to an applicant for an initial license unless the applicant complies with sections 4776.01 to 4776.04 of the Revised Code and the board, in its discretion, decides that the results of the criminal records check do not make the applicant ineligible for a license issued pursuant to section 4755.07, 4755.09, 4755.44, 4755.441, 4755.45, 4755.451, or 4755.62 of the Revised Code.

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## Ohio Revised Code

### Section 4755.71 Compliance with law regarding sanctions for human trafficking.

Effective: March 22, 2013

Legislation: House Bill 247 - 129th General Assembly

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The Ohio occupational therapy, physical therapy, and athletic trainers board shall comply with section 4776.20 of the Revised Code.

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## Ohio Revised Code Section 4755.99 Penalty.

Effective: March 27, 2013

Legislation: Senate Bill 141 - 129th General Assembly

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(A) Whoever violates sections 4755.05 or 4755.62 or divisions (A), (B), (C), (D), or (H) of section 4755.48 of the Revised Code is guilty of a minor misdemeanor. If the offender has previously been convicted of an offense under that section, the offender is guilty of a misdemeanor of the third degree on a first offense and a misdemeanor of the first degree on each subsequent offense.

(B)(1) One-half of all fines collected for violation of section 4755.05 of the Revised Code shall be distributed to the occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board and then paid into the state treasury to the credit of the occupational licensing and regulatory fund, and one-half to the treasury of the municipal corporation in which the offense was committed, or if the offense was committed outside the limits of a municipal corporation, to the treasury of the county.

(2) One-half of all fines collected for violation of section 4755.48 of the Revised Code shall be distributed to the physical therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board and then paid into the state treasury to the credit of the occupational licensing and regulatory fund, and one-half to the treasury of the municipal corporation in which the offense was committed, or if the offense was committed outside the limits of a municipal corporation, to the treasury of the county.

(3) One-half of all fines collected for violation of section 4755.62 of the Revised Code shall be distributed to the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board and then paid into the state treasury to the credit of the occupational licensing and regulatory fund, and one-half to the treasury of the municipal corporation in which the offense was committed, or if the offense was committed outside the limits of a municipal corporation, to the treasury of the county.



## Ohio Revised Code Section 4796.01 Definitions.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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As used in this chapter:

(A) "License" means an authorization evidenced by a license, certificate, registration, permit, card, or other authority that is issued or conferred by a licensing authority to an individual by which the individual has or claims the privilege to engage in a profession, occupation, or occupational activity over which the licensing authority has jurisdiction.

(B) "Licensing authority" means a state agency or political subdivision that issues licenses or government certifications.

(C) "State agency" has the same meaning as in section 1.60 of the Revised Code.

(D) "Political subdivision" means a county, township, municipal corporation, or any other body corporate and politic that is responsible for government activities in a geographic area smaller than that of the state.

(E) "Out-of-state occupational license" means a license, certificate, registration, permit, card, or other authority that is issued or conferred by one of the uniformed services or the government of another state to an individual by which the individual has or claims the privilege to engage in a profession, occupation, or occupational activity over which that service or state has jurisdiction.

(F)(1) "Government certification" means authorization from a licensing authority, one of the uniformed services, or the government of another state to an individual who meets qualifications related to a profession, occupation, or occupational activity to which both of the following apply:

(a) Only an individual holding the authorization may use a specific title or titles when advertising or holding the individual's self out to engage in the profession, occupation, or occupational activity.





(b) An individual is not required to have the authorization to engage in the profession, occupation, or occupational activity in the respective jurisdiction.

(2) "Government certification" does not include a license or an out-of-state occupational license.

(G) "Private certification" means authorization from a private organization to an individual who meets qualifications determined by the organization related to the performance of a profession, occupation, or occupational activity and by which the individual may hold the individual's self out as certified by the organization.

(H) "National standard" means a standard declared by a national organization to be the preferred standard for licensure of a profession if both of the following apply:

(1) The standard is required by at least forty-five states, including this state, to receive a license or government certification for the respective profession, occupation, or occupational activity.

(2) The standard includes both of the following:

(a) A uniform quantitative minimum education or experience requirement;

(b) A requirement to pass a national examination.

(I) "Uniform quantitative minimum education or experience requirement" means a quantitative minimum education or experience requirement that is identical in all states that adopt a national standard.

(J) "National examination" means an examination that is substantially similar in all states that adopt a national standard.

(K) "Good standing" means that the individual's out-of-state occupational license, government certification, or private certification, as applicable, is not restricted or limited by the entity that regulates the out-of-state license, government certification, or private certification.



(L) "Armed forces of the United States" means the army, navy, air force, marine corps, space force, coast guard, or any other reserve components of those forces.

(M) "Uniformed services" means the armed forces of the United States; the commissioned corps of the national oceanic and atmospheric administration; the commissioned corps of the public health service; or any reserve components of those forces; and such other service as may be designated by congress.



## Ohio Revised Code

### Section 4796.02 Application of chapter.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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For purposes of any law requiring a licensing authority to issue a license or government certification under this chapter to an individual who holds a license or government certification issued by another state, "another state," "any other state," and "home state" include the uniformed services. This section does not apply to any provision of a law governing a profession, occupation, or occupational activity that does not require an individual who holds a license or government certification in another state to be issued a license or government certification under this chapter.

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## Ohio Revised Code

### Section 4796.03 Licensure of out-of-state licensee or certificate holder.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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Except as otherwise provided in this chapter, a licensing authority shall issue a license or government certification to an applicant if the licensing authority determines that all of the following apply:

(A) The applicant holds either of the following:

(1) A substantially similar out-of-state occupational license that authorizes the applicant to engage in the same profession, occupation, or occupational activity as the license or government certification for which the applicant is applying in this state;

(2) A government certification in the same profession, occupation, or occupational activity as the license or government certification for which the applicant is applying in this state from one of the uniformed services or a state that does not issue an out-of-state occupational license for the respective profession, occupation, or occupational activity.

(B)(1) Except as provided in division (B)(2) of this section, the applicant has held the out-of-state occupational license or government certification for at least one year immediately preceding the date the application is submitted and has been actively engaged in the practice of the same profession, occupation, or occupational activity as the license or government certification for which the applicant is applying in this state for at least one of the five years immediately preceding the date the application is submitted.

(2) A licensing authority may waive the requirement that an applicant has held the out-of-state occupational license or government certification for at least one year immediately preceding the date the application is submitted and has been actively engaged in the practice of the profession, occupation, or occupational activity for one of the five years immediately preceding the date the application is submitted.



(C) The applicant is in good standing in all jurisdictions in which the applicant holds an out-of-state occupational license or government certification to practice the same profession, occupation, or occupational activity for which the applicant is applying in this state.

(D)(1) Except as provided in division (D)(2) of this section, the applicant was required to satisfy minimum education, training, or experience requirements or pass an examination to receive the out-of-state occupational license or government certification.

(2) Division (D)(1) of this section does not apply if the applicable law governing the license or government certification for which the applicant is applying in this state does not require an applicant to do at least one of the following to receive the license or government certification:

- (a) Satisfy minimum education, training, or experience requirements;
- (b) Pass an examination.

(E) The applicant has not surrendered or had revoked a license, out-of-state occupational license, or government certification because of negligence or intentional misconduct related to the applicant's work in the same profession, occupation, or occupational activity for which the applicant is applying in this state.

(F) The applicant pays a fee to the licensing authority that is equal to one of the following, as determined by the licensing authority:

- (1) The renewal fee for license or government certification holders under the applicable law;
- (2) The initial licensure fee for applicants to be issued the license or government certification under the applicable law;
- (3) The fee in effect before the effective date of this section for applicants who hold an out-of-state occupational license or government certification to be issued the license or government certification under the applicable law.



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(G) The applicant has not been convicted of, found guilty pursuant to a judicial finding of, or plead guilty to a criminal offense for which a licensing authority may deny an application for a license or government certification or that would otherwise disqualify the applicant for the license or government certification under the applicable law of this state governing the profession, occupation, or occupational activity for which the applicant is applying.



## Ohio Revised Code

### Section 4796.04 Licensure of private certification holder.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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Except as otherwise provided in this chapter, a licensing authority shall issue a license or government certification to an applicant if the licensing authority determines that all of the following apply:

(A)(1) Except as provided in division (A)(2) of this section, the applicant has held a private certification for at least two years immediately preceding the date the application is submitted and has been actively engaged in the same profession, occupation, or occupational activity as the license or government certification for which the applicant is applying in this state in a state that does not issue an out-of-state occupational license or government certification for the respective profession, occupation, or occupational activity for at least two of the five years immediately preceding the date the application is submitted.

(2) A licensing authority may waive the requirement that an applicant has held the private certification for at least two years immediately preceding the date the application is submitted and has been actively engaged in the practice of the profession, occupation, or occupational activity for two of the five years immediately preceding the date the application is submitted.

(B) The applicant is in good standing with the private organization that issued the private certification.

(C) The applicant meets the requirements specified under divisions (E) to (G) of section 4796.03 of the Revised Code.

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## Ohio Revised Code

### Section 4796.05 Licensure of individual with adequate work experience.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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(A) Except as otherwise provided in this chapter, a licensing authority shall issue a license or government certification to an applicant if the licensing authority determines that an applicant satisfies divisions (B) and (C) of this section.

(B)(1) Except as provided in division (B)(2) of this section, the applicant has been actively engaged in the same profession, occupation, or occupational activity as the license or government certification for which the applicant is applying in this state for at least three of the five years immediately preceding the date the application is submitted in either of the following:

(a) A state that does not issue an out-of-state occupational license or government certification for the respective profession, occupation, or occupational activity;

(b) Service of the uniformed services.

(2) A licensing authority may waive the requirement that an applicant has been actively engaged in the practice of the profession, occupation, or occupational activity for three of the five years immediately preceding the date the application is submitted.

(C) The applicant meets the requirements under divisions (E) to (G) of section 4796.03 of the Revised Code.

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## Ohio Revised Code

### Section 4796.08 Examinations; background checks; financial responsibility; federal requirements.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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(A) If a licensing authority requires an applicant to pass an examination on this state's laws and rules governing the applicable profession, occupation, or occupational activity to receive a license or government certification under the applicable law, a licensing authority may require an applicant to pass the examination to receive a license or government certification under this chapter.

(B) If a licensing authority requires an applicant under the law governing the applicable profession, occupation, or occupational activity to submit to a criminal records check to receive a license or government certification, the licensing authority shall require an applicant to submit to the criminal records check to receive a license or government certification under this chapter.

(C) If a licensing authority requires an applicant under the law governing the applicable profession, occupation, or occupational activity to satisfy a financial responsibility requirement to receive a license or government certification, the licensing authority shall require an applicant to satisfy the requirement to receive a license or government certification under this chapter.

(D) If a federal law, rule, or regulation requires the state to impose a requirement on an applicant with which the applicant must comply to receive a license or government certification as a condition for the state to receive federal funding, the licensing authority may require an applicant to satisfy that requirement to receive a license or government certification under this chapter.

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## Ohio Revised Code

### Section 4796.10 Disqualifying offenses.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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If an applicant would be disqualified from obtaining a license or government certification under this chapter because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense as described in division (G) of section 4796.03 of the Revised Code, the licensing authority may, in accordance with rules adopted under section 4796.30 of the Revised Code, issue a restricted or limited license or government certification to the applicant, provided the limitation or restriction is relevant to the offense.

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## Ohio Revised Code

### Section 4796.11 Disciplinary actions.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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If the law governing the applicable profession, occupation, or occupational activity allows or requires a licensing authority to take disciplinary action against an applicant, including but not limited to refusing to issue, limiting, or restricting a license or government certification for a reason that is not related to minimum education, training, or experience requirements or an examination requirement, the licensing authority may apply the applicable provision of law to an applicant under this chapter in the same manner as to an applicant for an initial license under the applicable law.

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## Ohio Revised Code

### Section 4796.12 Fitness to practice after specified period.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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If the law governing the applicable profession, occupation, or occupational activity allows a licensing authority to determine the fitness to practice of an applicant who has not been engaged in the practice of the profession, occupation, or occupational activity for a period of time specified in that law and to impose terms and conditions on the applicant to receive a license or government certification, the licensing authority may apply the requirements of that law to an applicant under this chapter.

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## Ohio Revised Code

### Section 4796.13 Past disciplinary action.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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If the law governing the applicable profession, occupation, or occupational activity allows or requires a licensing authority to deny an applicant a license or government certification if the applicant was subject to discipline by an entity that regulates a license, out-of-state occupational license, or government certification, the licensing authority may apply the applicable provision of law to an applicant under this chapter.

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## Ohio Revised Code

### Section 4796.20 Written decisions; pending complaint, allegation, or investigation.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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(A) Except as provided in division (B) of this section, a licensing authority shall provide an applicant with a written decision to issue or reject a license or government certification under this chapter or take any other action under this chapter within sixty days after receiving a complete application. For purposes of this division, an application shall not be considered complete until any required examination or criminal records check under divisions (A) and (B) of section 4796.08 of the Revised Code is complete.

(B) If an applicant is the subject of a complaint, allegation, or investigation that relates to information provided in the application, unprofessional conduct, a violation of a law regulating a profession, occupation, or occupational activity, or an alleged crime pending before a court, administrative agency, licensing authority, or other entity that regulates a license, out-of-state occupational license, or government certification, a licensing authority shall not issue or deny a license or government certification to the applicant under this chapter until the complaint, allegation, or investigation is resolved to the satisfaction of the licensing authority. A licensing authority shall provide the applicant with a written decision to issue or reject a license or government certification under this chapter or take any other action under this chapter within sixty days after the complaint, allegation, or investigation is resolved to the satisfaction of the licensing authority.

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## Ohio Revised Code

### Section 4796.21 Scope of practice.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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An applicant who is issued a license or government certification under this chapter is subject to the laws regulating the practice of the applicable occupation or profession in this state and is subject to the licensing authority's jurisdiction.

An applicant who is issued a license or government certification under this chapter may practice the applicable occupation or profession in this state only within the scope and practice that is permitted under Ohio law and that does not exceed the applicant's training.

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## Ohio Revised Code

### Section 4796.22 Equivalent treatment; national standard exception.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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(A) Except as provided in division (B) of this section, a license or government certification issued under this chapter shall be considered a license or government certification issued under the laws regulating the practice of the applicable occupation or profession in this state. Provisions of law applicable to a license or government certification issued to an applicant who does not obtain a license or government certification under this chapter apply in the same manner to licenses and government certifications issued under this chapter.

(B) A licensing authority may, for purposes of verifying licensure status in this state with an entity that licenses the same profession, occupation, or occupational activity in another state, require an applicant issued a license or government certification under this chapter to satisfy a national standard to have that license or government certification verified as a license or government certification issued by this state. A licensing authority may require satisfaction of a national standard under this division only if both of the following apply:

(1) An applicant for a license or government certification under the laws of this state governing the profession, occupation, or occupational activity is required to satisfy the national standard to receive the license or government certification.

