



**Occupational Therapy, Physical  
Therapy, and Athletic Trainers Board**

# ORTHOTICS, PROSTHETICS, AND PEDORTHICS LAWS AND RULES

Effective December 5, 2025

Use Control-F to search the contents of this document.

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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 orthotics, prosthetics, and pedorthics in Ohio. This is not an official version of the ORC or OAC and may contain errors. Official version may be found online:

<http://codes.ohio.gov/orc/4755>

<https://codes.ohio.gov/ohio-administrative-code/4755:4>

<http://codes.ohio.gov/oac/4755>



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## **Summary of Recent 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 4779.17 Issuing license without examination – nonresidents

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

#### **October 2023**

Ohio Revised Code 4779.29

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

Ohio Revised Code 4779.35

- Changes the frequency of OPP Council meetings to a minimum of three (vice four)

#### **April 2023**

Implements House Bill 509, which eliminates temporary licenses and a requirement for Ohio-based supervision.

Ohio Revised Code 4779.03/4779.10/4779.11/4779.12/4779.13/4779.17/4779.18  
(repealed)/4779.28

- Eliminates temporary licenses to practice orthotics, prosthetics, orthotics and prosthetics, and pedorthics
- Eliminates a requirement that an applicant for a license to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics practice under a licensee for at least eight months before being eligible for the license.

### **Recent Rule Changes (Ohio Administrative Code)**

#### **December 2025**

- Ohio Administrative Code 4755-1-01 Notice of meetings  
Updated Ohio Revised Code section
- Ohio Administrative Code 4755-1-02 Method of public notice in adopting, amending, or rescinding rules  
Rescinded - Unnecessary, repeats Ohio Revised Code

### August 2025

- Ohio Administrative Code 4755-4-01 Fees  
Adds a fee for the Occupational Therapy Compact

### October 2024

Rule Number	Title	Rules being rescinded and replaced
4755-3-04	Military provisions related to licensure (all professions)	4755-3-15
4755-63-03	Educational programs	4755:4-1-03
4755-63-04	Certificate program requirements	4755:4-1-04
4755-63-05	Examinations	4755:4-1-05
4755-63-08	Biennial renewal of license	4755:4-1-06
4755-63-09	Reinstatement of licensure	4755:4-1-07
4755-6314	International education licensure	4755:4-1-08
4755-62-02	Device-related and scope of practice definitions	4755:4-2-03
4755-65-01	Continuing education requirements and reporting	4755:4-3-01
4755-65-02	Waivers for continuing education	4755:4-3-02
4755-70-01	3-D printing of open-sources prosthetic kits	4755:4-4-01

### May 2024

#### Ohio Administrative Code 4755:4-1-09

- Allows someone in Ohio who has at least two years within the last five, including spending 75 percent of work time providing direct patient care AND a BOC certification to become licensed in Ohio.
- This will align licensure requirements for those with BOC credentials in Ohio with others who have BOC who are coming from out of state under Senate Bill 131 which required license reciprocity with other states.

## December 2023

Ohio Administrative Code 4755:4-1-02 (formerly 4755-63-02) Licensure for out-of-state applicants

- 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.	4755-61-01
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.	4755-61-02
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.	4755-61-03, -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.	4755-64-04
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	4755-63-10
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	4755-64-03

		receive so many questions about public records.	
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.	4755-63-07
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.	4755-64-05
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.	4755-63-11
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	4755-63-12
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.	4755-66-01, -03, -04, -06, -07, -08, -09, -10
4755-4-02	Waiver of fees	Replaces rules that detail the circumstances when the Board may waive a required fee.	4755-66-11

Rule Number	Title	Summary of Changes	Rules being rescinded and replaced
4755:4-2-01	Ethical and professional conduct	This rule is the code of ethics for orthotics, prosthetics, and pedorthics. Violations of this rule may result in discipline.	4755-64-01
4755:4-2-04	Proper use of credentials	This rule details how a practitioner should document and represent credentials for licensure, reinforcing that licensure is required to practice..	4755-64-02

### October 2023

House Bill 509 from the 134th General Assembly made changes to licensure for OP&P (see above).

This resulted in the following rule changes:

Rule Number	Title	Summary of Changes
4755:4-2-02	Definition of terms.	Eliminates definitions related to temporary licensure.
4755:4-1-01	Applications for initial licensure by examination.	Eliminates the requirements to have a signed statement attesting to having conducted an eight-month supervision by a Ohio-license holder. This was eliminated by House Bill 509.
4755-63-06	Temporary license application procedure.	To be rescinded.
Oh4-1-09	Unique and exceptional qualifications.	Eliminates references to temporary licensure.
4755-66-02	Temporary license fee.	To be rescinded.
4755-66-05	Fee to upgrade from temporary to full license.	To be rescinded.



## Ohio Revised Code

### Section 4779.01 Orthotist, prosthetist and pedorthist definitions.

Effective: June 6, 2001

Legislation: House Bill 94 - 124th General Assembly

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As used in this chapter:

(A) "Accommodative" means designed with the primary goal of conforming to the anatomy of a particular individual.

(B) "Full-time" means not less than one thousand six hundred hours per year.

(C) "Inlay" means any removable material on which the foot rests inside a shoe and that may be an integral design component of the shoe.

(D) "Orthotics" means the evaluation, measurement, design, fabrication, assembly, fitting, adjusting, servicing, or training in the use of an orthotic or pedorthic device, or the repair, replacement, adjustment, or service of an existing orthotic or pedorthic device. It does not include upper extremity adaptive equipment used to facilitate the activities of daily living, finger splints, wrist splints, prefabricated elastic or fabric abdominal supports with or without metal or plastic reinforcing stays and other prefabricated soft goods requiring minimal fitting, nontherapeutic accommodative inlays, shoes that are not manufactured or modified for a particular individual, prefabricated foot care products, durable medical equipment, dental appliances, pedorthic devices, or devices implanted into the body by a physician.

(E) "Orthotic device" means a custom fabricated or fitted medical device used to support, correct, or alleviate neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity.

(F) "Pedorthics" means the evaluation, measurement, design, fabrication, assembly, fitting, adjusting, servicing, or training in the use of a pedorthic device, or the repair, replacement, adjustment, or servicing of a pedorthic device.

(G) "Pedorthics device" means a custom fabricated or fitted therapeutic shoe, shoe modification for



therapeutic purposes, prosthetic filler of the forefoot, or foot orthosis for use from the apex of the medial malleolus and below. It does not include an arch support, a nontherapeutic accommodative inlay, nontherapeutic accommodative footwear, prefabricated footcare products, or unmodified, over-the-counter shoes.

(H) "Prosthetics" means the evaluation, measurement, design, fabrication, assembly, fitting, adjusting, servicing, or training in the use of a prosthesis or pedorthic device, or the repair, replacement, adjustment, or service of a prosthesis or pedorthic device.

(I) "Prosthesis" means a custom fabricated or fitted medical device used to replace a missing appendage or other external body part. It includes an artificial limb, hand, or foot, but does not include devices implanted into the body by a physician, artificial eyes, intraocular lenses, dental appliances, ostomy products, cosmetic devices such as breast prostheses, eyelashes, wigs, or other devices that do not have a significant impact on the musculoskeletal functions of the body.





## Ohio Revised Code

### Section 4779.02 License required.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

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

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

(1) An individual who holds a current, valid license, certificate, or registration issued under Chapter 4723., 4729., 4730., 4731., 4734., or 4755. of the Revised Code and is practicing within the individual's scope of practice under statutes and rules regulating the individual's profession;

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

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

(4) An individual who provides orthotic, prosthetic, or pedorthic services as part of an educational, certification, or residency program approved by the Ohio occupational therapy, physical therapy, and athletic trainers board under sections 4779.25 to 4779.27 of the Revised Code;

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

(C) Division (A) of this section does not prohibit an individual who is not licensed under this chapter to practice prosthetics or orthotics and prosthetics from engaging in the 3-D printing of open-source prosthetic kits if the individual has been granted the authority to engage in that activity by the Ohio



occupational therapy, physical therapy, and athletic trainers board under section 4779.40 of the Revised Code. Such an individual shall not represent that the individual is authorized to practice prosthetics or orthotics and prosthetics under this chapter.



## Ohio Revised Code

### Section 4779.03 Unauthorized use of titles.

Effective: April 6, 2023

Legislation: House Bill 509

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No person shall use the titles "licensed orthotist," "licensed prosthetist," "licensed orthotist-prosthetist," or "licensed pedorthist," the initials "L.O.," "L.P.," "L.O.P.," or "L.Ped.," or any other title or initials to represent that the person is licensed to practice orthotics, prosthetics, or pedorthics, unless the person holds a current, valid license issued or renewed under this chapter.