(2) The licensing authority posts notice of the requirement to satisfy the national standard on the web site maintained by the licensing authority.

(C) If a licensing authority elects to require satisfaction of a national standard under division (B) of this section and the law governing the license or government certification in effect immediately before the effective date of this section required an applicant who holds an out-of-state occupational license or government certification to satisfy a requirement that is less restrictive than a requirement described in division (B), (C), (D), (E), or (F) of section 4796.03 of the Revised Code to receive the license or government certification, the licensing authority shall do the following:





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- (1) Apply the less restrictive requirement to an applicant who satisfied the national standard;
  
- (2) Apply the requirements of section 4796.03, 4796.04, or 4796.05 of the Revised Code to an applicant who did not satisfy the national standard.



## Ohio Revised Code

### Section 4796.23 Reciprocal licensing agreements.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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A licensing authority may prohibit an individual who is issued a license or government certification under this chapter from using the license or government certification to obtain a substantially similar license or government certification in another state if the licensing authority determines that allowing the individual to do so would jeopardize any reciprocal licensing agreement with the other state that is in effect on the effective date of this section.

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## Ohio Revised Code

### Section 4796.24 Interstate licensure compacts.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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An individual who holds a license issued pursuant to an interstate licensure compact to which Ohio is a party is not required to obtain a license under this chapter to practice in this state.

A licensing authority may prohibit an individual who is issued a license under this chapter from using the license to obtain a license through an interstate licensure compact if the licensing authority determines that allowing the individual to do so would jeopardize the state's membership in the compact.

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## Ohio Revised Code

### Section 4796.26 Individual license requirement.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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Notwithstanding any requirement in the Revised Code that a licensing authority grant a license or government certification in accordance with this chapter, the licensing authority shall not grant the license or government certification under this chapter unless both of the following apply:

(A) The applicant is applying for the license or government certification in the applicant's capacity as an individual;

(B) One of the following applies:

(1) If the applicant seeks licensure or certification under section 4796.03 or 4796.04 of the Revised Code, the applicant held the applicable out-of-state occupational license, government certification, or private certification in the applicant's capacity as an individual;

(2) If the applicant seeks licensure or certification under section 4796.05 of the Revised Code, the applicant personally engaged in the profession, occupation, or occupational activity in a state that does not issue the occupational license or government certification for which the applicant is applying in this state.

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## Ohio Revised Code

### Section 4796.30 Administrative rules.

Effective: April 3, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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Each licensing authority shall adopt rules as necessary to implement this chapter, including rules regarding issuing restricted or limited licenses or government certifications under section 4796.10 of the Revised Code.

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## Ohio Revised Code

### Section 4796.35 Political subdivisions.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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A political subdivision shall not prohibit an individual who holds a license or government certification issued by a state agency under this chapter from engaging in the respective profession, occupation, or occupational activity in the political subdivision's jurisdiction.

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## Ohio Revised Code

### Section 3707.511 Concussion awareness, training and procedures in youth sports organizations.

Effective: September 17, 2014

Legislation: House Bill 487 - 130th General Assembly

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(A) As used in this section:

(1) "Licensing agency" has the same meaning as in section 4745.01 of the Revised Code.

(2) "Licensed health care professional" means an individual, other than a physician, who is authorized under Title XLVII of the Revised Code to practice a health care profession.

(3) "Physician" means a person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(B) A youth sports organization shall provide to the parent, guardian, or other person having care or charge of an individual who wishes to practice for or compete in an athletic activity organized by a youth sports organization the concussion and head injury information sheet required by section 3707.52 of the Revised Code. The organization shall provide the information sheet annually for each sport or other category of athletic activity for or in which the individual practices or competes.

(C)(1) No individual shall act as a coach or referee for a youth sports organization unless the individual holds a pupil-activity program permit issued under section 3319.303 of the Revised Code for coaching interscholastic athletics or presents evidence that the individual has successfully completed, within the previous three years, a training program in recognizing the symptoms of concussions and head injuries to which the department of health has provided a link on its internet web site under section 3707.52 of the Revised Code.

(2) The youth sports organization for which the individual intends to act as a coach or referee shall inform the individual of the requirement described in division (C)(1) of this section.

(D) If an individual practicing for or competing in an athletic event organized by a youth sports



organization exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury while participating in the practice or competition, the individual shall be removed from the practice or competition by one of the following:

- (1) The individual who is serving as the individual's coach during that practice or competition;
- (2) An individual who is serving as a referee during that practice or competition;
- (3) An official of the youth sports organization who is supervising that practice or competition.

(E)(1) If an individual is removed from practice or competition under division (D) of this section, the coach, referee, or official who removed the individual shall not allow the individual, on the same day the individual is removed, to return to that practice or competition or to participate in any other practice or competition for which the coach, referee, or official is responsible. Thereafter, the coach, referee, or official shall not allow the student to return to that practice or competition or to participate in any other practice or competition for which the coach, referee, or official is responsible until both of the following conditions are satisfied:

(a) The individual's condition is assessed by any of the following who has complied with the requirements in division (E)(4) of this section:

- (i) A physician;
- (ii) A licensed health care professional the youth sports organization, pursuant to division (E)(2) of this section, authorizes to assess an individual who has been removed from practice or competition under division (D) of this section;
- (iii) A licensed health care professional who meets the minimum education requirements established by rules adopted under section 3707.521 of the Revised Code by the professional's licensing agency.

(b) The individual receives written clearance that it is safe for the individual to return to practice or competition from the physician or licensed health care professional who assessed the individual's





condition.

(2) A youth sports organization may authorize a licensed health care professional to make an assessment or grant a clearance for purposes of division (E)(1) of this section only if the professional is acting in accordance with one of the following, as applicable to the professional's authority to practice in this state:

- (a) In consultation with a physician;
- (b) Pursuant to the referral of a physician;
- (c) In collaboration with a physician;
- (d) Under the supervision of a physician.

(3) A physician or licensed health care professional who makes an assessment or grants a clearance for purposes of division (E)(1) of this section may be a volunteer.

(4) Beginning one year after the effective date of this amendment, all physicians and licensed health care professionals who conduct assessments and clearances under division (E)(1) of this section must meet the minimum education requirements established by rules adopted under section 3707.521 of the Revised Code by their respective licensing agencies.

(F)(1) A youth sports organization or official, employee, or volunteer of a youth sports organization, including a coach or referee, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.

(2) This section does not eliminate, limit, or reduce any other immunity or defense that a public entity, public official, or public employee may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.



## Ohio Revised Code

### Section 3707.52 Concussion and head injury information sheet.

Effective: March 27, 2013

Legislation: House Bill 143 - 129th General Assembly

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(A) The department of health shall create a concussion and head injury information sheet for participants in interscholastic athletics and youth sports organizations. The department shall include in the information sheet pertinent information to inform and educate coaches, athletes, and the parents, guardians, or other persons having care or charge of athletes of the signs and symptoms of concussion or head injury and the risks of continuing to practice for or compete in an athletic event or activity after sustaining a concussion or head injury. The department periodically shall review the information sheet and update it accordingly.

The department shall make the information sheet available on its internet web site in a format suitable for easy downloading and printing.

(B) The department shall provide a link on its internet web site to one or more free online training programs in recognizing the symptoms of concussions and head injuries. The department shall include one or more programs that are appropriate for coaches or referees of schools or youth sports organizations seeking to fulfill the requirements of section 3313.539 or 3707.511 of the Revised Code.

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## Ohio Revised Code

### Section 3313.539 Concussions and school athletics.

Effective: September 17, 2014

Legislation: House Bill 487 - 130th General Assembly

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(A) As used in this section:

- (1) "Licensing agency" has the same meaning as in section 4745.01 of the Revised Code.
- (2) "Licensed health care professional" means an individual, other than a physician, who is authorized under Title XLVII of the Revised Code to practice a health care profession.
- (3) "Physician" means a person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(B) No school district board of education or governing authority of a chartered or nonchartered nonpublic school shall permit a student to practice for or compete in interscholastic athletics until the student has submitted, to a school official designated by the board or governing authority, a form signed by the parent, guardian, or other person having care or charge of the student stating that the student and the parent, guardian, or other person having care or charge of the student have received the concussion and head injury information sheet required by section 3707.52 of the Revised Code. A completed form shall be submitted each school year, as defined in section 3313.62 of the Revised Code, for each sport or other category of interscholastic athletics for or in which the student practices or competes.

(C)(1) No school district board of education or governing authority of a chartered or nonchartered nonpublic school shall permit an individual to coach interscholastic athletics unless the individual holds a pupil-activity program permit issued under section 3319.303 of the Revised Code for coaching interscholastic athletics.

(2) No school district board of education or governing authority of a chartered or nonchartered nonpublic school shall permit an individual to referee interscholastic athletics unless the individual holds a pupil-activity program permit issued under section 3319.303 of the Revised Code for



coaching interscholastic athletics or presents evidence that the individual has successfully completed, within the previous three years, a training program in recognizing the symptoms of concussions and head injuries to which the department of health has provided a link on its internet web site under section 3707.52 of the Revised Code or a training program authorized and required by an organization that regulates interscholastic athletic competition and conducts interscholastic athletic events.

(D) If a student practicing for or competing in an interscholastic athletic event exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury while participating in the practice or competition, the student shall be removed from the practice or competition by either of the following:

- (1) The individual who is serving as the student's coach during that practice or competition;
- (2) An individual who is serving as a referee during that practice or competition.

(E)(1) If a student is removed from practice or competition under division (D) of this section, the coach or referee who removed the student shall not allow the student, on the same day the student is removed, to return to that practice or competition or to participate in any other practice or competition for which the coach or referee is responsible. Thereafter, the coach or referee shall not allow the student to return to that practice or competition or to participate in any other practice or competition for which the coach or referee is responsible until both of the following conditions are satisfied:

(a) The student's condition is assessed by any of the following who has complied with the requirements in division (E)(4) of this section:

- (i) A physician;
- (ii) A licensed health care professional the school district board of education or governing authority of the chartered or nonchartered nonpublic school, pursuant to division (E)(2) of this section, authorizes to assess a student who has been removed from practice or competition under division (D) of this section;



(iii) A licensed health care professional who meets the minimum education requirements established by rules adopted under section 3707.521 of the Revised Code by the professional's licensing agency.

(b) The student receives written clearance that it is safe for the student to return to practice or competition from the physician or licensed health care professional who assessed the student's condition.

(2) A school district board of education or governing authority of a chartered or nonchartered nonpublic school may authorize a licensed health care professional to make an assessment or grant a clearance for purposes of division (E)(1) of this section only if the professional is acting in accordance with one of the following, as applicable to the professional's authority to practice in this state:

(a) In consultation with a physician;

(b) Pursuant to the referral of a physician;

(c) In collaboration with a physician;

(d) Under the supervision of a physician.

(3) A physician or licensed health care professional who makes an assessment or grants a clearance for purposes of division (E)(1) of this section may be a volunteer.

(4) Beginning one year after the effective date of this amendment, all physicians and licensed health care professionals who conduct assessments and clearances under division (E)(1) of this section must meet the minimum education requirements established by rules adopted under section 3707.521 of the Revised Code by their respective licensing agencies.

(F) A school district board of education or governing authority of a chartered or nonchartered nonpublic school that is subject to the rules of an interscholastic conference or an organization that



regulates interscholastic athletic competition and conducts interscholastic athletic events shall be considered to be in compliance with divisions (B), (D), and (E) of this section, as long as the requirements of those rules are substantially similar to the requirements of divisions (B), (D), and (E) of this section.

(G)(1) A school district, member of a school district board of education, or school district employee or volunteer, including a coach or referee, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.

This section does not eliminate, limit, or reduce any other immunity or defense that a school district, member of a school district board of education, or school district employee or volunteer, including a coach or referee, may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(2) A chartered or nonchartered nonpublic school or any officer, director, employee, or volunteer of the school, including a coach or referee, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.



## Ohio Revised Code

### Section 3313.5310 Information and training regarding sudden cardiac arrest.

Effective: October 3, 2023

Legislation: House Bill 33

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(A)(1) This section applies to both of the following:

(a) Any school operated by a school district board of education;

(b) Any chartered or nonchartered nonpublic school that is subject to the rules of an interscholastic conference or an organization that regulates interscholastic conferences or events.

(2) As used in this section, "athletic activity" means all of the following:

(a) Interscholastic athletics;

(b) An athletic contest or competition that is sponsored by or associated with a school that is subject to this section, including cheerleading, club-sponsored sports activities, and sports activities sponsored by school-affiliated organizations;

(c) Noncompetitive cheerleading that is sponsored by school-affiliated organizations;

(d) Practices, interschool practices, and scrimmages for all of the activities described in divisions (A)(2)(a), (b), and (c) of this section.

(B) Prior to the start of each athletic season, a school that is subject to this section may hold an informational meeting for students, parents, guardians, other persons having care or charge of a student, physicians, pediatric cardiologists, athletic trainers, and any other persons regarding the symptoms and warning signs of sudden cardiac arrest for all ages of students.

(C) No student shall participate in an athletic activity until the student has submitted to a designated school official a form signed by the student and the parent, guardian, or other person having care or charge of the student stating that the student and the parent, guardian, or other person having care or



charge of the student have received and reviewed a copy of the information jointly developed by the department of health and the department of education and workforce and posted on their respective web sites as required by section 3707.59 of the Revised Code. A completed form shall be submitted each school year, as defined in section 3313.62 of the Revised Code, in which the student participates in an athletic activity.

(D) No individual shall coach an athletic activity unless the individual has completed the sudden cardiac arrest training course approved by the department of health under division (C) of section 3707.59 of the Revised Code in accordance with section 3319.303 of the Revised Code.

(E)(1) A student shall not be allowed to participate in an athletic activity if either of the following is the case:

(a) The student's biological parent, biological sibling, or biological child has previously experienced sudden cardiac arrest, and the student has not been evaluated and cleared for participation in an athletic activity by a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(b) The student is known to have exhibited syncope or fainting at any time prior to or following an athletic activity and has not been evaluated and cleared for return under division (E)(3) of this section after exhibiting syncope or fainting.

(2) A student shall be removed by the student's coach from participation in an athletic activity if the student exhibits syncope or fainting.

(3) If a student is not allowed to participate in or is removed from participation in an athletic activity under division (E)(1) or (2) of this section, the student shall not be allowed to return to participation until the student is evaluated and cleared for return in writing by any of the following:

(a) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, including a physician who specializes in cardiology;

(b) A certified nurse practitioner, clinical nurse specialist, or certified nurse-midwife who holds a





certificate of authority issued under Chapter 4723. of the Revised Code;

(c) A physician assistant licensed under Chapter 4730. of the Revised Code;

(d) An athletic trainer licensed under Chapter 4755. of the Revised Code.

The licensed health care providers specified in divisions (E)(3)(a) to (d) of this section may consult with any other licensed or certified health care providers in order to determine whether a student is ready to return to participation.

(F) A school that is subject to this section shall establish penalties for a coach who violates the provisions of division (E) of this section.

(G) Nothing in this section shall be construed to abridge or limit any rights provided under a collective bargaining agreement entered into under Chapter 4117. of the Revised Code prior to March 14, 2017.

(H)(1) A school district, member of a school district board of education, or school district employee or volunteer, including a coach, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.

This section does not eliminate, limit, or reduce any other immunity or defense that a school district, member of a school district board of education, or school district employee or volunteer, including a coach, may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(2) A chartered or nonchartered nonpublic school or any officer, director, employee, or volunteer of the school, including a coach, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.



## Ohio Revised Code

### Section 3313.7110 Procurement of epinephrine autoinjectors for public schools.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) The board of education of each city, local, exempted village, or joint vocational school district may procure epinephrine autoinjectors for each school operated by the district to have on the school premises for use in emergency situations identified under division (C)(5) of this section by doing one of the following:

(1) Having a licensed health professional authorized to prescribe drugs, acting in accordance with section 4723.483, 4730.433, or 4731.96 of the Revised Code, personally furnish the epinephrine autoinjectors to the school or school district or issue a prescription for them in the name of the school or district;

(2) Having the district's superintendent obtain a prescriber-issued protocol that includes definitive orders for epinephrine autoinjectors and the dosages of epinephrine to be administered through them.

A district board that elects to procure epinephrine autoinjectors under this section is encouraged to maintain, at all times, at least two epinephrine autoinjectors at each school operated by the district.

(B) A district board that elects to procure epinephrine autoinjectors under this section shall require the district's superintendent to adopt a policy governing their maintenance and use. Before adopting the policy, the superintendent shall consult with a licensed health professional authorized to prescribe drugs.

(C) The policy adopted under division (B) of this section shall do all of the following:

(1) Identify the one or more locations in each school operated by the district in which an epinephrine autoinjector must be stored;

(2) Specify the conditions under which an epinephrine autoinjector must be stored, replaced, and



disposed;

(3) Specify the individuals employed by or under contract with the district board, in addition to a school nurse or an athletic trainer, licensed under Chapter 4755. of the Revised Code, who may access and use an epinephrine autoinjector to provide a dosage of epinephrine to an individual in an emergency situation identified under division (C)(5) of this section;

(4) Specify any training that employees or contractors specified under division (C)(3) of this section, other than a school nurse or athletic trainer, must complete before being authorized to access and use an epinephrine autoinjector;

(5) Identify the emergency situations, including when an individual exhibits signs and symptoms of anaphylaxis, in which a school nurse, athletic trainer, or other employees or contractors specified under division (C)(3) of this section may access and use an epinephrine autoinjector;

(6) Specify that assistance from an emergency medical service provider must be requested immediately after an epinephrine autoinjector is used;

(7) Specify the individuals, in addition to students, school employees or contractors, and school visitors, to whom a dosage of epinephrine may be administered through an epinephrine autoinjector in an emergency situation specified under division (C)(5) of this section.

(D)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using an epinephrine autoinjector under this section, unless the act or omission constitutes willful or wanton misconduct:

(a) A school or school district;

(b) A member of a district board of education;

(c) A district or school employee or contractor;



(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes epinephrine autoinjectors, consults with a superintendent, or issues a protocol pursuant to this section.

(2) This section does not eliminate, limit, or reduce any other immunity or defense that a school or school district, member of a district board of education, district or school employee or contractor, or licensed health professional may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(E) A school district board of education may accept donations of epinephrine autoinjectors from a wholesale distributor of dangerous drugs or a manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase epinephrine autoinjectors.

(F) A district board that elects to procure epinephrine autoinjectors under this section shall report to the department of education and workforce each procurement and occurrence in which an epinephrine autoinjector is used from a school's supply of epinephrine autoinjectors.

(G) As used in this section, "licensed health professional authorized to prescribe drugs" and "prescriber" have the same meanings as in section 4729.01 of the Revised Code.



## Ohio Revised Code

### Section 3313.7113 Procurement of inhalers by board.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) As used in this section, "inhaler" means a device that delivers medication to alleviate asthmatic symptoms, is manufactured in the form of a metered dose inhaler or dry powdered inhaler, and may include a spacer, holding chamber, or other device that attaches to the inhaler and is used to improve the delivery of the medication.

(B) The board of education of each city, local, exempted village, or joint vocational school district may procure inhalers for each school operated by the district to have on the school premises for use in emergency situations identified under division (D)(5) of this section. A district board that elects to procure inhalers under this section is encouraged to maintain, at all times, at least two inhalers at each school operated by the district.

(C) A district board that elects to procure inhalers under this section shall require the district's superintendent to adopt a policy governing their maintenance and use. Before adopting the policy, the superintendent shall consult with a licensed health professional authorized to prescribe drugs, as defined in section 4729.01 of the Revised Code.

(D) A component of a policy adopted by a superintendent under division (C) of this section shall be a prescriber-issued protocol specifying definitive orders for inhalers, including the dosages of medication to be administered through them, the number of times that each inhaler may be used before disposal, and the methods of disposal. The policy also shall do all of the following:

- (1) Identify the one or more locations in each school operated by the district in which an inhaler must be stored;
- (2) Specify the conditions under which an inhaler must be stored, replaced, and disposed;
- (3) Specify the individuals employed by or under contract with the district board, in addition to a school nurse or an athletic trainer, licensed under Chapter 4755. of the Revised Code, who may



access and use an inhaler to provide a dosage of medication to an individual in an emergency situation identified under division (D)(5) of this section;

(4) Specify any training that employees or contractors specified under division (D)(3) of this section, other than a school nurse or athletic trainer, must complete before being authorized to access and use an inhaler;

(5) Identify the emergency situations, including when an individual exhibits signs and symptoms of asthma, in which a school nurse, athletic trainer, or other employees or contractors specified under division (D)(3) of this section may access and use an inhaler;

(6) Specify that assistance from an emergency medical service provider must be requested immediately after an employee or contractor, other than a school nurse, athletic trainer, or another licensed health professional, uses an inhaler;

(7) Specify the individuals, in addition to students, school employees or contractors, and school visitors, to whom a dosage of medication may be administered through an inhaler in an emergency situation specified under division (D)(5) of this section.

(E) A school or school district, a member of a district board of education, or a district or school employee or contractor is not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using an inhaler under this section, unless the act or omission constitutes willful or wanton misconduct.

This section does not eliminate, limit, or reduce any other immunity or defense that a school or school district, member of a district board of education, or district or school employee or contractor may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(F) A school district board of education may accept donations of inhalers from a wholesale distributor of dangerous drugs or a manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase inhalers.



(G) A district board that elects to procure inhalers under this section shall report to the department of education and workforce each procurement and occurrence in which an inhaler is used from a school's supply of inhalers.



## Ohio Revised Code

### Section 3313.7115 Procurement of glucagon, qualified immunity - school districts.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) As used in this section, "licensed health professional authorized to prescribe drugs" and "prescriber" have the same meanings as in section 4729.01 of the Revised Code.

(B) The board of education of each city, local, exempted village, or joint vocational school district may procure injectable or nasally administered glucagon for each school operated by the district to have on the school premises for use in emergency situations identified under division (D)(5) of this section by doing one of the following:

(1) Having a licensed health professional authorized to prescribe drugs, acting in accordance with section 4723.4811, 4730.437, or 4731.92 of the Revised Code, personally furnish the injectable or nasally administered glucagon to the school or school district or issue a prescription for the drug in the name of the school or district;

(2) Having the district's superintendent obtain a prescriber-issued protocol that includes definitive orders for injectable or nasally administered glucagon and the dosages to be administered.

A district board that elects to procure injectable or nasally administered glucagon under this section is encouraged to maintain, at all times, at least two doses of the drug at each school operated by the district.

(C) A district board that elects to procure injectable or nasally administered glucagon under this section shall require the district's superintendent to adopt a policy governing maintenance and use of the drug. Before adopting the policy, the superintendent shall consult with a licensed health professional authorized to prescribe drugs.

(D) The policy adopted under division (C) of this section shall do all of the following:





- (1) Identify the one or more locations in each school operated by the district in which injectable or nasally administered glucagon must be stored;
  - (2) Specify the conditions under which injectable or nasally administered glucagon must be stored, replaced, and disposed;
  - (3) Specify the individuals employed by or under contract with the district board, in addition to a school nurse licensed under section 3319.221 of the Revised Code or an athletic trainer licensed under Chapter 4755. of the Revised Code, who may access and use injectable or nasally administered glucagon in an emergency situation identified under division (D)(5) of this section;
  - (4) Specify any training that employees or contractors specified under division (D)(3) of this section, other than a school nurse or athletic trainer, must complete before being authorized to access and use injectable or nasally administered glucagon;
  - (5) Identify the emergency situations in which a school nurse, athletic trainer, or other employees or contractors specified under division (D)(3) of this section may access and use injectable or nasally administered glucagon;
  - (6) Specify that assistance from an emergency medical service provider must be requested immediately after a dose of glucagon is administered;
  - (7) Specify the individuals, if any, in addition to students, to whom a dose of glucagon may be administered in an emergency situation specified under division (D)(5) of this section.
- (E)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using injectable or nasally administered glucagon under this section, unless the act or omission constitutes willful or wanton misconduct:
- (a) A school or school district;
  - (b) A member of a district board of education;



(c) A district or school employee or contractor;

(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes injectable or nasally administered glucagon, consults with a superintendent, or issues a protocol pursuant to this section.

(2) This section does not eliminate, limit, or reduce any other immunity or defense that a school or school district, member of a district board of education, district or school employee or contractor, or licensed health professional may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(F) A school district board of education may accept donations of injectable or nasally administered glucagon from a wholesale distributor of dangerous drugs or manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase the drug.

(G) A district board that elects to procure injectable or nasally administered glucagon under this section shall report to the department of education and workforce each procurement and each occurrence in which a dose of the drug is used from a school's supply.



## Ohio Revised Code

### Section 4776.20 Violation of law regarding trafficking in persons by licensee; notification of agency; sanctions.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) As used in this section:

(1) "Licensing agency" means, in addition to each board identified in division (C) of section 4776.01 of the Revised Code, the board or other government entity authorized to issue a license under Chapters 3776., 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 4737., 4738., 4740., 4747., 4749., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code. "Licensing agency" includes an administrative officer that has authority to issue a license.

(2) "Licensee" means, in addition to a licensee as described in division (B) of section 4776.01 of the Revised Code, the person to whom a license is issued by the board or other government entity authorized to issue a license under Chapters 3776., 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 4737., 4738., 4740., 4747., 4749., 4751., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code.

(3) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(B) On a licensee's conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the licensee's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the licensee's license.

(C) If there is a conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code and all or part of the violation occurred on the premises of a facility that is licensed by a licensing agency, the prosecutor in the case shall promptly notify the licensing



agency of the conviction, plea, or finding and provide the facility's name and address and the offender's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the facility's license.

(D) Notwithstanding any provision of the Revised Code to the contrary, the suspension of a license under division (B) or (C) of this section shall be implemented by a licensing agency without a prior hearing. After the suspension, the licensing agency shall give written notice to the subject of the suspension of the right to request a hearing under Chapter 119. of the Revised Code. After a hearing is held, the licensing agency shall either revoke or permanently revoke the license of the subject of the suspension, unless it determines that the license holder has not been convicted of, pleaded guilty to, been found guilty of, or been found guilty based on a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code.



## Ohio Administrative Code Rule 4755-1-01 Notice of meetings.

Effective: November 9, 2023

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(A) The occupational therapy, physical therapy, and athletic trainers board and orthotics, prosthetics, and pedorthics advisory council will comply with the public meeting requirements outlined in section 121.22 of the Revised Code.

(B) Any person can obtain the time, place, and purpose of all regularly scheduled meetings by:

(1) Visiting the board's website;

(2) E-mailing the board;

(3) Writing the board at its business address;

(4) Calling the board during normal business hours; or

(5) Appearing in person at the board office during normal business hours.

(C) Any person can obtain advance notice of all meetings at which any specific type of public business is to be discussed by identifying the type of public business for which the person desires to be notified and by contacting the Ohio occupational therapy, physical therapy, and athletic trainers board as indicated in paragraph (B) of this rule. The board will e-mail a notice of the time and place of the meeting, and the type of business to be discussed at least four calendar days before the meeting is scheduled unless the meeting is an emergency meeting.

(D) The board will maintain a list of representatives of the news media who requested notice of special or emergency meetings. The board will e-mail notice to this list at least twenty-four hours before special meetings. In the event of an emergency meeting, the representatives of the news media who requested notification will be notified by e-mail immediately of the time, place, and purpose of the meeting. News media requesting meeting notification shall supply the board with the



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name, mailing address, e-mail, and telephone number of the representative to be contacted.



## Ohio Administrative Code

### Rule 4755-1-02 Method of public notice in adopting, amending, or rescinding rules.

Effective: November 9, 2023

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(A) The Ohio occupational therapy, physical therapy, and athletic trainers board ("board") will comply with the provisions of section 119.03 of the Revised Code for the purposes of adoption, amendment, or rescission of rules. Compliance includes giving proper and reasonable public notice of rule changes.

(B) The board will comply with the provisions of section 106.03 of the Revised Code when reviewing existing rules.

(C) The board will complete the common sense initiative process for proposed rules and rule changes as required by section 107.53 of the Revised Code and any rules promulgated by that office prior to filing board rules with the legislative service commission.

(D) Pursuant to section 119.0311 of the Revised Code, the board will publish a guide to public participation in rule-making.

(E) Any person may receive notice of a proposed rule, amendment, or rescission by visiting the board website or by contacting the board to receive notice via e-mail.

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## Ohio Administrative Code Rule 4755-1-03 Personal information systems.