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## Ohio Revised Code

### Section 4779.04 Supervision by licensee.

Effective: October 27, 2001

Legislation: Senate Bill 238 - 123rd General Assembly

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No individual who provides orthotic, prosthetic, or pedorthic services under the supervision of an individual licensed under this chapter, as provided in division (B)(3) of section 4779.02 of the Revised Code, shall do so unless all of the following are the case:

(A) The individual does not perform any services that the supervising orthotist, prosthetist, orthotist-prosthetist, or pedorthist is not authorized to perform;

(B) During the initial evaluation of any patient who can reasonably be expected to require orthotic, prosthetic, or pedorthic services and during the fitting and delivery of an orthotic or pedorthic device or prosthesis, the supervising orthotist, prosthetist, orthotist-prosthetist, or pedorthist is physically present;

(C) At times other than those described in division (B) of this section, the supervising orthotist, prosthetist, orthotist-prosthetist, or pedorthist is either physically present at the location where the individual is practicing or is readily available to the individual through some means of telecommunication and is in a location that under normal circumstances is not more than sixty minutes travel time away from the location where the individual is practicing.

No individual licensed under this chapter may supervise more than four individuals not licensed to practice orthotics, prosthetics, or pedorthics who are practicing orthotic, prosthetic, or pedorthic services.

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## Ohio Revised Code

### Section 4779.08 Administrative rules.

Effective: April 12, 2021

Legislation: Senate Bill 68 - 133rd General Assembly

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(A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall adopt rules in accordance with Chapter 119. of the Revised Code to carry out the purposes of this chapter, including rules prescribing all of the following:

- (1) The form and manner of filing of applications to be admitted to examinations and for licensure and license renewal;
- (2) Standards and procedures for formulating, evaluating, approving, and administering licensing examinations or recognizing other entities that conduct examinations;
- (3) The form, scoring, and scheduling of licensing examinations;
- (4) Fees for examinations and applications for licensure and license renewal;
- (5) Fees for approval of continuing education courses;
- (6) Procedures for issuance, renewal, suspension, and revocation of licenses and the conduct of disciplinary hearings;
- (7) The schedule to be used for biennial renewal of licenses;
- (8) Standards of ethical and professional conduct in the practice of orthotics, prosthetics, and pedorthics;
- (9) Standards for approving national certification organizations in orthotics, prosthetics, and pedorthics;
- (10) Fines for violations of this chapter;



(11) Standards for the recognition and approval of educational programs required for licensure, including standards for approving foreign educational credentials;

(12) Standards for continuing education programs required for license renewal;

(13) The amount, scope, and nature of continuing education activities required for license renewal, including waivers of the continuing education requirements;

(14) Provisions for making available the information described in section 4779.22 of the Revised Code;

(15) Requirements for criminal records checks of applicants under section 4776.03 of the Revised Code;

(16) Requirements for an individual who is not licensed under this chapter to practice prosthetics or orthotics and prosthetics to engage in the 3-D printing of open-source prosthetic kits;

(17) Requirements for an applicant to be eligible for an orthotics, prosthetics, or orthotics and prosthetics license because of the applicant's unique and exceptional qualifications based on the recommendations submitted to the board by the orthotics, prosthetics, and pedorthics advisory council under section 4779.35 of the Revised Code, including standards for satisfactory evidence that demonstrate the applicant's qualifications through the applicant's education, experience, or training.

(B) The board may adopt any other rules necessary for the administration of this chapter.

(C) All fees received by the board under this section shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund established in section 4743.05 of the Revised Code.



## Ohio Revised Code

### Section 4779.09 Applying for license.

Effective: October 9, 2021

Legislation: House Bill 263

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An applicant for a license to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics shall apply to the Ohio occupational therapy, physical therapy, and athletic trainers board in accordance with rules adopted under section 4779.08 of the Revised Code and pay the application fee specified in the rules. The board shall issue a license to an applicant who is eighteen years of age or older and meets either the requirements of divisions (A) and (B) of this section or the requirements of section 4779.17 of the Revised Code.

(A) The applicant must pass an examination conducted pursuant to section 4779.15 of the Revised Code;

(B) The applicant must meet the requirements of one of the following:

(1) In the case of an applicant for a license to practice orthotics, the requirements of section 4779.10 of the Revised Code;

(2) In the case of an applicant for a license to practice prosthetics, the requirements of section 4779.11 of the Revised Code;

(3) In the case of an applicant for a license to practice orthotics and prosthetics, the requirements of section 4779.12 of the Revised Code;

(4) In the case of an applicant for a license to practice pedorthics, the requirements of section 4779.13 of the Revised Code.

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## Ohio Revised Code

### Section 4779.091 License applicant to comply with RC Chapter 4776.

Effective: October 9, 2021

Legislation: House Bill 263

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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 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.

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## Ohio Revised Code

### Section 4779.10 Eligibility for license - orthotics.

Effective: April 6, 2023

Legislation: House Bill 509

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(A) Except as provided in division (B) of this section, to be eligible for a license to practice orthotics, an applicant must meet the following requirements:

(1) The applicant has completed an orthotics residency program approved by the Ohio occupational therapy, physical therapy, and athletic trainers board under section 4779.27 of the Revised Code.

(2) One of the following is the case:

(a) The applicant holds a bachelor's degree in orthotics and prosthetics from an accredited college or university whose orthotics and prosthetics program is recognized by the board under section 4779.25 of the Revised Code or an equivalent educational credential from a foreign educational institution recognized by the board.

(b) The applicant holds a bachelor's degree in a subject other than orthotics and prosthetics or an equivalent educational credential from a foreign educational institution recognized by the board and has completed a certificate program in orthotics recognized by the board under section 4779.26 of the Revised Code.

(B) The board may issue a license to practice orthotics to an applicant with unique and exceptional qualifications who meets the requirements to be issued the license established by rules adopted under section 4779.08 of the Revised Code.

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## Ohio Revised Code

### Section 4779.11 Eligibility for license - prosthetics.

Effective: April 6, 2023

Legislation: House Bill 509

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(A) Except as provided in division (B) of this section, to be eligible for a license to practice prosthetics, an applicant must meet the following requirements:

(1) The applicant has completed a prosthetics residency program approved by the Ohio occupational therapy, physical therapy, and athletic trainers board under section 4779.27 of the Revised Code.

(2) One of the following is the case:

(a) The applicant holds a bachelor's degree in orthotics and prosthetics from an accredited college or university whose orthotics and prosthetics program is recognized by the board under section 4779.25 of the Revised Code or an equivalent educational credential from a foreign educational institution recognized by the board.

(b) The applicant holds a bachelor's degree in a subject other than orthotics and prosthetics or an equivalent educational credential from a foreign educational institution recognized by the board and has completed a certificate program in prosthetics recognized by the board under section 4779.26 of the Revised Code.

(B) The board may issue a license to practice prosthetics to an applicant with unique and exceptional qualifications who meets the requirements to be issued the license established by rules adopted under section 4779.08 of the Revised Code.

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## Ohio Revised Code

### Section 4779.12 Eligibility for license - orthotics and prosthetics.

Effective: April 6, 2023

Legislation: House Bill 509

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(A) Except as provided in division (B) of this section, to be eligible for a license to practice orthotics and prosthetics, an applicant must meet the following requirements:

(1) The applicant has completed an orthotics and prosthetics residency program approved by the Ohio occupational therapy, physical therapy, and athletic trainers board under section 4779.27 of the Revised Code.

(2) One of the following is the case:

(a) The applicant holds a bachelor's degree in orthotics and prosthetics from an accredited college or university whose orthotics and prosthetics program is recognized by the board under section 4779.25 of the Revised Code or an equivalent educational credential from a foreign educational institution recognized by the board.

(b) The applicant holds a bachelor's degree in a subject other than orthotics and prosthetics or an equivalent educational credential from a foreign educational institution recognized by the board and has completed a certificate program in orthotics and prosthetics recognized by the board under section 4779.26 of the Revised Code.

(B) The board may issue a license to practice orthotics and prosthetics to an applicant with unique and exceptional qualifications who meets the requirements to be issued the license established by rules adopted under section 4779.08 of the Revised Code.

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## Ohio Revised Code

### Section 4779.13 Eligibility for license - pedorthics.

Effective: October 3, 2023

Legislation: House Bill 33

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To be eligible for a license to practice pedorthics, an applicant must meet both of the following requirements:

(A) Holds a high school diploma or certificate of high school equivalence issued by the department of education and workforce, or a primary-secondary education or higher education agency of another state;

(B) Has completed the education, training, and experience required to take the certification examination developed by the Ohio occupational therapy, physical therapy, and athletic trainers board for certification in pedorthics or an equivalent successor organization recognized by the board.

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## Ohio Revised Code

### Section 4779.15 Conducting examinations.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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Except as provided in section 4779.17 of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers board shall examine or cause to be examined each individual who seeks to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics in this state.