Effective: November 9, 2023

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(A) The Ohio occupational therapy, physical therapy, and athletic trainers board ("board") will appoint one employee to be directly responsible for each personal information system maintained by the section. Said employee will:

(1) Inform all employees who have any responsibility for the operation or maintenance of said system, or the use of personal information maintained in the system, of the applicable provisions of Chapter 1347. of the Revised Code and rules adopted thereunder; and,

(2) Inform all persons requested to supply personal information for a system whether or not they are legally required to provide such information; and,

(3) Restrict the collection, maintenance and use of personal information to only that which is necessary and relevant to functions of the board as required or authorized by statute, ordinance, code or rule; and,

(4) Provide all persons asked to supply personal information that will be placed in an interconnected or combined system with information relevant to the system, including the identity of all other agencies or organizations that have access to the information in the system; and,

(5) Allow a person who is the subject of a record in a personal information system to inspect the record pursuant to section 1347.08 of the Revised Code. Upon the request and verification that the person requesting access to the record is the subject of information contained in the system, the employee will:

(a) Inform the person of any personal information in the system of which they are the subject;

(b) Permit the person, their legal guardian, or an attorney who presents a signed authorization made by the person, to inspect all personal information in the system of which they are the subject, except





where prohibited by law;

(c) Inform the person of the uses made of the personal information and identify other users who have access to the system;

(d) Allow a person who wishes to exercise their rights as provided by this rule to be accompanied by one individual of their choice;

(e) Provide, for a reasonable charge, copies of any personal information the person is authorized to inspect.

(6) Investigate disputes concerning the accuracy, relevance, timeliness or completeness of personal information pursuant to section 1347.09 of the Revised Code and paragraph (D) of this rule.

(B) The board will reprimand in writing any employee who initiates or otherwise contributes to any disciplinary or other punitive action taken against another individual who brings to the attention of appropriate authorities, the press, or a member of the public, any evidence of unauthorized use of any material contained in the personal information system. A copy of the reprimand shall be entered in the employee's personal file.

(C) The board will monitor its personal information system by:

(1) Maintaining the personal information system with the accuracy, relevance, timeliness or completeness necessary to assure fairness in any determination made by the board which is based on information contained in the system; and

(2) Eliminating unnecessary information from the system.

(D) The board will investigate, upon request, the accuracy, relevance, timeliness or completeness of personal information, which is disputed by the subject of a record contained in the system, within ninety days after receipt of the request; and,

(1) Notify the disputant of the results of the investigation and any action the board intends to take



with respect to the disputed information; and,

(2) Delete any information that the section cannot verify or that finds to be inaccurate; and,

(3) Permit the disputant, if they are not satisfied with the determination made by the board, to include within the system:

(a) A brief statement of their position on the disputed information; or,

(b) A brief statement that they finds the information in the system to be inaccurate, irrelevant, outdated, or incomplete.

(4) The board will maintain a copy of all statements made by a disputant.

(E) The board will not place personal information into an interconnected and combined system, unless said system contributes to the efficiency of the agencies or organizations authorized to use the system in implementing programs which are required or authorized by law.

(F) The board will not use personal information placed into an interconnected or combined system by another state or local agency or an organization, unless the personal information is necessary and relevant to the performance of a lawful function of the section.

(G) The board will make available, upon request, all information concerning charges made by the section for reproduction of materials contained in its personal information system.



## Ohio Administrative Code

### Rule 4755-1-04 Definitions governing access to confidential personal information.

Effective: November 9, 2023

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For the purposes of administrative rules promulgated in accordance with section 1347.15 of the Revised Code, the following definitions apply:

(A) "Access" as a noun means an instance of copying, viewing, or otherwise perceiving whereas "access" as a verb means to copy, view, or otherwise perceive.

(B) "Acquisition of a new computer system" means the purchase of a "computer system," as defined in this rule, that is not a computer system currently in place nor one for which the acquisition process has been initiated as of the effective date of the agency rule addressing requirements in section 1347.15 of the Revised Code.

(C) "Agency" means the Ohio occupational therapy, physical therapy, and athletic trainers board.

(D) "Computer system" means a "system," as defined by section 1347.01 of the Revised Code, that stores, maintains, or retrieves personal information using electronic data processing equipment.

(E) "Confidential personal information" (CPI) has the meaning as defined by division (A)(1) of section 1347.15 of the Revised Code and identified by rules promulgated by the Ohio occupational therapy, physical therapy, and athletic trainers board in accordance with division (B)(3) of section 1347.15 of the Revised Code that references the federal or state statutes or administrative rules that make personal information maintained by the agency confidential.

(F) "Employee of the state agency" means each employee of a state agency regardless of whether he/she holds an elected or appointed office or position within the state agency. "Employee of the state agency" is limited to personnel employed by or appointed to the Ohio occupational therapy, physical therapy, and athletic trainers board.

(G) "Incidental contact" means contact with the information that is secondary or tangential to the



primary purpose of the activity that resulted in the contact.

(H) "Individual" means a natural person or the natural person's authorized representative, legal counsel, legal custodian, or legal guardian.

(I) "Information owner" means the individual appointed in accordance with division (A) of section 1347.05 of the Revised Code to be directly responsible for a system.

(J) "Person" means a natural person.

(K) "Personal information" has the same meaning as defined in division (E) of section 1347.01 of the Revised Code.

(L) "Personal information system" means a "system" that "maintains" "personal information" as those terms are defined in section 1347.01 of the Revised Code. "System" has the same meaning as defined by division (F) of section 1347.01 of the Revised Code.

(M) "Research" means a methodical investigation into a subject.

(N) "Routine" means commonplace, regular, habitual, or ordinary.

(O) "Routine information that is maintained for the purpose of internal office administration, the use of which would not adversely affect a person" as that phrase is used in division (F) of section 1347.01 of the Revised Code means personal information relating to the employees and maintained by the agency for internal administrative and human resource purposes.

(P) "System" has the same meaning as defined by division (F) of section 1347.01 of the Revised Code.

(Q) "Upgrade" means a substantial redesign of an existing computer system for the purpose of providing a substantial amount of new application functionality, or application modifications that would involve substantial administrative or fiscal resources to implement, but would not include maintenance, minor updates and patches, or modification that entail a limited addition of



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functionality due to changes in business or legal requirements.



## Ohio Administrative Code

### Rule 4755-1-05 Procedures for accessing confidential personal information.

Effective: November 9, 2023

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For personal information systems, whether manual or computer systems, that contain confidential personal information, the board shall do the following:

(A) Criteria for accessing confidential personal information.

Personal information systems of the agency are managed on a "need-to-know" basis whereby the information owner determines the level of access required for an employee of the agency to fulfill his/her job duties. The determination of access to confidential personal information shall be agency policy developed pursuant to these rules prior to providing an employee with access to confidential personal information within a personal information system. The agency shall establish procedures for determining a revision to an employee's access to confidential personal information upon a change to that employee's job duties including, but not limited to, transfer or termination. Whenever an employee's job duties no longer require access to confidential personal information in a personal information system, the employee's access to confidential personal information shall be removed.

(B) Individual's request for a list of confidential personal information.

Upon the signed written request of any individual for a list of confidential personal information about the individual maintained by the agency, the agency shall do all of the following:

(1) Verify the identity of the individual by a method that provides safeguards commensurate with the risk associated with the confidential personal information;

(2) Provide to the individual the list of confidential personal information that does not relate to an investigation about the individual or is otherwise not excluded from the scope of Chapter 1347. of the Revised Code; and

(3) If all information relates to an investigation about that individual, inform the individual that the



agency has no confidential personal information about the individual that is responsive to the individual's request.

(C) Notice of invalid access.

(1) Upon discovery or notification that confidential personal information of a person has been accessed by an employee for an invalid reason, the agency shall notify the person whose information was invalidly accessed as soon as practical and to the extent known at the time. However, the agency shall delay notification for a period of time necessary to ensure that the notification would not delay or impede an investigation or jeopardize homeland or national security. Additionally, the agency may delay the notification consistent with any measures necessary to determine the scope of the invalid access, including which individuals' confidential personal information invalidly was accessed, and to restore the reasonable integrity of the system.

(2) "Investigation" as used in this rule means a review of the circumstances and involvement of an employee surrounding the invalid access of the confidential personal information. Once the agency determines that notification would not delay or impede an investigation, the agency shall disclose the access to confidential personal information made for an invalid reason to the person.

(3) Notification provided by the board shall inform the person of the type of confidential personal information accessed and the date(s) of the invalid access.

(4) Notification may be made by any method reasonably designed to accurately inform the person of the invalid access, including written, electronic, or telephone notice.

(D) Appointment of a data privacy point of contact.

The executive director will designate an employee of the agency to serve as the data privacy point of contact. The data privacy point of contact shall work with the chief privacy officer within the office of information technology to assist the agency with both the implementation of privacy protections for the confidential personal information that the agency maintains and compliance with section 1347.15 of the Revised Code and the rules adopted pursuant to the authority provided by that chapter.



(E) Completion of a privacy impact assessment.

The agency director will designate an employee of the agency to serve as the data privacy point of contact who will timely complete the privacy impact assessment form developed by the office of information technology.





## Ohio Administrative Code

### Rule 4755-1-06 Valid reasons for accessing confidential personal information.

Effective: November 9, 2023

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Pursuant to the requirements of division (B)(2) of section 1347.15 of the Revised Code, this rule contains a list of valid reasons, directly related to the board's exercise of its powers or duties, for which only employees of the agency may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

(A) Performing the following functions constitute valid reasons for authorized employees of the agency to access confidential personal information:

- (1) Responding to a public records request;
- (2) Responding to a request from an individual for the list of CPI the agency maintains on that individual;
- (3) Administering a constitutional provision or duty;
- (4) Administering a statutory provision or duty;
- (5) Administering an administrative rule provision or duty;
- (6) Complying with any state or federal program requirements;
- (7) Processing or payment of claims or otherwise administering a program with individual participants or beneficiaries;
- (8) Auditing purposes;
- (9) License application or renewal or eligibility for examination processes;



- (10) Investigation or law enforcement purposes;
- (11) Administrative hearings;
- (12) Litigation, complying with an order of the court, or subpoena;
- (13) Human resource matters (e.g., hiring, promotion, demotion, discharge, salary/compensation issues, leave requests/issues, time card approvals/issues);
- (14) Complying with an executive order or policy;
- (15) Complying with an agency policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state agency; or
- (16) Complying with a collective bargaining agreement provision.

(B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the Ohio occupational therapy, physical therapy, and athletic trainers board, authorized employees and board members would also have valid reasons for accessing CPI in these following circumstances:

- (1) Authorized employees and board members may review CPI of individuals who are subject to investigation for alleged violations of Chapter 4755. or 4779. of the Revised Code or agency 4755 of the Administrative Code that may result in licensure discipline or application denial. Authorized employees may review CPI of individuals who are not the subject of the investigation, but who otherwise may be witnesses with information related to the investigation. CPI may be reviewed by employees and members of the board in disciplinary matters that become the subject of administrative hearings or board action, including reporting disciplinary actions as required by state and federal law.
- (2) Employees assigned to the continuing education audit may review CPI of license holders who are being audited for the purpose of carrying out that program.



(3) Authorized employees and board members may review CPI of persons who hold, are applying for, or are renewing a license issued by the board for purposes of verifying licensure, processing licensure and renewal applications, determining eligibility for licensure, performing financial transactions and reporting related to application processing, or any other activities undertaken for the purpose of carrying out that program.

(4) Employees assigned to fiscal and human resource positions may review CPI of vendors billing the board for services rendered and employees of the board for payroll and other human resource activities for the purpose of carrying out the board's daily activities.



## Ohio Administrative Code Rule 4755-1-07 Confidentiality statutes.

Effective: November 9, 2023

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The following federal statutes or regulations or state statutes and administrative rules make personal information maintained by the board confidential and identify the confidential personal information within the scope of rules promulgated by the board in accordance with section 1347.15 of the Revised Code:

- (A) Social security numbers: 5 U.S.C. 552a., unless the individual was told that the number would be disclosed.
  - (B) Records of reporting required pursuant to 42 U.S.C. section 1320a-7e(b), 5 U.S.C. section 552a, and 45 C.F.R. part 61 for compliance with the U.S. department of health and human services' healthcare integrity and protection data bank (HIPDB).
  - (C) "Bureau of criminal identification and investigation" criminal records check results: section 4776.04 of the Revised Code.
  - (D) Records required or allowed to be kept confidential pursuant to section 149.43 of the Revised Code.
  - (E) Information and records received or generated by the board pursuant to an investigation: division (E) of section 4755.02 and division (B) of section 4779.33 of the Revised Code.
  - (F) Medical records submitted with requests for testing accommodations and/or continuing education waiver requests: 5 C.F.R. 164 (2014).
  - (G) College and university transcripts: 20 U.S.C. 1232 g(2013).
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## Ohio Administrative Code

### Rule 4755-1-08 Restricting and logging access to confidential personal information in computerized personal information systems.

Effective: November 9, 2023

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For personal information systems that are computer systems and contain confidential personal information, the board shall do the following:

(A) Access restrictions. Access to confidential personal information that is kept electronically shall require a password or other authentication measure.

(B) Acquisition of a new computer system. When the board acquires a new computer system that stores, manages or contains confidential personal information, the board shall include a mechanism for recording specific access by employees of the board to confidential personal information in the system.

(C) Upgrading existing computer systems. When the board modifies an existing computer system that stores, manages or contains confidential personal information, the board shall make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system shall include a mechanism for recording specific access by employees of the board to confidential personal information in the system.

(D) Logging requirements regarding confidential personal information in existing computer systems.

(1) The board shall require employees of the board who access confidential personal information within computer systems to maintain a log that records that access.

(2) Access to confidential information is not required to be entered into the log under the following circumstances:

(a) The employee of the board is accessing confidential personal information for official board purposes, including research, and the access is not specifically directed toward a specifically named



individual or a group of specifically named individuals.

(b) The employee of the board is accessing confidential personal information for routine office procedures and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(c) The employee of the board comes into incidental contact with confidential personal information and the access of the information is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(d) The employee of the board accesses confidential personal information about an individual based upon a request made under either of the following circumstances:

(i) The individual requests confidential personal information about himself/herself.

(ii) The individual makes a request that the board takes some action on that individual's behalf and accessing the confidential personal information is required in order to consider or process that request.

(3) For purposes of this paragraph, the board may choose the form or forms of logging, whether in electronic or paper formats.

(E) Log management. The board shall issue a policy that specifies the following:

(1) Who shall maintain the log;

(2) What information shall be captured in the log;

(3) How the log is to be stored; and

(4) How long information kept in the log is to be retained.

Nothing in this rule limits the board from requiring logging in any circumstance that it deems



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necessary.



## Ohio Administrative Code

### Rule 4755-2-01 Impaired practitioner rules and safe haven program for license holders and applicants.

Effective: December 11, 2022

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#### (A) Definitions

(1) "License holder" applies to the following license types:

(a) Athletic trainers

(b) Occupational therapists

(c) Occupational therapy assistants

(d) Orthotists

(e) Pedorthists

(f) Prosthetists

(g) Prosthetist-orthotists

(h) Physical therapists

(i) Physical therapist assistants

(2) "Board" means the occupational therapy, physical therapy, and athletic trainers board or any individual license-specific section of the board.

(B) For purposes of the rule, an individual license holder who accepts the privilege of practicing in this state is subject to regulation by the board. Through the act of filing an application for licensure or being licensed by the board, the individual has given consent to submit to a mental or physical





examination at the individual's expense when ordered to do so by the board in writing and to have waived all objections to the admissibility of testimony or examination of reports that constitute privileged communications.

(C) If the board receives information by the filing of a complaint with the board or upon its own information that a license holder's ability to practice has fallen below the acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs or alcohol or other substances, or other medical condition or illness, the board may order the license holder to submit to a mental or physical examination at the license holder's expense conducted by a designee of the board for the purpose of determining if there is an impairment that is posing a threat to the license holder's well-being or the treatment of a patient or client whom the license holder serves.

(D) Failure of the individual license holder to submit to a mental or physical examination order by the board constitutes an admission of the allegations against the license holder, unless the failure is due to circumstances beyond the individual's control.

(E) If the board determines that the individual's ability to practice is impaired, the following actions may be taken:

(1) The board may suspend or place restrictions on the individual's license to practice;

(2) Deny the individual's application for licensure and require the individual to submit to treatment;  
or

(3) Other requirements as a condition for initial, continued, reinstated, or renewed licensure to practice.

(F) The board at its discretion may:

(1) Contract with providers of impaired treatment programs;

(2) Receive and evaluate reports of suspected impairment from any source;



- (3) Intervene in cases of verified impairment;
  - (4) Monitor treatment and rehabilitation of the impairment;
  - (5) Provide post-treatment monitoring and support; or
  - (6) Provide other functions as necessary to carry out the provisions of this rule.
- (G) The board-approved treatment program shall:
- (1) Receive relevant information from the board office and other sources regarding the potential impairment.
  - (2) Report within five business days any license holder:
    - (a) Who refuses to cooperate with an evaluation or investigation;
    - (b) Who refuses to submit to treatment or rehabilitation;
    - (c) Whose impairment is not substantially alleviated through treatment; or
    - (d) Who in the opinion of the evaluators is unable to practice under their license with reasonable skill and safety.
  - (3) Provide confidentiality of non-public information of the review process.
  - (4) Provide an initial report of the nature, severity, and progress of the impairment.
  - (5) Provide periodic reports, at a rate determined by the board concerning the license holder's progress.
  - (6) Provide a final report including the treatment outcome, and a finding as to the license holder's fitness to practice.



(7) Follow any requirements outlined in a formal agreement the license holder, or applicant for licensure has entered into with the board.

(H) Pursuant to division (E) of section 4755.06, division (H) of section 4755.411, division (A)(12) of section 4755.61, and division (A)(8) of section 4779.08 of the Revised Code, as part of the board's impairment or diversion program, the board hereby establishes a confidential, non-disciplinary program for the evaluation and treatment of eligible practitioners who need assistance with a potential or existing impairment due to abuse of or dependency on alcohol or drugs or other medical condition or illness. This program shall be known as the board's safe haven program.

(1) The board may contract with one entity, hereafter referred to as the monitoring organization, to conduct the safe haven program. The monitoring organization shall use licensed mental health and addiction professionals in the program. The monitoring organization shall determine the eligibility for participation in the safe haven program and provide associated services to eligible practitioners.

(2) Eligible practitioners shall include license holders of the board as well as applicants who have applied for a license from the board.

(3) Services provided by the monitoring organization include but are not limited to the following:

(a) Screening and/or evaluation for possible impairment due to abuse of or dependency on alcohol or drugs or other medical condition or illness;

(b) Referral to treatment providers approved by the monitoring organization for the purpose of evaluating and/or treating impairment;

(c) Establishment of individualized monitoring criteria for a duration determined by the monitoring organization to ensure the continuing care and recovery from impairment; and

(d) Case management.

(4) The monitoring organization that contracts with the board to conduct the safe haven program may



receive referrals from any of the following:

- (a) Applicants and license holders;
- (b) Other individuals;
- (c) Employers;
- (d) Professional societies and associations;
- (e) Health care personnel and treatment providers;
- (f) Other entities and organizations; and
- (g) The board.

(5) To participate in the safe haven program, an eligible practitioner must enter into an agreement with the monitoring organization to seek assistance for a potential or existing impairment due to abuse of or dependency on alcohol or drugs or other medical condition or illness. The agreement may specify but is not limited to the following:

- (a) Treatment and therapy plan.
- (b) Support group participation.
- (c) Case management.
- (d) Duration of monitoring. Relapses and other failures to comply with the terms of the agreement may result in a longer period of monitoring. As appropriate, an addendum to the agreement may be initiated by the monitoring organization.
- (e) Random toxicology testing.



- (f) Releases for seeking information or records related to the practitioner's impairment, including but not limited to family, peers, health care personnel, employers, and treatment providers.
- (g) Grounds for dismissal from participation in the safe haven program for failure to comply with program requirements.
- (h) Any required fees associated with participation in the safe haven program, including but not limited to fees for toxicology testing.
- (6) The board shall not institute disciplinary action solely based on impairment against a safe haven program participant so long as the participant enters into an agreement with the monitoring organization and complies with the same. The presence of impairment shall not excuse acts or preclude investigation or disciplinary action against a participant for other violations of Chapters 4755 and 4779 of the Revised Code or other provisions or rules adopted under it.
- (7) The monitoring organization shall report to the board for further investigation and/or disciplinary action any participant who is unwilling or unable to complete or comply with any part of the safe haven program, including evaluation, treatment, or monitoring.
- (8) The monitoring organization shall periodically provide a de-identified report to the board regarding all referrals received for individuals licensed by the board.
- (9) All information received and maintained by the monitoring organization shall be held in confidence subject to Section 2317.02 of the Revised Code and in accordance with federal law.



## Ohio Administrative Code

### Rule 4755-2-02 Denial and disciplinary procedures.

Effective: November 9, 2023

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(A) Denial of an application for licensure or any proposed action against a license shall be in accordance with Chapter 119. of the Revised Code.

(1) Pursuant to Chapter 119. of the Revised Code, a request for an administrative hearing on the proposed action shall be received by the occupational therapy, physical therapy, and athletic trainers board ("board") within thirty days of service of the notice of opportunity for a hearing.

(2) If a request for an administrative hearing is not received by the board within thirty days of service of the notice of opportunity for a hearing, the section, upon consideration of the charges cited, may take appropriate action in the absence of the applicant or license holder.

(3) Pursuant to sections 4755.031 and 4779.281 of the Revised Code, a person sanctioned under section 4755.11, 4755.47, 4755.482, 4755.64, or 4779.28 of the Revised Code shall pay a fee in the amount of the actual cost of the administrative hearing, including the cost of the court reporter, the hearing officer, transcripts, and any witness fees for lodging and travel.

(B) The board may deny, suspend, or revoke the license of any person or reprimand, fine, or place a license holder on probation for violation of any provision of Chapter 4755. or 4779. of the Revised Code or any lawful order or rule of the board.

(C) If the physical or mental condition of a license holder is at issue in a disciplinary proceeding, the board may order the license holder to submit to reasonable examinations by a health care practitioner designated or approved by the board at the cost of the license holder.

(D) In the event a license issued by the board is suspended or revoked by the board pursuant to violation of any provision of Chapter 4755. or 4779. of the Revised Code or violation of any lawful order or rule of the board, the license holder shall, upon receipt of the final order of the board, immediately surrender to the board office all evidence of the person's license, including the wall



certificate.

Any photocopies of the wall certificate maintained in offices of employment shall be retrieved by the license holder and destroyed.

This rule applies in the case of consent agreements, which may result in the voluntary surrender of a license issued by the board.

(E) In accordance with section 4755.11, 4755.47, 4755.64, or 4779.29 of the Revised Code, if the section of the board determines that a license holder poses an immediate threat to the public, the section shall immediately suspend the license prior to holding a hearing in accordance with Chapter 119. of the Revised Code. If the license holder fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the section shall enter a final order revoking the person's license.

(F) The hearings and investigations related to Chapters 4755. and 4779. of the Revised Code shall be considered civil actions for the purposes of section 3123.43 of the Revised Code.

Notwithstanding section 121.22 of the Revised Code, proceedings of the board relative to the investigation of a complaint or the determination whether there are reasonable grounds to believe that a violation of Chapter 4755. or 4779. of the Revised Code allegedly occurred are confidential and are not subject to discovery in any civil action.

(G) If requested by the board, the prosecuting attorney of a county, the village solicitor, or the city director of law of a municipal corporation, whenever a violation of Chapter 4755. or 4779. of the Revised Code allegedly occurs, will take charge of and conduct the prosecution.

(H) In addition to any other remedy provided in Chapter 4755. or 4779. of the Revised Code, the board may request the attorney general or an appropriate prosecuting attorney to apply to an appropriate court for an order enjoining the violation of Chapter 4755. or 4779. of the Revised Code. On a showing that a person has violated or is about to violate Chapter 4755. or 4779. of the Revised Code, the court shall grant an injunction, restraining order, or other order as appropriate. The injunction proceedings are in addition to all penalties and other remedies provided in Chapter 4755. or 4779. of the Revised Code.



## Ohio Administrative Code

### Rule 4755-2-03 Reinstatement of a revoked license or reconsideration of a denied license.

Effective: November 9, 2023

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(A) A person whose license is revoked or denied under Chapter 4755. or 4779. of the Revised Code may apply for reinstatement of license or reconsideration of denial of license prescribed by the rules of the board after either of the following dates, whichever is later:

- (1) One year from the date of revocation or denial; or
- (2) Date set in the board's revocation or denial order.

(B) In evaluating an application for reinstatement of license or reconsideration of denial of license, the board will consider the following:

- (1) The nature and severity of the acts which resulted in revocation or denial of license;
- (2) The time elapsed since the commission of the acts;
- (3) Possible additional violations occurring after the revocation or denial;
- (4) Compliance with previous orders of the board or respective section; and,
- (5) Any evidence of rehabilitation which the applicant may submit to the board.

(C) Before reinstating a license issued under this chapter, the Ohio occupational therapy, physical therapy, and athletic trainers board may require a person to take additional steps to demonstrate fitness to practice if they have been deemed out of practice according to agency 4755 of the Administrative Code.

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## Ohio Administrative Code Rule 4755-2-04 Investigations and inspections.

Effective: November 9, 2023

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(A) The occupational therapy, physical therapy, and athletic trainers board ("board") shall investigate compliance with Chapters 4755. and 4779. of the Revised Code or any rule or order adopted by the board. Investigations shall include alleged grounds for the suspension, revocation, or refusal to issue or renew licenses, or reprimand, fine, or place a licensee on probation.

(B) Board investigators may conduct inspections at the work site of license holders to determine compliance with the laws and rules of the board. Investigators will carry proper identification to be shown upon request.

(C) Inspections include verifying proper supervision of and delegation of tasks to unlicensed personnel, reviewing documentation and medical records, and checking for authorized licensed practitioner referrals.

(D) Investigations of complaints shall include search for specific evidence regarding a case. In accordance with division (A) of section 4755.02 and division (C) of section 4779.28 of the Revised Code, the board may issue subpoenas to obtain copies of patient records personnel files of license holders, and other documents in connection with its investigations.

(E) All investigations and inspections shall be conducted pursuant to the laws and rules of the state of Ohio and are confidential subject to division (E) of section 4755.02 and division (B) of section 4779.33 of the Revised Code.

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## Ohio Administrative Code

### Rule 4755-3-01 Certificate of license; display; copies.

Effective: November 9, 2023

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(A) Each applicant who is approved for licensure will electronically receive a certificate of licensure for office display upon initial approval. Additional copies of the certificate are available to license holders through eLicense Ohio or its successor licensing system.

(B) License holders shall display the original license certificate at their principal place of business and all locations of service delivery. Display of the original license certificate includes the ability to show the copy that is available through eLicense Ohio or its successor licensing system.

(C) Verification of current licensure can be obtained from eLicense Ohio or its successor licensing system.

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## Ohio Administrative Code

### Rule 4755-3-02 Notice of change of name, place of employment, e-mail, and mailing address.

Effective: November 9, 2023

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(A) A license holder must notify the occupational therapy, physical therapy, and athletic trainers board of any change of name, place of business or employment, e-mail address, or mailing address within thirty days after the change.

(B) Notification is made by making the change in eLicense Ohio or its successor licensing system.

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## Ohio Administrative Code Rule 4755-3-03 Verification of licensure.

Effective: November 9, 2023

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(A) The occupational therapy, physical therapy, and athletic trainers board shall officially verify to another regulatory entity the status of a person's license to practice in the state of Ohio upon both of the following:

- (1) Receipt of an official verification request submitted electronically via eLicense Ohio or its successor licensing system; and
- (2) Payment of the verification of license fee specified in rule 4755-4-01 of the Administrative Code.

(B) Official verification issued by the board includes:

- (1) The license number and status of the license;
  - (2) Any disciplinary action taken against the license; and
  - (3) The initial issue date and expiration date of the license.
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## Ohio Administrative Code Rule 4755-3-05 Criminal records check.

Effective: November 9, 2023

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(A) In addition to initial licensure requirements established in agency 4755 of the Administrative Code, all applicants for initial licensure for any license issued by the occupational therapy, physical therapy, and athletic trainers board ("board") shall submit to a criminal records check completed by the bureau of criminal identification and investigation in accordance with sections 4755.06, 4755.70, and 4779.091 of the Revised Code. The results of the criminal records check shall be received by the board prior to the issuance of a license to practice.

(B) The applicant shall have the results of the criminal records checks forwarded to the Ohio occupational therapy, physical therapy, and athletic trainers board according to written instructions available on the board's website.

(C) In the request, the applicant shall ask the superintendent of the bureau of criminal identification and investigation to obtain from the federal bureau of investigation any information it has pertaining to the applicant.

(D) The board will only accept the results of a criminal records check that is submitted to the board directly by the bureau of criminal identification and investigation in compliance with this rule.

(E) A criminal records check will not be required if the applicant has caused the results of a criminal records check to be filed with the board in accordance with the requirements of this rule within six months of the date that the board received the results of the criminal records check. A new criminal records check will be required if the applicant's criminal records check on file with the board is greater than six months old based on the date the board received the report.

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## Ohio Administrative Code

### Rule 4755-4-01 Fees.

Effective: November 9, 2023

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(A) Fees are provided for throughout Chapters 4755. and 4779. of the Revised Code and are established by the occupational therapy, physical therapy, and athletic trainers board ("board") in the amounts not to exceed the maximum allowable pursuant to Chapters 4755. and 4779. of the Revised Code. Current fees on the effective date of this rule are subject to change by action of the board, the controlling board, or the general assembly. Information about fees is available on the board website.