To be eligible to take an examination conducted by the board or an entity recognized by the board for the purpose of this section, an individual must file an application and pay an examination fee as specified in rules adopted by the board under section 4779.08 of the Revised Code and meet all the requirements of section 4779.09 of the Revised Code other than the requirement of having passed the examination.

Examinations shall be conducted at least once a year in accordance with rules adopted by the board under section 4779.08 of the Revised Code. Each applicant shall be examined in such subjects as the board requires.

The board may use as its examination all or part of a standard orthotics, prosthetics, orthotics and prosthetics, or pedorthics licensing examination established for the purpose of determining the competence of individuals to practice orthotics, prosthetics, or pedorthics in the United States. In lieu of conducting examinations, the board may accept the results of examinations conducted by entities recognized by the board.

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## Ohio Revised Code

### Section 4779.17 Issuing license without examination - nonresidents.

Effective: December 29, 2023

Legislation: Senate Bill 131, House Bill 509

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The Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license under section 4779.09 of the Revised Code to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(A) The applicant holds a license in another state.

(B) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in orthotics, prosthetics, orthotics and prosthetics, or pedorthics in a state that does not issue that license.

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## Ohio Revised Code

### Section 4779.19 Term of license.

Effective: September 28, 2018

Legislation: House Bill 111 - 132nd General Assembly

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A license issued under section 4779.09 of the Revised Code or renewed under section 4779.20 of the Revised Code is valid from the date of issuance until the date it expires, unless earlier suspended or revoked. An initial license and each renewed license expires biennially in accordance with the schedule established in rules adopted under section 4779.08 of the Revised Code.

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## Ohio Revised Code

### Section 4779.20 Renewing license.

Effective: September 28, 2018

Legislation: House Bill 111 - 132nd General Assembly

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An individual seeking to renew a license issued under section 4779.09 of the Revised Code shall, on or before the day the license expires pursuant to section 4779.19 of the Revised Code, apply for renewal. The Ohio occupational therapy, physical therapy, and athletic trainers board shall send renewal notices at least one month prior to the expiration date.

Applications shall be submitted to the board electronically. Each application shall be accompanied by a renewal fee specified in rules adopted by the board under section 4779.08 of the Revised Code, except that the board may waive part of the renewal fee for the first renewal of an initial license that expires one hundred days or less after it is issued.

To be eligible for renewal, an applicant must have completed the continuing education requirements prescribed by the board in rules adopted under section 4779.08 of the Revised Code. On the board's request, an applicant shall submit evidence satisfactory to the board that the requirements were completed.

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## Ohio Revised Code

### Section 4779.21 Maintaining board records.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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The Ohio occupational therapy, physical therapy, and athletic trainers board shall maintain records regarding the practice of orthotics, prosthetics, and pedorthics under this chapter, including records of the board's proceedings, a registry of all applicants for licensure that indicates whether the applicant was granted a license, and any other records necessary to carry out the provisions of this chapter.

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## Ohio Revised Code

### Section 4779.22 Publishing and making available to the public written information.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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(A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall publish and make available to the public written information regarding both of the following:

(1) The board's regulatory functions over the practice of orthotics, prosthetics, and pedorthics and the provisions of this chapter;

(2) The procedures by which complaints are filed with the board, which shall include a description of the complaint procedures and the name, mailing address, and telephone number of the board.

(B) The board shall make the information described in division (A) of this section available to all of the following:

(1) Consumers of orthotic, prosthetic, and pedorthic goods and services;

(2) Individuals licensed by the board under this chapter;

(3) Nationally recognized orthotic, prosthetic, and pedorthic certifying and accrediting organizations;

(4) Nationally recognized orthotic, prosthetic, and pedorthic educational organizations;

(5) Any other entity that may reasonably require the information.

(C) The board may make available any of the information described in division (A) of this section by adopting a rule under section 4779.08 of the Revised Code requiring the information to be displayed in any of the following ways:

(1) On each registration form or application prepared by the board;



- (2) On a sign prominently displayed in the place of business of each individual licensed under this chapter;
  - (3) In each bill or written contract for services provided by an individual licensed under this chapter.
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## Ohio Revised Code

### Section 4779.23 Continuing education.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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(A) To be eligible for approval by the Ohio occupational therapy, physical therapy, and athletic trainers board, a continuing education course must satisfy all of the following requirements:

- (1) Include significant intellectual or practical content and be designed to improve the professional competence of participants;
- (2) Deal with matters directly related to the practice of orthotics, prosthetics, or pedorthics, including professional responsibility, ethical obligations, or similar subjects that the board considers necessary to maintain and improve the quality of orthotic and prosthetic services in this state;
- (3) Involve in-person instruction, except that a course may use self-study materials if the materials are prepared and presented by a group with appropriate practical experience;
- (4) Be presented in a setting that is physically suited to the course;
- (5) Include thorough, high-quality written material;
- (6) Meet any other requirements the board considers appropriate.

(B) The board shall, in accordance with the standards in division (A) of this section, review and approve continuing education courses. If the board does not approve a course, it shall provide a written explanation of the reason for the denial to the person that requested approval. The board may approve continuing education courses approved by boards of other states that regulate orthotics, prosthetics, and pedorthics if the other board's standards for approving continuing education courses are equivalent to the standards established pursuant to division (A) of this section.

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## Ohio Revised Code

### Section 4779.24 Continuing education units.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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The Ohio occupational therapy, physical therapy, and athletic trainers board shall grant continuing education units to individuals licensed under this chapter on the following basis:

(A) For completing a continuing education course approved by the board under section 4779.23 of the Revised Code, one unit for each hour of instruction received;

(B) For teaching as a faculty member a course in orthotics, prosthetics, or pedorthics that is part of the curriculum of an institution of higher education, one-half unit for each semester hour of the course, or an equivalent unit for each quarter or trimester hour of the course;

(C) For teaching other than as a faculty member a course that is part of an institution of higher education's orthotics, prosthetics, or pedorthics curriculum, one unit for each hour teaching the course;

(D) For teaching a continuing education course that is approved by the board under section 4779.23 of the Revised Code that is not part of an institution of higher education's orthotics, prosthetics, or pedorthics curriculum, three units for each hour teaching the course for the first time and one-half unit for each hour teaching the course each time thereafter.

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## Ohio Revised Code

### Section 4779.25 Recognizing bachelor's degree program.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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The Ohio occupational therapy, physical therapy, and athletic trainers board shall recognize an institution of higher education's bachelor's degree program in orthotics and prosthetics if the program satisfies all of the following requirements:

- (A) Provides not less than two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics;
- (B) Requires as a condition of entry a high school diploma or certificate of high school equivalence;
- (C) Includes a written description of the program that includes learning goals, course objectives, and competencies for graduation;
- (D) Requires frequent, documented evaluation of students to assess their acquisition of knowledge, problem identification and solving skills, and psychomotor, behavioral, and clinical competencies;
- (E) Requires as a condition of entry successful completion of courses in biology, chemistry, physics, psychology, computer science, algebra or higher math, human anatomy with a laboratory section, and physiology with a laboratory section;
- (F) Requires formal instruction in biomechanics, gait analysis and pathometrics, kinesiology, pathology, materials science, research methods, and diagnostic imaging techniques;
- (G) Requires students as a condition of graduation to demonstrate orthotics skills, including measurement, impression-taking, model rectification, and fitting and alignment of orthoses for the lower limbs, upper limbs, and spines;
- (H) Requires students as a condition of graduation to complete training in orthotic systems, including foot orthosis, ankle-foot orthosis, knee orthosis, knee-ankle-foot orthosis, hip-knee-ankle orthosis,



hip orthosis, wrist-hand orthosis, cervical-thoracic-lumbo-sacral orthosis, thoracolumbo-sacral orthosis, lumbo-sacral orthosis, HALO, fracture management, RGO, standing frames, and seating;

(I) Requires students as a condition of graduation to demonstrate prosthetic skills that include measurement, impression-taking, model rectification, diagnostic fitting, definitive fitting, postoperative management, external power, and static and dynamic alignment of sockets related to various amputation levels, including partial foot, Syme's below knee, above knee, below elbow, above elbow, and the various joint disarticulations;

(J) Requires as a condition of graduation students to complete not less than five hundred hours of supervised clinical experience that focus on patient-related activities, including recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of orthotics and prosthetics;

(K) Provides for the evaluation of the program's compliance with the requirements of this section through regular, on-site visits conducted by a team of qualified individuals from a nationally recognized orthotic, prosthetic, or orthotic and prosthetic certifying body;

(L) Meets any other standards adopted by the board under section 4779.08 of the Revised Code.



## Ohio Revised Code

### Section 4779.26 Recognizing certificate program.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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The Ohio occupational therapy, physical therapy, and athletic trainers board shall recognize a certificate program in orthotics, prosthetics, or orthotics and prosthetics if the program satisfies all of the following requirements:

(A) Meets the requirements in divisions (B), (C), (D), (E), (F), (K), and (L) of section 4779.25 of the Revised Code;

(B) In the case of a certificate program in orthotics, the program does all of the following:

(1) Provides not less than two semesters or three quarters of instruction in orthotics;

(2) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of orthotics;

(3) Meets the requirements in divisions (G) and (H) of section 4779.25 of the Revised Code.