(B) Fee amounts are as follows:

(1) Initial licensing fee - not to exceed one hundred dollars;

(2) Additional copy of a certificate of licensure - not to exceed thirty dollars;

(3) Biennial renewal fee - not to exceed one hundred dollars;

(4) Fee for mailing lists - not to exceed the actual cost of duplication and mailing; A list of license holders mail be obtained by:

(a) Writing the board and submitting a check or money order made payable to "Ohio Treasurer of State" in the appropriate amount; or

(b) E-mailing the board. No fee is required for a mailing list request fulfilled electronically.

(5) Verification of a license - not to exceed thirty dollars;

(6) Reinstatement fee - not to exceed one hundred dollars;

(7) Review of a continuing education activity - not to exceed twenty-five dollars;



- (8) Physical therapy compact privilege fee for Ohio - not to exceed fifty dollars;
- (9) Consolidation of an orthotist or prosthetist license into a prosthetist-orthotist license - not to exceed fifty dollars;
- (10) Authority to engage in 3-D printing of open-source prosthetic kits - not to exceed twenty-five dollars;
- (C) Fees are payable by credit card.
- (D) Fees shall be submitted with an application or other request.



## Ohio Administrative Code Rule 4755-4-02 Waiver of fees.

Effective: [November 9, 2023](#)

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The occupational therapy, physical therapy, and athletic trainers board may grant waivers of the fee requirements listed in this chapter in cases of undue hardship.

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## Ohio Administrative Code

### Rule 4755-5-01 Youth sports concussion and head injury assessment and clearance.

Effective: December 14, 2023

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(A) For purposes of this rule:

(1) "Amsterdam Guidelines" means the consensus statement on concussion in sport: the sixth international conference on concussion in sport held in Amsterdam, October 2022" (available on the OTPTAT board website <http://otptat.ohio.gov>).

(2) "Interscholastic athletics" means an interscholastic extracurricular activity that a school or school district sponsors or participates in that includes participants from more than one school or school district.

(3) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(4) "Youth" means an individual between the ages of four and nineteen who participated in a youth sports organization or interscholastic athletics and was removed from practice of competition under division (D) of section 3313.539 of the Revised Code or division (D) of section 3707.511 of the Revised Code, based on exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury while participating in practice or competition.

(5) "Youth sports organization" has the same meaning as in section 3707.51 of the Revised Code and means a public or nonpublic entity that organizes an athletic activity in which the athletes are not more than nineteen years of age and are required to pay a fee to participate in the athletic activity or whose cost to participate is sponsored by a business or nonprofit organization.

(B) An occupational therapist, physical therapist, and athletic trainer may assess and clear a youth to return to practice or competition if all of the following requirements are met:

(1) Pursuant to sections 3313.539 and 3707.511 of the Revised Code, the assessment and clearance is



done:

- (a) In consultation with a physician;
- (b) Pursuant to the referral of a physician;
- (c) In collaboration with a physician; or
- (d) Under the supervision of a physician.

(2) The occupational therapist, physical therapist, and athletic trainer has completed education and training in the detection of concussions and/or sports and recreation-related traumatic brain injuries, the clinical features of concussions and/or sports and recreation-related traumatic brain injuries, assessment techniques, and the principles of safe return to play protocols consistent with the Amsterdam guidelines and/or nationally accepted standards and guidelines consistent with the Amsterdam guidelines.

(3) The occupational therapist, physical therapist, and athletic trainer maintains competency through continuing education activities in the detection of concussions and/or sports and recreation-related traumatic brain injuries, the clinical features of concussions and/or sports and recreation-related traumatic brain injuries, assessment techniques, and the principles of safe return to play protocols consistent with the Amsterdam guidelines and/or nationally accepted standards and guidelines consistent with the Amsterdam guidelines.

(C) The OTPTAT board recommends that occupational therapists, physical therapists, and athletic trainers who assess and clear a youth to return to practice or competition in accordance with this rule do both of the following:

- (1) Ensure that a portion of the required continuing education focus on the items listed in paragraphs (B)(2) and (B)(3) of this rule.
- (2) Use the medical clearance to return to play after suspected concussion form located on the OTPTAT board website (<http://otptat.ohio.gov>).



## Ohio Administrative Code Rule 4755-41-04 Scope of practice.

Effective: July 8, 2022

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(A) With a collaboration agreement pursuant to section 4755.621 of the Revised Code.

(1) Under a collaboration agreement, the athletic trainer is authorized to engage in the following:

(a) The prevention, examination, and athletic training diagnosis of injuries or emergent conditions resulting from physical activities that require skill and utilize strength, power, endurance, speed, flexibility, range of motion, or agility;

(b) The complete management, treatment, disposition, and reconditioning of injuries or emergent conditions resulting from physical activities;

(c) The provision of emergent care, therapeutic interventions, and rehabilitation for injuries or emergent conditions resulting from physical activities;

(d) The promotion of and education about wellness;

(e) The administration of drugs, including topical drugs, that have been prescribed by a licensed health professional authorized to prescribe drugs and are administered under the direction of the prescriber, except that an athletic trainer shall not administer intra-articular or intratendinous injections;

(f) The performance of athletic training research;

(g) The organization and administration of educational programs and athletic training facilities; and

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

(2) A collaboration agreement:



- (a) Is entered into between an athletic trainer and one or more physicians;
- (b) Shall be in writing and signed by the athletic trainer and each physician with whom the athletic trainer collaborates;
- (c) Shall be maintained in the records of both the athletic trainer and each collaborating physician;
- (d) Shall address the following:
  - (i) The duties and responsibilities to be fulfilled by the athletic trainer when engaging in the activities under paragraph (A)(1) of this rule;
  - (ii) Any limitations on the athletic trainer's performance of the activities; and
  - (iii) A plan of care for patients treated by the athletic trainer.
- (B) Without a collaboration agreement pursuant to section 4755.622 of the Revised Code.
  - (1) Athletic trainers who do not have a collaboration agreement with a physician must maintain standard operating procedures or have an individual referral and are authorized to engage in only the following activities:
    - (a) The practice of prevention, recognition, and assessment of an athletic injury;
    - (b) The complete management, treatment, disposition, and reconditioning of acute athletic injuries;
    - (c) The administration of topical drugs that have been prescribed by a health professional authorized to prescribe drugs;
    - (d) The organization and administration of educational programs and athletic facilities; and
    - (e) The education of and consulting with the public as it pertains to athletic training.



(2) A standard operating procedure means a written referral relationship that consists of a plan of care communicated between the health care professional listed in division (A) of section 4755.623 of the Revised Code or rule 4755-41-01 of the Administrative Code and the athletic trainer, and shall include procedures for assessment and treatment.



## Ohio Administrative Code Rule 4755-42-02 Referring practitioner.

Effective: July 8, 2022

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In accordance with division (A) of section 4755.623 of the Revised Code, an athletic trainer shall practice upon the referral from the following:

- (A) A physician;
  - (B) A dentist licensed under Chapter 4715. of the Revised Code;
  - (C) A physical therapist licensed under Chapter 4755. of the Revised Code;
  - (D) A chiropractor licensed under Chapter 4734. of the Revised Code;
  - (E) An athletic trainer licensed under Chapter 4755. of the Revised Code, only if athletic training has already been recommended and referred by a health care provider listed in this rule who is not an athletic trainer;
  - (F) A physician assistant licensed under Chapter 4730. of the Revised Code; or
  - (G) A certified nurse practitioner licensed under Chapter 4723. of the Revised Code.
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## Ohio Administrative Code Rule 4755-43-02 Examination requirements.

Effective: July 15, 2019

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(A) An applicant shall satisfy the examination requirements for an Ohio athletic training license by completing both of the following requirements:

(1) Verification from the national athletic trainers' association board of certification, inc. (BOC) or its successor that the applicant passed their certification exam; and

(2) Achievement of a score of at least ninety percent on the Ohio athletic trainers jurisprudence examination.

(B) The BOC examination may be waived for any person who was certified as an athletic trainer by the national athletic trainers association prior to June 28, 1990. However, pursuant to paragraph (A)(2) of this rule, each applicant must achieve a minimum passing score on the Ohio jurisprudence examination.

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## Ohio Administrative Code Rule 4755-43-08 Biennial renewal of license.

Effective: July 15, 2019

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(A) Renewal of an athletic trainer license shall be in accordance with section 4755.63 of the Revised Code.

(1) The renewal notice shall be sent to the e-mail address on file with the board.

(2) The entire licensure renewal application, including any required forms, compliance with the continuing education requirement specified in rule 4755-45-01 of the Administrative Code, and payment of the renewal fee prescribed by rule 4755-47-06 of the Administrative Code, shall be completed to satisfy the requirements of the renewal procedure.

(B) All persons licensed as an athletic trainer shall renew their license by the thirtieth day of September in each even-numbered year. When a license to practice as an athletic trainer is issued by the board on or after June first of an even-numbered year, that license shall be valid through the thirtieth day of September of the next even-numbered year.

(C) Persons who fail to submit the renewal fee, completed application, any other required forms, and/or comply with the continuing education requirement specified in rule 4755-45-01 of the Administrative Code by the thirtieth day of September of the appropriate year shall have their license automatically expire.

(1) A license holder whose license expires for failure to renew shall submit a reinstatement application in accordance with rule 4755-43-06 of the Administrative Code. The athletic trainers section shall approve the reinstatement application before the person may legally practice athletic training in Ohio.

(2) A license holder who continues to practice athletic training with an expired license shall be subject to disciplinary action pursuant to section 4755.64 of the Revised Code.





(D) For the purposes of filing an electronic renewal application via the Ohio eLicense system, the applicant shall create a "UserID" and password. The use of the "UserID" and password is solely the responsibility of the license holder who created it. The "UserID" and password shall constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.



## Ohio Administrative Code Rule 4755-43-11 Approval of an event.

Effective: July 8, 2022

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(A) Pursuant to division (A)(4) of section 4755.65 of the Revised Code, an organizer of an event at which athletic trainers not licensed in Ohio will be performing athletic training services, as defined in Chapter 4755. of the Revised Code, shall apply to the athletic trainers section to have the event approved.

(B) The event organizer or medical director shall:

(1) Submit a written request for approval no later than sixty days prior to the date of the event; and

(2) Submit to the athletic trainers section a list of all athletic trainers not licensed in Ohio who will be providing athletic training services at the event. The list shall contain the license number of a current, valid non-Ohio athletic training license. If the person is from a state where athletic trainers are not regulated, the list shall contain the current, valid certification number issued by the national athletic trainers' association board of certification, inc. (BOC).

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## Ohio Administrative Code

### Rule 4755-43-12 Military provisions related to licensure.

Effective: [March 22, 2021](#)

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(A) Definitions.

(1) "Armed forces" means:

(a) The armed forces of the United States, including the army, navy, air force, marine corps, and coast guard;

(b) A reserve component of the armed forces listed in paragraph (A)(1)(a) of this rule;

(c) The national guard, including the Ohio national guard or the national guard of any other state;

(d) The commissioned corps of the United States public health service;

(e) The merchant marine service during wartime; or

(f) The Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days.

(2) "Member" means any person who is serving in the armed forces.

(3) "Military duty" includes service in the uniformed services on active duty, in the active guard and reserve, and as a military technician dual status under 10 U.S.C. 10216.

(4) "Veteran" means any person who has completed service in the armed forces, who has been discharged under honorable conditions or who has been transferred to the reserve with evidence of satisfactory service.

(B) Temporary military licensure when the eligible person has a license in another state.



- (1) In accordance with section 4743.041 of the Revised Code, a person who presents the following qualifications is eligible for a temporary military license to practice as an athletic trainer in Ohio.
  - (a) The person holds a valid license to practice as an athletic trainer issued by another state;
  - (b) The person is in good standing in all states of licensure;
  - (c) The person presents adequate proof to the athletic trainers section that the person or the person's spouse is on military duty in the state of Ohio; and
  - (d) The person complies with the criminal records check requirements in section 4755.70 of the Revised Code. The results of the criminal records check must be received by the board prior to the issuance of a military license to practice as an athletic trainer.
- (2) The athletic trainers section must abide by the timelines set forth in division (D) of section 4743.041 of the Revised Code in granting a temporary military license.
- (3) An application for a temporary military license must include the following:
  - (a) Proof of either of the following:
    - (i) That the applicant is on military duty and is stationed in Ohio; or
    - (ii) That the applicant is married to a person on military duty who is stationed in Ohio.
  - (b) Proof that the applicant holds a valid unrestricted license to practice as an athletic trainer in another state;
  - (c) Attestation that the applicant has complied with the criminal records check in section 4755.70 of the Revised Code; and
  - (d) Attestation that the applicant is aware that the license will be revoked in accordance with Chapter



119. of the Revised Code if:

- (i) The person's license issued by another state expires or is revoked, or the person is not in good standing;
  - (ii) For a person who is a military spouse, six months have elapsed since the divorce, dissolution, or annulment of the marriage to a person on military duty;
  - (iii) The person is disqualified from obtaining a license because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified on the list the board has made available pursuant to division (C) of section 9.78 of the Revised Code.
- (4) A temporary military license must expire six years after the date of issuance. A person may apply for a non-military license by endorsement while the temporary military license is active.
- (5) The athletic trainers section must waive all fees associated with a temporary military license.
- (6) A person holding a temporary military license must practice within the scope of practice for athletic training for the state of Ohio and may not exceed the person's education or training.
- (C) Military programs of training which may be accepted for members of the military who do not have an out of state license.

In accordance with section 5903.03 of the Revised Code, a veteran or member of the armed forces may submit documentation for the board's consideration to demonstrate that the applicant's military education, training, and/or service is substantially equivalent to the educational and experience requirements for licensure as an athletic trainer.

(D) License renewal for active members of the military.

(1) In accordance with section 5903.10 of the Revised Code, a license holder whose license expired due to the license holder's service in the armed forces is eligible for renewal of the expired license in accordance with section 4755.63 of the Revised Code and rules 4755-43-08 and 4755-47-06 of the



Administrative Code, if the following conditions are met:

(a) The license holder presents the board with satisfactory evidence that, not more than six months prior to the date the evidence is submitted to the board, the license holder was honorably discharged or separated under honorable conditions;

(b) The license holder is not suffering a mental or physical illness, including physical deterioration that adversely affects cognitive, motor, or perception skills, that affect the license holder's ability to practice according to acceptable and prevailing standards of care; and

(c) The license holder meets the requirements for license renewal required by section 4755.63 of the Revised Code and rules 4755-43-08 and 4755-47-06 of the Administrative Code.

(2) The provisions of paragraph (D) of this rule also apply if the license holder's spouse served in the armed forces and the spouse's service resulted in the license holder's absence from this state.

(E) Continuing education for active members of the military.

(1) In accordance with section 5903.12 of the Revised Code, the provisions of this paragraph apply to a license holder who has been a member of the armed forces who has served on active duty for a period in excess of thirty-one days.

(2) A license holder who meets the provisions contained in paragraph (E)(1) of this rule may submit an application to the Board requesting an extension of the current continuing education reporting period.