(C) In the case of a certificate program in prosthetics, the program does all of the following:

(1) Provides not less than two semesters or three quarters of instruction in prosthetics;

(2) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of prosthetics;

(3) Meets the requirements in divisions (F) and (I) of section 4779.25 of the Revised Code.





(D) In the case of a certificate program in orthotics and prosthetics, the program does both of the following:

(1) Provides not less than two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics;

(2) Meets the requirements in divisions (H) and (I) of section 4779.25 of the Revised Code.

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## Ohio Revised Code

### Section 4779.27 Residency programs approval.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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The Ohio occupational therapy, physical therapy, and athletic trainers board shall approve a residency program in orthotics, prosthetics, or orthotics and prosthetics if the program does all of the following:

(A) Requires a bachelor's degree as a condition of entry;

(B) Does one of the following:

(1) In the case of a residency program in orthotics, provides two semesters or three quarters of instruction in orthotics;

(2) In the case of a residency program in prosthetics, provides two semesters or three quarters of instruction in prosthetics;

(3) In the case of a residency program in orthotics and prosthetics, provides two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics.

(C) Meets the requirements in divisions (K) and (L) of section 4779.25 of the Revised Code;

(D) Provides residents with a sufficient variety and volume of clinical experiences to give them adequate educational experience in the acute, rehabilitative, and chronic aspects of orthotics and prosthetics, including recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of orthotics and prosthetics;

(E) Provides residents with sufficient training in clinical assessment, patient management, technical implementation, practice management, and professional responsibility.



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## Ohio Revised Code

### Section 4779.28 Disciplinary actions.

Effective: October 9, 2021

Legislation: House Bill 110

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(A) The Ohio occupational therapy, physical therapy, and athletic trainers board, pursuant to an adjudication under Chapter 119. of the Revised Code, and except as provided in division (B) of this section, may limit, revoke, or suspend a license issued under this chapter, may refuse to issue a license to an applicant, or may reprimand, fine, place a license holder on probation, or may require the license holder to take corrective action courses, for any of the following reasons:

- (1) Conviction of, or a plea of guilty to, a misdemeanor or felony involving moral turpitude;
- (2) Any violation of this chapter;
- (3) Committing fraud, misrepresentation, or deception in applying for or securing a license issued under this chapter;
- (4) Habitual use of drugs or intoxicants to the extent that it renders the person unfit to practice;
- (5) Violation of any rule adopted by the board under section 4779.08 of the Revised Code;
- (6) A departure from, or failure to conform to, minimal standards of care of similar orthotists, prosthetists, orthotists-prosthetists, or pedorthists under the same or similar circumstances, regardless of whether actual injury to a patient is established;
- (7) Obtaining or attempting to obtain money or anything of value by fraudulent misrepresentation in the course of practice;
- (8) Publishing a false, fraudulent, deceptive, or misleading statement;
- (9) Waiving the payment of all or part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan, would otherwise be required to pay, if the



waiver is used as an enticement to a patient or group of patients to receive health care services from a person who holds a license issued under this chapter;

(10) Advertising that a person who holds a license issued under this chapter will waive the payment of all or part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan, that covers the person's services, would otherwise be required to pay;

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

(12) Regardless of whether it is consensual, engaging in any of the following with a patient other than the spouse of the orthotist, prosthetist, orthotist-prosthetist, or pedorthist:

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

(b) Sexual conduct, 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.

(B) The board shall not refuse to issue a license to an applicant because of a conviction of or plea of guilty to an offense unless the refusal is in accordance with section 9.79 of the Revised Code.

(C) For the purpose of investigating whether a person is engaging or has engaged in conduct described in division (A) of this section, the board may administer oaths, order the taking of depositions, issue subpoenas, examine witnesses, and compel the attendance of witnesses and production of books, accounts, papers, records, documents, and testimony.



## Ohio Revised Code

### Section 4779.281 Administrative hearing costs.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

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A person sanctioned under section 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, as determined by the Ohio occupational therapy, physical therapy, and athletic trainers board. The fee shall be collected by the board.

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## Ohio Revised Code

### Section 4779.29 Suspension of license without adjudicatory hearing.

Effective: October 3, 2023

Legislation: House Bill 33

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If the Ohio occupational therapy, physical therapy, and athletic trainers board determines that there is clear and convincing evidence that an individual licensed under this chapter is engaging or has engaged in conduct described in division (A) of section 4779.28 of the Revised Code and that the license holder's continued practice presents a danger of immediate and serious harm to the public, the board may suspend the individual's license without an adjudicatory hearing. A telephone conference call may be used for reviewing the matter and taking the vote.

If the board votes to suspend an individual's license, the board shall serve a written order of suspension in accordance with sections 119.05 and 119.07 of the Revised Code. The order is not subject to suspension by a court during pendency of any appeal filed under section 119.12 of the Revised Code. If the license holder requests an adjudicatory hearing by the board, the date set for the hearing shall be not later than fifteen days, but not earlier than seven days, after the request, unless otherwise agreed to by the board and the license holder.

Any suspension imposed under this section shall remain in effect, unless reversed on appeal, until a final adjudicative order issued by the board pursuant to section 119.12 of the Revised Code becomes effective. The board shall issue its final adjudicative order within sixty days after completion of its hearing. A failure to issue an order within sixty days shall result in the dissolution of the summary suspension order, but shall not invalidate any subsequent, final adjudicative order.

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## Ohio Revised Code

### Section 4779.30 Allegation of mental incompetence or illness.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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If the Ohio occupational therapy, physical therapy, and athletic trainers board has reason to believe that a person who holds a license issued under this chapter is mentally ill or mentally incompetent, it may file in the probate court of the county in which the person has a legal residence an affidavit in the form prescribed in section 5122.11 of the Revised Code and signed by the secretary of the board, whereupon the same proceeding shall be had as provided in Chapter 5122. of the Revised Code. The attorney general may represent the board in any proceeding commenced under this section.

If an individual who has been granted a license under this chapter is adjudicated by a probate court to be mentally ill or mentally incompetent, the individual's license shall be automatically suspended until the individual has filed with the board a certified copy of an adjudication by a probate court of the individual's subsequent restoration to competency or has submitted to the board proof, satisfactory to the board, of having been restored to competency in the manner and form provided in section 5122.38 of the Revised Code. The judge of the court shall immediately notify the board of an adjudication of incompetence and note any suspension of a license in the margin of the court's record of the certificate. In the absence of fraud or bad faith, neither the board nor any agent, representative, or employee of the board shall be held liable in damages by any person by reason of the filing of the affidavit referred to in this section.

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## Ohio Revised Code

### Section 4779.31 Reinstating licenses.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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Before reinstating a license issued under this chapter that has been suspended for more than two years, the Ohio occupational therapy, physical therapy, and athletic trainers board may require an individual to pass the appropriate licensing examination.

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## Ohio Revised Code

### Section 4779.32 Allegations to be written and verified.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd General Assembly

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If any person makes an allegation against an individual who holds a license issued under this chapter, the allegation shall be reduced to writing and verified by a person who is familiar with the facts underlying the allegation. The person making the allegation shall file the allegation with the Ohio occupational therapy, physical therapy, and athletic trainers board. If a person alleges that a license holder is engaging or has engaged in conduct described in division (A) of section 4779.28 of the Revised Code, the board may proceed with an adjudication hearing under Chapter 119. of the Revised Code. The board shall retain the information filed under this section in accordance with rules adopted by the board under section 4779.08 of the Revised Code.

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## Ohio Revised Code Section 4779.33 Enforcement.

Effective: September 30, 2021

Legislation: House Bill 110

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(A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall enforce the laws relating to the practice of orthotics, prosthetics, and pedorthics. If the board has knowledge of a violation, the board shall investigate the violation and notify the prosecuting attorney of the proper county.

(B)(1) Subject to division (B)(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.

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## Ohio Revised Code

### Section 4779.34 Compliance with law regarding sanctions for human trafficking.

Effective: January 21, 2018

Legislation: House Bill 49 - 132nd 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 4779.35 Orthotics, prosthetics, and pedorthics advisory council.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall appoint an orthotics, prosthetics, and pedorthics advisory council for the purpose of advising the board on issues relating to the practice of orthotics, prosthetics, and pedorthics and the investigation of complaints regarding the practice of orthotics, prosthetics, and pedorthics.

The advisory council shall consist of not more than five individuals knowledgeable in the area of orthotics, prosthetics, and pedorthics. A majority of the council members shall be individuals actively engaged in the practice of orthotics, prosthetics, and pedorthics who meet the requirements for licensure under Chapter 4779. of the Revised Code.