(a) The license holder must submit proper documentation certifying the active duty service and the length of that active duty service.

(b) Upon receiving the application and proper documentation, the board must extend the current continuing education reporting period by an amount of time equal to the total number of months that the license holder spent on active duty during the current continuing education reporting period. Any portion of a month served must be considered one full month.



(F) Determining fulfillment of continuing education for active members of the military.

(1) In accordance with section 5903.121 of the Revised Code, the board must consider relevant education, training, or service completed by a license holder as a member of the armed forces in determining whether a license holder has met the continuing education requirements needed to renew the license.

(2) For the board to consider relevant education, training, or service completed by the license holder in accordance with paragraph (F) of this rule, the license holder must submit a request for consideration and documentation of the education, training, or service to the board at least ninety days prior to the expiration of the license.

(G) The application fee must be waived for an applicant who is a current member of the armed forces for the following application types:

(1) Initial licensure by examination, outlined in rule 4755-47-04 of the Administrative Code;

(2) Initial licensure by endorsement, outlined in rule 4755-47-04 of the Administrative Code; and

(3) Reinstatement of an expired license, outlined in rule 4755-47-05 of the Administrative Code.

(H) Application process.

(1) The board's applications must include a question to identify if the applicant is a member of the armed forces, a veteran, or a spouse or surviving spouse of a member of the armed forces or veteran. This status must be stored in the licensing system.

(2) When the board receives an application from an person identified in paragraph (H)(1) of this rule, the processing of that application must be prioritized, with a goal of ensuring that a license is issued the same day that the application is complete.



## Ohio Administrative Code Rule 4755-45-02 Waivers for continuing education.

Effective: May 1, 2008

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(A) In individual cases involving disability, illness, or undue hardship, the athletic trainers section may grant waivers of continuing education requirements, or extensions of time within which to fulfill these requirements, not to exceed two calendar years.

(1) To apply for a waiver or extension due to undue hardship, the licensee must submit a written application on forms established by the section and signed by the licensee no later than July first of the renewal year.

(2) To apply for a waiver due to disability or illness, the licensee must obtain, complete, and submit the waiver or extension form to the athletic trainers section no later than July first of the renewal year. This form must also be signed by a licensed physician in good standing verifying that the licensee suffers from a disability or illness.

(B) The athletic trainers section may, as a condition of any waiver granted, require the applicant to make up a certain portion of the minimum continuing education requirements being waived for the renewal cycle.

(C) The deadlines in paragraphs (A)(1) and (A)(2) of this rule may be waived at the discretion of the athletic trainers section.

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## Ohio Administrative Code

### Rule 4755-46-01 Delegation of tasks to unlicensed persons.

Effective: October 14, 2019

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(A) "Unlicensed personnel" means any person who is on the job trained and not holding a valid license to practice athletic training in Ohio under sections 4755.60 to 4755.65 of the Revised Code who supports the delivery of athletic training services by personally assisting the Ohio-licensed athletic trainer while the athletic trainer is concurrently providing services to the same individual.

(B) The Ohio-licensed athletic trainer performs the following, none of which may be assigned to unlicensed personnel.

(1) Interpreting available information concerning the referral.

(2) Performing the initial evaluation.

(3) Initiating or adjusting treatment procedures or activities.

(4) Planning patient care.

(C) Unlicensed personnel may only be assigned routine duties and tasks that assist in the delivery of athletic training and operations, such as:

(1) Maintenance and care of equipment and supplies.

(2) Preparation, maintenance, and cleaning of treatment areas.

(3) Personally assisting the athletic trainer while the athletic trainer is concurrently providing services to the same individual.

(D) Supervision of unlicensed personnel.



(1) Direct supervision from the Ohio-licensed athletic trainer is required whenever unlicensed personnel are performing activities related to the delivery of athletic training services identified in paragraph (C) of this rule.

(2) "Direct supervision" means at the same location and available to immediately respond to the needs of the individual.

(3) The supervising athletic trainer is accountable and responsible at all times for the actions of all unlicensed personnel supervised by the supervising athletic trainer.



## Ohio Administrative Code Rule 4755-46-02 Athletic training students.

Effective: July 8, 2022

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(A) A student is an unlicensed person. However, for purposes of the exemption from licensure contained in division (A)(3) of section 4755.65 of the Revised Code, a student need not be licensed if all of the following requirements are met:

(1) The student :

(a) Is enrolled in:

(i) An education program accredited by the commission on accreditation of athletic training education (CAATE); or

(ii) An international professional (entry-level) education program located in a country that has entered into a formal arrangement with the national athletic trainers' association board of certification, inc. and enrolled as a student at a program identified in paragraph (A)(1)(a)(i) of this rule.

(b) Has not met the requirements to sit for the examination;

(2) The activities and services performed by the student constitute a part of an approved course of study in accordance with paragraphs (B) and (C) of this rule;

(3) Students are designated by titles which clearly indicate their status as a student.

(B) A student shall be supervised by an Ohio licensed athletic trainer. The supervising athletic trainer is responsible for planning, directing, and evaluating the student's athletic training experience. Supervision requires daily visual and audible contact at all the sites at which the student provides services. The supervising athletic trainer must demonstrate knowledge and competency in any procedure or services delegated to an athletic training student.



(C) Any documentation written by a student must be countersigned by the supervising athletic trainer. Documentation shall include the student's handwritten signature or unique electronic identifier. The student shall identify as "athletic training student" or the abbreviation "ATS."

(D) High school students are not "students" for the purpose of the exemption from licensure provided by section 4755.65 of the Revised Code and this rule. High school students should be referred to as "student aides." High school student aides are unlicensed persons as defined in rule 4755-46-01 of the Administrative Code.



## Ohio Administrative Code Rule 4755:3-1-01 Applications for initial license.

Effective: October 1, 2023

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(A) All applications for initial licensure as an athletic trainer shall be submitted to the athletic trainers section in the manner specified by the section. All applications, statements, and other documents submitted are retained by the section.

(B) Applications are:

(1) Submitted electronically via eLicense Ohio or its successor electronic licensing system;

(2) Electronically signed via eLicense Ohio or its successor electronic licensing system;

(3) Accompanied by the fee prescribed Chapter 4755. of the Administrative Code; and

(4) Accompanied by such evidence, statements, or other documents as specified on the application, including viewing a required presentation about the board's safe haven program.

(C) For the purposes of filing an electronic application via eLicense Ohio or its successor electronic licensing system, the applicant will create log-in credentials. The use of these credentials is solely the responsibility of the person who created it. The credentials constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.

(D) Any application received in accordance with this rule that remains incomplete one year after the initial application filing is considered to be abandoned and no further processing will be undertaken with respect to that application.

(1) If the application process extends for a period longer than one year, the board may require updated information as it deems necessary.



(2) No application for licensure may be withdrawn without approval of the board.

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## Ohio Administrative Code

### Rule 4755:3-1-03 Education.

Effective: December 14, 2023

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(A) The educational requirements described in divisions (C)(3) and (C)(4) of section 4755.62 of the Revised Code shall be:

(1) Completion of a professional (entry-level) education program accredited by the commission on accreditation of athletic training education or its successor; or

(2) A program of education, training and experience with which the national athletic trainers' association board of certification, inc. (BOC), or its successor has a formal arrangement.

(B) The athletic trainers section shall accept the education credentials of an applicant pursuant to Chapter 4796. of the Revised Code if all of the following conditions are met:

(1) The applicant passed the examination specified in paragraph (A)(1) of rule 4755-43-02 or 4755:3-2-04 of the Administrative Code.

(2) The applicant for licensure either:

(a) Is engaged in the active practice of athletic training as an athletic trainer with a license or government certification in another state; or

(b) Is engaged in the active practice of athletic training in a state not requiring licensure or government certification as an athletic trainer certified by the BOC.

(3) The applicant's licensure and/or certification are active and without restriction.

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## Ohio Administrative Code Rule 4755:3-1-04 Reinstatement of licensure.

Effective: [October 1, 2023](#)

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(A) Pursuant to Chapter 4755. of the Administrative Code, the athletic training license of a person who fails to comply with the renewal requirements shall automatically expire on the thirtieth day of September of the appropriate year.

(B) All applicants for reinstatement shall submit a completed application on the forms specified by the section. All applications shall:

(1) Be submitted electronically via eLicense Ohio or its successor electronic licensing system;

(2) Be electronically signed via eLicense Ohio or its successor electronic licensing system;

(3) Contain the fee prescribed by Chapter 4755. of the Administrative Code;

(4) Contain proof that the applicant met the appropriate continuing education requirement:

(a) For reinstatement applications submitted on or after November first of the year in which the applicant's license expired, the applicant shall complete twenty-five contact hours of continuing education in accordance with rule 4755:3-3-01 of the Administrative Code within the two year period immediately preceding the application for reinstatement. Contact hours used to meet the requirements of this paragraph may be used to renew the reinstated license; or

(b) Notwithstanding paragraph (B)(4)(a) of this rule, for reinstatement applications submitted before November first of the year in which the applicant's license expired, the applicant shall complete the number of contact hours of continuing education that were required to renew the expired license. All contact hours used to reinstate the license shall be earned in accordance with rule 4755:3-3-01 of the Administrative Code. Contact hours used to meet the requirements of this paragraph shall not be used to renew the reinstated license.





(5) Contain proof that the applicant holds current certification by the board of certification, inc. if the reinstatement application is submitted on or after December first of the year in which the applicant's license expired.

(6) Be accompanied by such evidence, statements, or documents as specified on the application, including viewing a required presentation about the board's safe haven program.

(C) In addition to the information required in paragraph (B) of this rule, the athletic trainers section may also require:

(1) Appearance before the section for a reinstatement interview.

(2) Taking or retaking the laws and rules examination.

(3) Taking or retaking the examination specified in Chapter 4755. of the Administrative Code.

(D) The athletic trainers section may reinstate a license and may waive payment of late fees for reinstatement when the section determines that a person demonstrates good cause why the person was unable to submit the renewal fee by the prescribed renewal date. In no instance shall the normal renewal fee be waived.

(E) For the purposes of filing an electronic application via the eLicense Ohio or its successor licensing system, the applicant will create log-in credentials. The use of these credentials is solely the responsibility of the person who created it. The credentials constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.

(F) Any application received in accordance with this rule that remains incomplete one year after the initial application filing is considered to be abandoned and no further processing shall be undertaken with respect to that application.

(1) If the application process extends for a period longer than one year, the board may require updated information as it deems necessary.



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(2) No application for licensure may be withdrawn without approval of the board.



## Ohio Administrative Code Rule 4755:3-2-01 Code of ethical conduct.

Effective: November 9, 2023

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The following basic principles make up the code of ethical conduct for the practice of athletic training in the state of Ohio. When a person becomes a licensed athletic trainer they assume certain ethical obligations and responsibilities. An athletic trainer whose conduct is not in accordance with the principles set forth in the following code of ethical conduct shall be considered in violation of the Revised Code.

(A) Athletic trainers shall respect the rights, welfare, and dignity of all persons.

(1) Athletic trainers shall show no discrimination in their efforts while performing duties.

(2) Athletic trainers shall provide care on the basis of the needs of the person.

(3) Athletic trainers shall be committed to providing competent care consistent with both the requirements and limitations of their profession.

(4) Athletic trainers shall obtain informed consent from the patient.

(a) An athletic trainer, unless otherwise allowed by law, shall not provide patient care without disclosing to the patient or the patient's representative, the benefits, substantial risks, if any, or alternatives to the recommended examination or intervention.

(b) Information relating to the athletic trainer-patient relationship is confidential and may not be communicated to a third party not involved in that patient's care without the prior written consent of the patient or the patient's representative, or unless otherwise allowed by law. Information must be disclosed when required by law for the protection of the patient or the public.

(5) Athletic trainers shall respect the rights, knowledge, and skills of colleagues and other health care professionals.



(6) Athletic trainers shall not, by their conduct, publicly discredit or lower the dignity of the members of the profession.

(7) Athletic trainers shall not engage in conduct that constitutes harassment or verbal or physical abuse of, or unlawful discrimination against, patients, students, and/or colleagues.

(8) Athletic trainers shall not engage in harassment that creates a hostile work environment.

(B) Athletic trainers shall comply with the laws and regulations governing the practice of athletic training.

(1) Athletic trainers shall comply with the laws and rules of the state of Ohio and any applicable local and federal laws governing the practice of athletic training.

(2) Athletic trainers shall protect the public and the profession by reporting any conduct that they consider unethical, illegal, or incompetent to the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board. Where the alleged violation involves impairment issues and no other provisions of Chapter 4755. of the Revised Code or rules adopted under it, the reporting license holder may make a referral to the safe haven program in lieu of making report to the athletic trainers section.

(3) Athletic trainers shall not practice athletic training while the ability to practice is impaired.

"Impaired practitioner" means, as defined in the "Professional Practice and Discipline Guidelines and Procedures" effective January 1, 2020 from the board of certification, inc., "a person with a physical or mental condition, including deterioration through aging, loss of motor skill, or excessive use or abuse of drugs including alcohol, that prevents one from practicing athletic training with reasonable skill and safety to patients. Types of impairments may include, but are not limited to: substance abuse, personality disorders/disruptive behavior, physical impairments, and psychological impairments." If a license holder's or applicant's ability to practice is in question, and the license holder or applicant is not a participant in the board's safe haven program, the license holder must submit to a physical or mental examination or drug/alcohol screens as requested by the athletic trainers section and at the athletic trainer's cost to determine the applicant's or license holder's



qualifications to practice athletic training.

(C) Athletic trainers shall accept responsibility for the exercise of sound judgment in protecting the public and the profession of athletic training.

(1) Athletic trainers shall not misrepresent in any manner, either directly or indirectly, their skills, training, professional credentials, title, identity, or services.

(2) Athletic trainers shall provide only those services for which they are qualified via education and/or experience.

(3) Athletic trainers shall not guarantee the results of any training, consultation, or therapeutic procedure. A reasonable statement of prognosis is not improper, but successful results are dependent upon many uncontrollable factors, hence, any warranty is deceptive and unethical.

(4) Athletic trainers shall not cheat or assist others in conspiring to cheat on the national certification examination or the state jurisprudence examination.

(D) Athletic trainers shall maintain and promote high standards in the provision of services.

(1) Athletic trainers shall strive to achieve the highest level of competence.

(2) Athletic trainers shall recognize the need for continuing education and participate in various types of educational activities that enhance their skills and knowledge in accordance with continuing education guidelines for the profession.

(3) Athletic trainers shall keep accurate records for all areas of injury management. These shall include, but are not limited to, collaboration agreements, standard operating procedures, written referrals, personal injury reports/initial evaluation, and daily care rendered/rehabilitation logs. These records shall be in paper or electronic format and secured according to legal statutes regarding confidentiality.