The Ohio orthotics and prosthetics association, or its successor organization, may nominate the names of up to three qualified individuals for consideration by the board in making appointments for each vacancy on the council.

(B) Members shall serve three-year terms of office in accordance with rules adopted by the board, with each term ending on the same day of the same month as did the term that it succeeds. A council member shall continue in office subsequent to the expiration date of the member's term until a successor is appointed and takes office, or until a period of ninety days has elapsed, whichever occurs first. Each council member shall hold office from the date of appointment until the end of the term for which the member was appointed.

(C) With approval from the director of administrative services, members may receive an amount fixed under division (J) of section 124.15 of the Revised Code for each day the member is performing the member's official duties and be reimbursed for actual and necessary expenses incurred in performing those duties.

(D) The council shall meet at least three times per year and at such other times as may be necessary to carry out its responsibilities.



(E) The council shall submit to the board recommendations concerning all of the following:

- (1) Requirements for issuing a license to practice orthotics, prosthetics, and pedorthics, including the educational and experience requirements that must be met to receive a license;
- (2) Existing and proposed rules pertaining to the practice of orthotics, prosthetics, and pedorthics and the administration and enforcement of this chapter;
- (3) Standards for the approval of educational programs required to qualify for licensure and continuing education programs for licensure renewal;
- (4) Procedures for the issuance and renewal of licenses;
- (5) Fees for the issuance and renewal of a license to practice orthotics, prosthetics, and pedorthics;
- (6) Standards of practice and ethical conduct in the practice of orthotics, prosthetics, and pedorthics;
- (7) Complaints concerning alleged violation of Chapter 4779. of the Revised Code or grounds for the suspension, revocation, refusal to issue, or issuance of probationary licenses;
- (8) The safe and effective practice of orthotics, prosthetics, and pedorthics;
- (9) Requirements for issuing a license to practice orthotics, prosthetics, or orthotics and prosthetics to an applicant with unique and exceptional qualifications, including standards for satisfactory evidence for the applicant to be eligible for the license.



## Ohio Revised Code

### Section 4779.40 Authority to engage in 3-D printing of open-source prosthetic kits.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

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An individual who is not licensed to practice prosthetics or orthotics and prosthetics under section 4779.09 of the Revised Code may apply to the Ohio occupational therapy, physical therapy, and athletic trainers board for the authority to engage in the 3-D printing of open-source prosthetic kits. The board shall prescribe an application form for this purpose.

The board shall grant the authority described in this section if the individual meets the requirements specified in rules adopted under section 4779.08 of the Revised Code.

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## Ohio Revised Code Section 4779.99 Penalty.

Effective: October 27, 2000

Legislation: Senate Bill 238 - 123rd General Assembly

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Whoever violates section 4779.02, 4779.03, or 4779.04 of the Revised Code is guilty of a minor misdemeanor on the first offense; on each subsequent offense, the individual is guilty of a misdemeanor of the fourth degree.

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## 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.



(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:



- (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 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 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: December 5, 2025

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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 sections 121.22 and 121.221 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 name,



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



## 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 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 computersystems and contain confidential personal information, the board shall do thefollowing:

(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 4755-3-04 Military provisions.

Effective: [October 11, 2024](#)

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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, coast guard, and space force;

(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;

(f) Such other service as may be designated by congress; or

(g) 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 in Ohio.

(a) The person holds a valid license to practice issued by another state;

(b) The person is in good standing in all states of licensure;

(c) The person presents adequate proof to the occupational therapy, physical therapy, and athletic trainers board 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 or section 4779.091 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.

(2) The board shall 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 in another state;

(c) Attestation that the applicant has complied with the criminal records check in section 4755.70 or section 4779.091 of the Revised Code.



(d) Attestation that the applicant is aware that the temporary military 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 expires 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) All board fees associated with a temporary military license are waived.

(6) A person holding a temporary military license must practice within the licensed profession's scope of practice 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, the following military programs of training, military primary specialties, and lengths of service are substantially equivalent to or exceed the educational and experience requirements for licensure for:

(1) Occupational therapist.

(a) Military programs of training.

There are no military programs of training that are substantially equivalent to or exceed the



educational and experience requirements for licensure as an occupational therapist. A person serving in a military primary specialty listed in paragraph (C)(1)(b) of this rule must be a graduate of an occupational therapy program accredited by the accreditation council for occupational therapy education (ACOTE) to serve in that specialty.

(b) Military primary specialties.

(i) Army: occupational therapist (AOC 65A)

(ii) Navy: occupational therapy (NOBC 0874)

(iii) Air force: occupational therapist (AFSC 42T3)

(c) Lengths of service.

There are no minimal lengths of service that would be substantially equivalent to or exceed the educational and experience requirements for licensure as an occupational therapist.

(2) Occupational therapy assistant.

(a) Military programs of training.

The occupational therapy assistant program at the medical education and training campus at fort Sam Houston, Texas, is substantially equivalent to the educational requirements for licensure as an occupational therapy assistant.

(i) Army: school 083; course 303-68L10 (course 303-N3 prior to 2014).

(ii) Navy: school 083; course B-303-0152.

(b) Military primary specialties.

(i) Army: occupational therapy specialist (MOS 68L).





(ii) Navy: occupational therapy assistant (NEC HM-8467).

(c) Lengths of service.

There are no minimal lengths of service that would be substantially equivalent to or exceed the educational and experience requirements for licensure as an occupational therapy assistant.

(3) Physical therapist.

(a) Military programs of training.

A person serving in a military primary specialty listed in paragraph (C)(3)(b) of this rule must be a graduate of a physical therapist program accredited by the commission on accreditation in physical therapy education (CAPTE) to serve in that specialty or attend the "United States Army Baylor University Doctoral Program in Physical Therapy (School 083; Course 6-250-C18-65B)."

(b) Military primary specialties.

(i) Army: physical therapist (AOC 65B)

(ii) Navy: physical therapy (NOBC 0873)

(iii) Air force: physical therapist (AFSC 42B3)

(c) Lengths of service.

There are no minimal lengths of service that would be substantially equivalent to or exceed the educational and experience requirements for licensure as a physical therapist.

(4) Physical therapist assistant.

(a) Military programs of training.



The following program at the medical education and training campus at fort Sam Houston, Texas, is substantially equivalent to the educational requirements for licensure as a physical therapist assistant, provided that the applicant completed one of the bridge programs identified in paragraphs (C)(4)(a)(iv) to (C)(4)(a)(vi) of this rule.

(i) Army: school 083; course 303-68F10 (course 303-N9 prior to 2014).

(ii) Navy: school 083; course B-303-0150.

(iii) Air force: school 083; course L8ABJ4J032 01AA.

(iv) Community college of the air force in fort Sam Houston, Texas.

(v) Arapahoe community college in Littleton, Colorado.

(vi) Lake Superior college in Duluth, Minnesota.

(vii) An applicant who completed a program identified in paragraphs (C)(2)(a)(i) to (C)(2)(a)(iii) of this rule but not one of the bridge programs identified in paragraphs (C)(2)(a)(iv) to (C)(2)(a)(vi) of this rule may submit to the section the results of a physical therapist assistant educational equivalency review (PTA-EER) from the foreign credentialing commission on physical therapy, inc. (FCCPT). The section will inform the applicant of any educational deficiencies identified in the evaluation that must be remediated prior to being eligible for a license.

(b) Military primary specialties.

(i) Army: physical therapy specialist (MOS 68F).

(ii) Navy: physical therapy technician (NEC L20A).

(iii) Air force: physical medicine (AFSC 4J032).



(c) Lengths of service.

There are no minimal lengths of service that would be substantially equivalent to or exceed the educational and experience requirements for licensure as physical therapist assistant.

(5) Athletic trainer, orthotist, prosthetist, prosthetist-orthotist, or pedorthist.

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, orthotist, prosthetist, prosthetist-orthotist, or pedorthist.

(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:

(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 Chapter 4755. 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.



(3) This paragraph does not apply to the temporary military license in paragraph (A) of this rule. The temporary military license is non-renewable.

(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 via a continuing education waiver request.

(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 will 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 described in rule 4755-4-01 of the Administrative Code is waived for an applicant who is a current member of the armed forces.

(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 a 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 4755-3-05 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: August 21, 2025

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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) Occupational therapy compact privilege fee for Ohio - not to exceed fifty dollars;
- (10) Consolidation of an orthotist or prosthetist license into a prosthetist-orthotist license - not to exceed fifty dollars;
- (11) 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 4755:4-1-01 Applications for initial licensure by examination.

Effective: October 1, 2023

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(A) Applications must be:

- (1) Submitted electronically via the Ohio e-license system;
- (2) Electronically signed via the Ohio e-license system;
- (3) Accompanied by the fee prescribed by rule 4755-66-01 of the Administrative Code; and
- (4) Accompanied by such evidence, statements, or documents as specified on the application.

(B) For purposes of filing an electronic renewal application via eLicense Ohio or its successor licensing system, the applicant shall create log-in credentials. The use of these credentials is solely the responsibility of the license holder 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 person.

(C) Any application received in accordance with this rule that remains incomplete one year after the initial application filing will be 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. An applicant may request to withdraw an application by submitting a request through eLicense Ohio.
- (3) Submitted fees are neither refundable nor transferable.



(D) The applicant seeking licensure under section 4779.09 of the Revised Code must:

(1) Submit an attestation that the applicant is at least eighteen years old and meets the requirements of section 4779.10, 4779.11, 4779.12, or 4779.13 of the Revised Code.

(2) Pass an examination approved by the board pursuant to section 4779.15 of the Revised Code.

(3) Attestation and submission of fingerprints for criminal record checks by the Ohio bureau of criminal identification and investigation (BCII) and the federal bureau of investigation (FBI), if the application is for the first issuance of a license.

(E) In addition, an application for a license to practice orthotics must document compliance with the following requirements:

(1) A post-secondary educational credential of at least a bachelors degree;

(2) A certificate of completion of a post-graduate certificate program in orthotics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in orthotics and prosthetics;

(3) Completion of a residency program in orthotics consisting of nineteen hundred hours supervised by a practitioner certified in orthotics;

(4) An applicant with an educational credential from a foreign educational institution must show educational equivalence according to rule 4755-63-14 of the Administrative Code.

(F) In addition, an application for a license to practice prosthetics must document compliance with the following requirements:

(1) A post-secondary educational credential of at least a bachelors degree;

(2) A certificate of completion of a post-graduate certificate program in prosthetics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in



orthotics and prosthetics;

(3) Completion of a residency program in prosthetics consisting of nineteen hundred hours supervised by a practitioner certified in prosthetics;

(4) An applicant with an educational credential from a foreign educational institution must show educational equivalence according to rule 4755-63-14 of the Administrative Code.

(G) In addition, an application for a license to practice orthotics and prosthetics must document compliance with the following requirements:

(1) A post-secondary educational credential of at least a bachelors degree;

(2) A certificate of completion of post-graduate certificate programs in prosthetics and orthotics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in orthotics and prosthetics;

(3) Completion of a residency program in prosthetics and orthotics, consisting of nineteen hundred hours supervised by a practitioner certified in prosthetics, and nineteen hundred hours supervised by a practitioner certified in orthotics;

(4) An applicant who holds a license in orthotics and successfully completes all the requirements for a license in prosthetics will be issued a new license in prosthetics-orthotics;

(5) An applicant who holds a license in prosthetics and successfully completes all the requirements for a license in orthotics will be issued a new license in prosthetics-orthotics;

(6) An applicant with an educational credential from a foreign educational institution must show educational equivalence according to rule 4755-63-14 of the Administrative Code.

(H) In addition, an application for a license to practice pedorthics must document compliance with the following requirements:



- (1) A high school diploma or a certificate of high school equivalence.
- (2) A statement from the supervising pedorthist, orthotist, prosthetist, or prosthetist-orthotist that the applicant has practiced under the supervisor's oversight and direction. The statement must be provided on a form prescribed by the state board of orthotics, prosthetics, and pedorthics which requires attestation of completion of one thousand hours of pedorthic care practice under supervision by the licensed supervisor, including at least one hundred hours devoted to each of the following five general areas of service delivery:
  - (a) Comprehensive assessment and evaluation of patients requiring the full spectrum of pedorthic care, including:
    - (i) Custom fabricated and custom fitted foot orthoses
    - (ii) Therapeutic/diabetic shoes, depth shoes and custom shoes
    - (iii) Prefabricated inserts, custom fitted, moldable and rigid
    - (iv) Shoe modifications
    - (v) Retail, non-therapeutic shoes and foot orthoses
  - (b) Development of a comprehensive treatment plan to provide appropriate pedorthic care.
  - (c) Selection of materials and components to meet the treatment plan. On-site fabrication of the device where facilities are available. Working knowledge of how various devices are fabricated if fabrication is not done at the facility.
  - (d) Fitting and appropriate follow-up of the pedorthic device to assure optimal fit and function of the device. This includes modifications and adjustments of the device to ensure proper and continued function and instructing patient on the use and care of the device with verbal and take-home instructions where indicated or required.



(e) Appropriate documentation of patient care and interaction, including records are accurate, current and complete, and that principles and procedures of practice management are understood.

(3) Completion of the training, education, and/or experience requirements necessary to sit for a certification in pedorthics examination in accordance with standards established by the national commission on orthotic and prosthetic education.



## Ohio Administrative Code

### Rule 4755:4-1-02 Licensure for out-of-state applicants.

Effective: December 14, 2023

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(A) In accordance with Chapter 4796. of the Revised Code, an applicant who holds a license issued by another state may obtain a license to practice orthotics, prosthetics, or pedorthics in the state of Ohio if the out-of-state applicant qualifies under one of the following paths:

(1) Meets the same standard as for Ohio licensure by:

(a) Qualifying for licensure in the state of Ohio, except for the passage of the examination as required under sections 4779.09 and 4779.15 of the Revised Code; and

(b) Holding a valid license issued by the appropriate licensing entity of another state and not having a license in another state that has been revoked or is currently under suspension or probation or remains under the effect of any other current disciplinary action.

(2) Holds a substantially similar out-of-state occupational license or government certification according to division (A) of section 4796.03 of the Revised Code and the applicant:

(a) 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; and

(b) 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; and

(c) 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; and



(d) 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.

(3) Holds a private certification and the applicant:

(a) 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;

(b) Is in good standing with the private organization that issued the private certification;

(c) 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; and

(d) 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.

(B) Applications must be:

(1) Submitted electronically via the Ohio e-license system;

(2) Electronically signed via the Ohio e-license system;





- (3) Accompanied by the fee prescribed by rule 4755-4-01 of the Administrative Code; and
- (4) Accompanied by such evidence, statements, or documents as specified on the application, including any documentation necessary to support the qualifications mentioned in this rule, and pursuant to the profession-specific requirements of paragraphs (E) to (H) of rule 4755:4-1-01 of the Administrative Code.
- (C) Out-of-state residents must update the Ohio occupational therapy, physical therapy, and athletic trainers board within thirty working days of any change in orthotics, prosthetics, or pedorthics employment in the state of Ohio or any change in state-of-residence or state-of-employment status.



## Ohio Administrative Code

### Rule 4755:4-1-03 Educational programs.

Effective: October 11, 2024

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(A) The board recognizes orthotics and prosthetics educational programs that are accredited by or are under a letter of review from the national commission on orthotics and prosthetic education under the auspices of the commission of accreditation of allied health educational programs or their successor organization(s); for pedorthic educational programs, the board hereby approves programs accredited by the national commission on orthotic and prosthetic education or its successor organization.

(B) The board recognizes a post-secondary educational program that complies with the requirements of section 4779.25 of the Revised Code.

(C) The board may recognize an educational program that meets these standards upon request of an officer or official of the educational program, upon request of an applicant for licensure, or upon request of any person that has a recognized interest in the fields of orthotics, prosthetics, or pedorthics.

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## Ohio Administrative Code

### Rule 4755:4-1-04 Certificate program requirements.

Effective: October 11, 2024

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"Certificate program" as referenced in section 4779.26 of the Revised Code, means a post-graduate certificate program that meets the following requirements, as applicable:

(A) All certificate programs shall meet all of the following requirements:

- (1) Admission standards require at least a high school diploma or certificate of high school equivalence issued by the state board of education;
- (2) Has a written description of the program that includes learning goals, course objectives, and competencies for graduation;
- (3) Requires frequent, documented evaluations of students to assess their acquisition of knowledge, problem identification and solving skills, and psychomotor, behavioral, and clinical competencies;
- (4) Admits only persons who have successfully completed courses in biology, chemistry, physics, psychology, computer science, algebra or higher math, human anatomy with a laboratory section, and physiology with a laboratory section;
- (5) Requires students to complete formal instruction in biomechanics, gait analysis and pathomechanics, kinesiology, pathology, material science, research methods, and diagnostic imaging techniques;
- (6) Provides for the evaluation of the program through regular, on-site visits conducted by qualified people from a nationally recognized orthotic, prosthetic, or orthotic and prosthetic certifying body.

(B) In addition, a certificate program in orthotics shall meet all of the following requirements:

- (1) Provides two semesters or three quarters of instruction in orthotics as defined in rule 4755:4-2-02



of the Administrative Code;

(2) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, including recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of orthotic systems;

(3) Requires as a condition of graduation that students demonstrate orthotic skills, including measurement, impression-taking, model rectification, and fitting and alignment of orthoses for the lower limbs, upper limbs, and spines;

(C) In addition, a certificate program in prosthetics shall meet all of the following requirements:

(1) Provides two semesters or three quarters of instruction in prosthetics as defined in rule 4755:4-2-02 of the Administrative Code;

(2) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of prosthetics;

(3) Requires as a condition of graduation that students demonstrate prosthetic skills that include measurement, impression taking, model rectification, diagnostic fitting, definitive fitting, postoperative management, external power, and static and dynamic alignment of prostheses related to various amputation levels, including partial foot, syme's below the knee, above knee, below elbow, above elbow, and the various joint disarticulations.