"Standard operating procedure" means a written referral relationship that consists of a plan of care



communicated between the health care professional listed in division (A) of section 4755.623 of the Revised Code or rules 4755-42-02 or 4755:3-2-04 of the Administrative Code and the athletic trainer, and shall include procedures for assessment and treatment.

(4) Athletic trainers shall not document or bill for services not actually provided.

(5) Athletic trainers shall only seek compensation that is reasonable for the athletic training services delivered. Athletic trainers, regardless of the practice setting, shall safeguard the public from unethical and unlawful business practices.

(6) Athletic trainers shall not intentionally or knowingly offer to pay or agree to accept any compensation, directly or indirectly, overtly or covertly, in cash or in kind, to or from any person or entity for receiving or soliciting patients or patronage, regardless of the source of the compensation.

(7) Athletic trainers shall not influence a patient or the patient's family to utilize, purchase, or rent any product or equipment based on the direct or indirect financial interests of the athletic trainer. Recommendations of product or equipment must be based solely on the therapeutic value of that product or equipment to the patient. An athletic trainer who owns or has a direct financial interest in an equipment or supply company must disclose the financial interest to the patient if the athletic trainer sells or rents, or intends to sell or rent, to the patient.

(8) Athletic trainers shall ensure the patient's rights to participate fully in their care, including the patient's right to select the athletic training provider, regardless of the practice setting.

(9) Athletic trainers shall safeguard the public from underutilization or overutilization of athletic training services by providing only those services appropriate and prudent in the provision of care.

(10) Athletic trainers shall provide accurate and relevant information to patients about the patients' care within the scope of confidentiality statutes.

(11) Athletic trainers shall provide accurate and relevant information to the public about athletic training services.



(12) Athletic trainers shall report to the athletic trainers section any unprofessional, incompetent, unethical, or illegal behavior of an athletic trainer of which the person has knowledge. An obligation to report is inherent in the profession.

(13) Athletic trainers shall adhere to the minimal standards of acceptable prevailing practice. Failure to adhere to minimal standards of practice, whether or not actual injury to a patient occurred, includes, but is not limited to, practice or use of tasks, knowledge, and skills that are not valid with the current professional practice of athletic training. These tasks, knowledge, and skills should reflect current practice trends and supported in the literature as evidence-based practices.

(14) An athletic trainer shall not disclose to unauthorized persons any confidential information received from any person served professionally without the documented consent of that person or the legal guardian or unless as otherwise required by law.

(E) Athletic trainers shall not exploit persons served professionally.

(1) Athletic trainers shall not accept persons for treatment if benefit to the person cannot reasonably be expected.

(2) Athletic trainers shall not continue treatment without reasonable expectation of further benefit to the patient.

(3) Athletic trainers shall not place financial gain above the welfare of the patient and shall not participate in any arrangement that exploits the patient.

(4) Athletic trainers shall not have a romantic or dating relationship or engage in any sexual activity, including sexual conduct or sexual contact, with any patient, or engage in any conduct that may reasonably be interpreted by the patient to be sexual, whether consensual or nonconsensual, while a practitioner/ patient relationship exists. In the case of minors, the practitioner/ patient relationship extends to the minor's parent or guardian.

(a) An athletic trainer shall not intentionally expose or view a completely or partially disrobed patient in the course of treatment if the exposure or viewing is not related to the patient diagnosis or



treatment under current practice standards.

(b) An athletic trainer shall not engage in a conversation with a patient that is sexually explicit or tacitly imply sexually implicit intentions during the athletic training plan of care. This includes verbal behavior that is sexually demeaning to the patient or may be reasonably interpreted by the patient as sexually demeaning.

(5) An athletic trainer shall not engage explicitly or tacitly in harassment of patients, the parent/guardian of a minor patient, students, or colleagues. Harassment includes, but is not limited to, racial, political, ethnic, religious, gender and gender identification, sexual orientation, age, disability, marital status, or veteran status. Harassment includes making unwelcome sexual advances, requesting sexual favors, engaging in other verbal or physical conduct of a sexual nature, intimidating words or actions, or words or actions that demean, threaten or offend a victim where such actions result in:

(a) Withholding athletic training services to a patient;

(b) Creating an intimidating, hostile, or offensive environment for the patient; or

(c) Interfering with the patient's ability to recover.

(6) Chaperone use.

(a) Athletic trainers shall make a reasonable attempt to either:

(i) Offer a patient the opportunity to have a third person or chaperone in the examining room or treatment setting during an intimate examination or treatment; or

(ii) Follow their employer's chaperone policy.

(b) A chaperone policy shall address the following:

(i) Who can qualify as a chaperone;





- (ii) The type of examination, treatment situation, or care provided when a chaperone shall be offered;
  - (iii) Chaperones shall be offered without regard to the age or gender of the patient; and
  - (iv) In emergency situations, the chaperone policy may not apply.
- (c) Documentation shall reflect whether a chaperone was offered or declined, and, if accepted, who the name of the adult who acted as a chaperone.
- (d) An athletic trainer has a right to insist on the presence of a chaperone before providing care to protect the integrity of the patient and care-giver relationship.

(F) Cooperation.

Athletic trainers shall cooperate with an investigation by the athletic trainers section. Failure to cooperate is conduct detrimental to the best interest of the public and grounds for disciplinary action. Cooperation includes responding fully and promptly to any questions raised by the athletic trainers section and providing copies of the medical records and other documents requested by the athletic trainers section. Failure to comply with paragraphs (F)(1) to (F)(7) of this rule may be grounds for disciplinary action pursuant to section 4755.64 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

- (1) A license holder shall respond fully and truthfully to a request for information from the athletic trainers section.
- (2) A license holder shall comply with a subpoena issued by the athletic trainers section.
- (3) A license holder shall provide information or documents within the time frame specified by the athletic trainers section.
- (4) A license holder shall appear and provide information at an interview requested by the athletic trainers section.



(5) A license holder shall not deceive, or attempt to deceive, the athletic trainers section regarding any matter, including by altering or destroying any record or document.

(6) A license holder shall not interfere with an investigation or disciplinary proceeding by willful misrepresentation of facts before the agency or the athletic trainers section, or by use of threats or harassment against any patient or witness to prevent the patient or witness from providing evidence in a disciplinary proceeding or any other legal action.

(7) A license holder shall not refuse to provide testimony in an administrative hearing.

(G) A license holder shall self report to the athletic trainers section, within thirty days, any of the items outlined in paragraphs (A) to (G) of this rule. Failure to comply with this rule may be grounds for disciplinary action pursuant to section 4755.64 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) Impairment due to abuse of or dependency on alcohol, drugs, or other medical condition or illness that affects the applicant's or license holder's ability to practice with reasonable skill and safety. This reporting requirement shall not be applicable where the applicant or license holder is a participant in the board's safe haven program and complies with the same.

(2) Conviction of a felony.

(3) Conviction of a misdemeanor when the act that constituted the misdemeanor occurred during the practice of athletic training.

(4) The termination, revocation, or suspension of membership by a state or national athletic training professional association.

(5) The termination, revocation, or suspension of certification status by a national credentialing organization, including, but not limited to, the board of certification, inc.

(6) A positive drug and/or alcohol screening.



(7) A finding of malpractice by a court of competent jurisdiction.



## Ohio Administrative Code Rule 4755:3-2-03 Unauthorized practice.

Effective: November 9, 2023

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In accordance with division (A) of section 4755.62 of the Revised Code, no person shall do either of the following:

(A) Use the words athletic trainer, athletic training, licensed athletic trainer, licensed trainer, or the letters A.T., L.A.T., or any other letters, words, abbreviations, or insignia indicating or implying that the person is an athletic trainer unless they hold a valid license under sections 4755.60 to 4755.65 of the Revised Code.

(B) Imply by actions or otherwise engage in the practice of athletic training unless the individual holds a valid license under sections 4755.60 to 4755.65 of the Revised Code.

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## Ohio Administrative Code

### Rule 4755:3-2-05 Required credential to indicate licensure.

Effective: November 9, 2023

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All Ohio-licensed athletic trainers shall use the initials "A.T." or "AT" following their name to indicate that the person is currently licensed to practice athletic training in Ohio.

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## Ohio Administrative Code Rule 4755:3-3-01 Continuing education.

Effective: August 4, 2023

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(A) Pursuant to section 4755.63 of the Revised Code, to renew an athletic trainers license, license holders shall complete:

(1) Not less than twenty-five hours of continuing education that meet the requirements of this rule; and

(2) At least one contact hour of ethics education per renewal cycle. The one hour ethics requirement shall be fulfilled by completing an acceptable activity outlined in paragraph (C) of this rule that contains at least one hour addressing professional ethics. In addition, any presentation by the athletic trainers section that addresses professional ethics meets the ethics requirement.

(3) At least one contact hour of mental health and/or substance use education per renewal cycle. The one hour mental health and/or substance use requirement shall be fulfilled by completing an acceptable activity outlined in paragraph (C) of this rule that contains at least one hour addressing mental health and/or substance use. In addition, any presentation by the board's safe haven program that addresses mental health and/or substance use meets this requirement.

(4) The same contact hour cannot be used to fulfill both the ethics and the mental health and/or substance use requirements.

(5) License holders are not required to obtain any continuing education units for the first renewal.

(B) The athletic trainers section shall determine if a continuing education activity meets the requirements of this rule. Continuing education is defined as participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction. One contact hour equals sixty minutes.

(1) Applications for prior approval of workshop or conference content by the athletic trainers section



may be obtained by the workshop or conference sponsor from the board office. For prior approval, completed applications shall be received by the section no later than ninety days prior to the date of the workshop or conference.

(2) If no other form of verification is used, license holders shall obtain from the board office verification of participation forms, which are to be signed by each presenter at the conclusion of each presentation. If a presentation is made by a panel, only one signature is required. Original continuing education certificates or other original documents indicating credits awarded may also be used as verification of participation.

(3) Continuing education hours shall exclude refreshment breaks, receptions and other social gatherings, and meals.

(C) Acceptable continuing education activities may include:

(1) Participation in professional workshops, seminars, and/or conferences.

(a) Credit is obtained for in person participation in presentations that have either been approved by the athletic trainers section, sponsored by the national athletic trainers association, the board of certification, inc., the great lakes athletic trainers association, the Ohio athletic trainers association, offered by a board of certification, inc. approved provider, or which otherwise meets all of the following criteria:

(i) Contributes directly to professional competency;

(ii) Relates directly to the clinical practice, management, or education of athletic training; and

(iii) Conducted by people who demonstrate expertise in the subject matter of the program.

(b) Proof of content shall be demonstrated by the original workshop or conference brochure, agenda, and/or other materials given to participants during the presentation and/or, if applicable, information documented on prior approval applications made with the board.



(2) Presentations. To be eligible to receive continuing education credit for making a presentation, including a poster presentation, the presentation shall be:

(a) To health or education professionals and/or students; and

(b) Directly related to the clinical practice, management, or education of athletic training professionals.

Five hours will be awarded per presentation, with a maximum of ten hours per renewal cycle. Proof of having conducted the presentation is the workshop, conference, or seminar contract, the brochure, agenda or other printed materials describing the content and audience.

Continuing education credit will not be awarded for subsequent presentations of the same material.

(3) Publication of original work. Ten hours will be awarded per original publication in a state or national scientific journal or publication of a related professional organization. A maximum of twenty hours may be earned in this category per renewal cycle.

(4) Postgraduate courses. Any course completed after receiving a bachelors degree may be submitted for consideration by the athletic trainers section provided the course is directly related to the management, practice, or education of athletic training. Proof of completion is an unofficial transcript and a copy of the course description. An official transcript may be requested at the discretion of the athletic trainers section. Five contact hours will be awarded for each semester hour or equivalent accepted. There is no limit of contact hours in this category.

(5) Self-study. Formal self-study packages, such as printed text, multi-media, or internet based activities, related to the practice of athletic training are acceptable. Proof of completion is the certificate of completion and/or a copy of the post-test results. A maximum of twenty hours may be earned in this category per renewal cycle.

(6) Post-professional athletic training education program. Graduation from a post-professional athletic training education program accredited by the commission on accreditation of athletic training education may be submitted for the continuing education requirement and will qualify for twenty-





five hours of continuing education in the year the license holder graduates. Proof of completion is an unofficial transcript. An official transcript may be requested at the discretion of the athletic trainers section.

(7) Laws and rules examination. One contact hour may be earned for completing and passing the Ohio athletic training laws and rules examination. This contact hour may be utilized only once per renewal cycle for continuing education credit. Proof of completion will be supplied by the section. This contact hour may be used to fulfill the ethics requirement established in paragraph (A)(2) of this rule.

(8) Volunteer services to indigent and uninsured persons pursuant to section 4745.04 of the Revised Code. To qualify under this rule, volunteer services shall:

(a) Be provided at a free clinic or other non-profit organization that offers health care services based on eligibility screenings identifying the client as an "indigent and uninsured person" as that term is defined in division (A)(7) of section 2305.234 of the Revised Code.

(b) Be documented in writing in the form of a certificate or a written statement on letterhead from an administrative official at the organization where services were rendered, specifying at a minimum the license holder's name, license number, date(s) of qualifying volunteer services, number of hours of services, and describing the services that were rendered.

(c) Not be credited for license holders in a paid position at the organization at which the services are rendered.

(d) Not be credited for license holders who are also using the hours toward educational and academic pursuits.

(e) Be athletic training services provided in compliance with the Revised and Administrative Codes.

(f) Be credited as one hour of continuing education for each sixty minutes spent providing services as a volunteer, not to exceed four hours of the total biennial continuing education requirement.



(g) Not count toward the one contact hour of ethics or mental health and/or substance use per renewal cycle as required by paragraph (A)(2) or (A)(3) of this rule.

(D) An athletic training license shall not be renewed unless the license holder indicates on the renewal application that the person completed the required number of continuing education hours specified in paragraph (A) of this rule.

A license holder who falsifies a renewal application may be disciplined by the athletic trainers section for violating division (A)(3) of section 4755.64 of the Revised Code.

(E) Records and documentation of continuing education activities, such as verification of participation forms, conference brochures, certificates, college or university transcripts or grade reports, articles, books, and/or apprenticeship evaluations shall be maintained by the license holder.

(F) The athletic trainers section shall conduct an audit of the continuing education records of not less than five per cent of the license holders each renewal year.

(1) License holders chosen for the audit shall submit documentation to support the continuing education activities within the timeframe specified by the athletic training section. After review of the records and documentation, if requested, the materials shall be returned to the license holder.

(2) Failure to provide proof of the required number of continuing education hours in the appropriate categories, for the specified time period will result in the commencement of disciplinary action.

(3) Failure to respond to or acknowledge receipt of an audit notice will result in the commencement of disciplinary action.