(D) In addition, a certificate program in orthotics and prosthetics shall meet all of the following requirements:

(1) Provides two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics as defined in rule 4755:4-2-02 of the Administrative Code;



(2) Requires as a condition of graduation that students complete training in orthotic systems, including foot orthoses, ankle-foot orthoses, knee orthoses, knee-ankle-foot orthoses, hip-knee orthoses, wrist-hand orthoses, cervical-thoracic-lumbo-sacral orthoses, thoracolumbar orthoses, lumbar-sacral orthoses, halo, fracture management, reciprocal gait orthoses, standing frames, and seating;

(3) Requires as a condition of graduation that students demonstrate prosthetic skills that include measurement, impression taking, model rectification, diagnostic fitting, definitive fitting, postoperative management, external power, and static and dynamic alignment of prostheses related to various amputation levels, including partial foot, syme's below the knee, above knee, below elbow, above elbows, and the various joint disarticulations.



## Ohio Administrative Code Rule 4755:4-1-05 Examinations.

Effective: October 11, 2024

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(A) The board recognizes the following examinations to qualify an applicant for licensure pursuant to sections 4779.09 and 4779.15 of the Revised Code.

(1) For licensure in orthotics, the orthotics written examination and the orthotics written simulation examination administered by the American board for certification in orthotics, prosthetics, and pedorthics (ABCOPP).

(2) For licensure in prosthetics, the prosthetics written examination and the prosthetics written simulation examination administered by the ABCOPP.

(3) For licensure in pedorthics, either:

(a) The certified pedorthist examination administered by the ABCOPP, or

(b) The pedorthist certification examination administered by the board of certification/accreditation formerly known as the board of orthotist/prosthetist certification.

(B) The board will accept results of examinations previously administered if other qualifications required by Chapter 4779. of the Revised Code are evident in application documentation.

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## Ohio Administrative Code Rule 4755:4-1-06 Biennial renewal of license.

Effective: October 11, 2024

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(A) Renewal of an orthotics, prosthetics, orthotics-prosthetics, and pedorthics license happens in accordance with section 4779.20 of the Revised Code.

(1) The following shall be completed to satisfy the requirements of license renewal:

(a) The entire licensure renewal application, including any required forms;

(b) Compliance with the continuing education requirement specified in rule 4755:4-3-01 of the Administrative Code; and

(c) Payment of the renewal fee prescribed by rule 4755-4-01 of the Administrative Code.

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

(B) All persons licensed as an orthotist, prosthetist, prosthetist-orthotist, and pedorthist shall renew their license by the thirty-first day of January in each odd-numbered year. When a license to practice as an orthotist, prosthetist, prosthetist-orthotist, or pedorthist is issued by the board on or after October first of an even-numbered year, that license will be valid through the thirty-first day of January of the next odd-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 4755:4-3-01 of the Administrative Code by the thirty-first day of January of the odd-numbered year will 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 4755:4-1-07 of the Administrative Code. The occupational therapy, physical therapy, and athletic trainers joint board shall approve the reinstatement application



before the person may legally practice as an orthotist, prosthetist, prosthetist-orthotist, or pedorthist in Ohio.

(2) A license holder who continues to practice as an orthotist, prosthetist, prosthetist-orthotist, or pedorthist with an expired license is subject to disciplinary action pursuant to section 4779.28 or 4779.99 of the Revised Code.

(D) For the purposes of filing an electronic renewal application via eLicense Ohio or its successor licensing system, the applicant shall create log-in credentials. The use of these credentials is solely the responsibility of the license holder who created it. The credentials 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 4755:4-1-07 Reinstatement of licensure.

Effective: October 11, 2024

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(A) Pursuant to rule 4755:4-1-06 of the Administrative Code the orthotist, prosthetist, prosthetist-orthotist, or pedorthics license of a person who fails to comply with the renewal requirements shall automatically expire on the thirty-first day of January of odd-numbered years.

(B) All applicants for reinstatement shall submit a completed application as specified by the joint occupational therapy, physical therapy, and athletic trainers board. 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 rule 4755-4-01 of the Administrative Code;

(4) Be accompanied by such evidence, statements, or documents as specified on the application, including viewing any presentation required by the board; and

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

(a) For reinstatement applications submitted before March 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 in accordance with rule 4755:4-3-01 of the Administrative Code. Contact hours used to meet the requirement of this paragraph shall not be used for the subsequent renewal of the reinstated license.

(b) For reinstatement applications submitted on or after March first of the year in which the applicant's license expired, the applicant shall complete the number of contact hours specified in rule 4755:4-3-01 of the Administrative Code within the two year period immediately preceding the date the board receives the application for reinstatement. All contact hours used to reinstate the license



shall be in accordance with rule 4755:4-3-01 of the Administrative Code. Contact hours used to meet the requirement of this paragraph shall not be used for the subsequent renewal of the reinstated license.

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

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

(2) Taking or retaking the examination specified in Chapter 4779. of the Revised Code.

(D) The occupational therapy, physical therapy, and athletic trainers joint board 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 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 will 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 will be 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.



## Ohio Administrative Code

### Rule 4755:4-1-08 International education licensure.

Effective: November 2, 2024

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(A) The occupational therapy, physical therapy, and athletic trainers joint board may consider acceptance of international educational credentials for licensure as an orthotist, prosthetist, or prosthetist-orthotist as follows:

(1) The applicant shall complete an education credentials review from an entity approved by the board to be used by the board to determine if the applicant's foreign education was substantially equivalent pursuant to section 4779.10, 4779.11, or 4779.12 of the Revised Code.

(2) The applicant shall demonstrate that the person met the requirements to practice orthotics or prosthetics in the country of education and evidence of eligible licensure and/or certification credentialing in that country.

(B) Educational evaluations reflect only the findings and conclusions of the evaluating service and are not binding upon the board.

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## Ohio Administrative Code

### Rule 4755:4-1-09 Unique and exceptional qualifications.

Effective: May 27, 2024

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(A) "Unique and exceptional qualifications" as used in division (A) of section 4779.08 of the Revised Code means education, training, or experience that qualify a person to perform orthotic or prosthetic care outside of the traditional pathway outlined in section 4779.10, 4779.11, 4779.12, or 4779.17 of the Revised Code.

(B) The occupational therapy, physical therapy, and athletic trainers joint board will determine whether a person is uniquely and exceptionally qualified on a case-by-case basis based on the information supplied by the applicant and other information deemed relevant by the board. The joint board shall consult with a member of the orthotics, prosthetics, and pedorthics advisory committee in determining whether an applicant meets the unique and exceptional qualifications.

(C) Applicants may apply for licensure by unique and exceptional qualifications via one of the following paths:

#### (1) Experiential

(a) Applicants with at least two years within the five years before license application submission of extensive orthotic or prosthetic experience, including spending seventy-five per cent of work time providing direct patient care, in the discipline for which they have applied. Applicants must have experience doing evaluation, casting, model rectification, fitting, delivery, and follow-up of custom fabricated devices. Applicants must demonstrate proof of fifty continuing education hours within the five years prior to submission of application. The board will accept as continuing education units all courses approved by the board for orthotist/prosthetist certification (BOC), and the American board for certification in orthotics, prosthetics, and pedorthics (ABC). The board will also accept continuing education units as specified by section 4779.24 of the Revised Code; or

(b) Applicants with at least two years within the five years before license application submission of extensive orthotic and prosthetic experience, including spending seventy-five per cent of work time



providing direct patient care, when applying to be a licensed prosthetist-orthotist. Applicants must have experience doing evaluation, casting, model rectification, fitting, delivery, and follow-up of custom fabricated devices. Applicants must demonstrate proof of seventy continuing education hours within the five years prior to submission of application. The board will accept as continuing education units all courses approved by the board for orthotist/prosthetist certification (BOC), and the American board for certification in orthotics, prosthetics, and pedorthics (ABC). The board will also accept continuing education units as specified by section 4779.24 of the Revised Code.

(2) Applicants who meet the academic requirements described in division (A)(3) of section 4779.10 of the Revised Code, division (A)(3) of section 4779.11 of the Revised Code, division (A)(3) of section 4779.12 of the Revised Code, or division (A)(3) of section 4779.17 of the Revised Code, but have not completed a professional clinical residency meeting national commission on orthotic and prosthetic education requirements. These applicants shall submit proof of at least two years of applicable orthotic or prosthetic experience within the five years before application that was obtained under supervision of a licensed or certified orthotist or prosthetist in the discipline for which they have applied.

(D) In addition to the requirements described in paragraph (C) of this rule, an applicant must submit:

(1) Two letters of recommendation to the board demonstrating qualifications for licensure; and

(2) Proof of current and unrestricted active certification from either BOC or ABC.

(E) Any applicant applying for licensure under paragraph (C)(2) of this rule must comply with rule 4755-63-14 of the Administrative Code.



## Ohio Administrative Code

### Rule 4755:4-2-01 Ethical and professional conduct.

Effective: November 9, 2023

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A license holder shall provide professional services with objectivity and with respect for the unique needs and values of the health care recipient, as follows:

- (A) A license holder shall not discriminate on the basis of factors that are irrelevant to the provision of professional services including, but not limited to, race, creed, sex, national origin, age, or medical condition.
- (B) Prior to a license holder entering into a contractual relationship with a health care recipient, the license holder shall provide sufficient information to enable the health care recipient to make an informed decision to enter into a contractual relationship. Sufficient information includes any fees and arrangements for payment which might affect the decision.
- (C) A license holder shall not mislead the public and/or colleagues about services and shall not advertise in a misleading manner.
- (D) A license holder shall not engage in any activities that seek to meet his or her personal needs at the expense or detriment of the health care recipient.
- (E) A license holder shall not receive or give a commission, rebate, or any other form of direct or indirect remuneration or benefit for the referral of patients/clients for professional services.
- (F) A license holder shall disclose to health care recipients any financial interest in commercial orthotics, prosthetics, or pedorthics device which the license holder promotes for the purpose of direct or indirect personal gain or profit.
- (G) A license holder shall not accept gratuities for any reason including, but not limited to, preferential consideration of the health care recipient.



(H) A license holder shall report to the board any unprofessional, incompetent, unethical, or illegal behavior of an orthotist, prosthetist, prosthetist-orthotist, or pedorthist of which the person has knowledge. An obligation to report is inherent in the professions. Where the alleged violation involves impairment issues and no other provisions of Chapter 4755. or 4779. of the Revised Code or other provisions or rules adopted under them, the license holder may make a referral to the safe haven program in lieu of making report to the board.

(I) A license holder shall practice orthotics, prosthetics, or pedorthics in accordance with prevailing professional standards or guidelines and shall not endeavor to extend his/her practice beyond his/her competence and the authority vested in him/her under division (B) of section 4779.02 of the Revised Code.

(J) A license holder shall not carry out a prescribed service that he knows to be harmful to a patient.

(K) A license holder shall only access health care recipient information which is necessary and relevant to his/her function and authority as a orthotics, prosthetics, or pedorthics provider.

(L) When responding to a consumer's, prescriber's or provider's request for orthotic, prosthetic, or pedorthic services, if it is evident from the initial evaluation and a review of patient history and/or chart information that another licensed orthotic, prosthetic, or pedorthic service provider is currently providing services based on the same or similar medical orders, the second provider has a professional duty of care to the consumer and the prescriber to contact the first provider and offer the opportunity to complete or clarify the appropriate provision of services.

(M) Maintenance of consumer care information

(1) A license holder shall maintain consumer care documentation which includes, at minimum:

(a) Medical presentation/history data appropriate to the service provided;

(b) Evaluation and measurement data supporting device choice and recommendation;

(c) All dates of service with narrative progress notes describing presenting problem and



service/procedure performed;

(d) Medical orders and therapist notes supporting services provided;

(e) Documentation required by third party payers including assignment of benefits, privacy notices, delivery receipts, financial arrangements, and records reflecting contacts for and provision of follow-up care;

(2) Consumer care data shall be maintained with privacy and security safeguards appropriate to the data retained in file.

(3) The license holder responsible for provision of care should take steps to assure the consumer file data is maintained a minimum of five years from last date of service unless a longer period is required by federal or state law or conditions imposed by any third-party payer.

(N) A license holder, or an applicant for licensure, shall provide a written response within a reasonable period of time not to exceed thirty days to any written inquiry regarding compliance with law or rule received from the board. A license holder or an applicant for licensure may not withhold or refuse to provide copies of any records requested by the board or its representative unless otherwise ordered by a court.

(O) A license holder shall self report to the board, within thirty days, any of the items outlined in paragraphs (O)(1) to (O)(7) of this rule. Failure to comply with paragraphs (O)(1) to (O)(7) of this rule may be grounds for disciplinary action pursuant to section 4779.28 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 orthotics, prosthetics, or pedorthics.
- (4) The termination, revocation, or suspension of membership by a state or national orthotics, prosthetics, or pedorthics professional association.
- (5) The termination, revocation, suspension, or sanctioning of a credential issued by a state or national orthotics, prosthetics, or pedorthics credentialing organization.
- (6) A positive drug and/or alcohol screening.
- (7) A finding of malpractice by a court of competent jurisdiction.
- (P) License holders shall not document or bill for services not actually provided.
- (Q) License holders shall not falsify, alter, or destroy patient records, medical records, or billing records without authorization. The license holder shall maintain accurate patient and billing records.
- (R) A license holder shall not abandon a patient by inappropriately terminating the practitioner-patient relationship.
- (S) A license holder shall not engage in any sexual relationship, contact, or conduct, including dating, 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 license holder-patient relationship exists.
- (1) A license holder 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.
- (2) A license holder shall not engage in a conversation with a patient that is sexual in nature or sexually demeaning and unrelated to the plan of care.



(T) A license holder shall not engage in sexual harassment of patients, students, and/or colleagues. Sexual harassment includes, but is not limited to, making unwelcome sexual advances, requesting sexual favors, and engaging in other verbal or physical conduct of a sexual nature that results in:

- (1) Withholding services to a patient;
- (2) Creating an intimidating, hostile, or offensive environment; or
- (3) Interfering with the patient's ability to recover.

(U) License holders shall cooperate with an investigation by the board. 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 board and providing copies of the medical records and other documents requested by the board,

- (1) A license holder shall respond fully and truthfully to a request for information from the board.
- (2) A license holder shall comply with a subpoena issued by the board.
- (3) A license holder shall provide information or document within the time frame specified by the board.
- (4) A license holder shall appear and provide information at an interview requested by the board.
- (5) A license holder shall not deceive, or attempt to deceive, the board 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 board, 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.

(V) A license holder shall not practice orthotics, prosthetics, or pedorthics while the ability to practice is impaired by alcohol, controlled substances, narcotic drugs, physical disability, mental disability, or emotional disability. 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 or applicant shall submit to a physical or mental examination or drug/alcohol screen as requested by the board to determine the applicant's or license holder's qualifications to practice orthotics, prosthetics, and pedorthics.



## Ohio Administrative Code Rule 4755:4-2-02 Definition of terms.

Effective: October 1, 2023

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The following definitions must apply to the language of Chapter 4779. of the Revised Code:

- (A) "Board" means the Ohio occupational therapy, physical therapy, and athletic trainers board.
- (B) "License" as it is used under Chapter 4779. of the Revised Code, means the authority to practice in the noted profession pursuant to an action of the board.
- (C) "License holder" means a person who holds a license issued under Chapter 4779. of the Revised Code.
- (D) "Nationally accredited college or university in the U.S." means colleges and universities accredited by an accreditation body recognized by the U.S. department of education, including regional accreditation bodies.
- (E) "Provides two semesters or three quarters of instruction" as it is used in divisions (B)(1), (C)(1), and (D)(1) of section 4779.26 of the Revised Code means that the certificate program meets those specific traditional education duration standards or meets the standards as developed and implemented by the national commission on orthotic and prosthetic education (NCOPE) in effect at the time the applicant was completing his or her formal education for entrance to the referenced professions. Such instruction may include blended learning that allows for a combination of online distance learning, classroom learning, and on-site clinical learning that meets the standards established by the commission on accreditation of allied health education professions (CAAHEP).
- (F) "Provides two semesters or three quarters of instruction" as it is used in divisions (B)(1), (B)(2), and (B)(3) of section 4779.27 of the Revised Code means that the residency program requires as a prerequisite for admission the educational equivalent of learning required by section 4779.26 of the Revised Code or residency admission standards as developed and implemented by the national commission on orthotic and prosthetic education (NCOPE) that were in effect at the time the



applicant was completing his or her formal education for entrance to the referenced professions and that meets or met the standards established by the commission on accreditation of allied health education professions (CAAHEP).

(G) "Residency program" approved by the board, as referenced in section 4779.10 of the Revised Code, section 4779.11 of the Revised Code, and section 4779.12 of the Revised Code means a residency requiring nineteen hundred hours under the direct supervision of a practitioner certified in the same discipline, and which meets the requirements of section 4779.27 of the Revised Code.

(H) "Suspended" as used in section 4779.31 of the Revised Code means a license that has lapsed or been placed on inactive or non-renewed status due to non-payment of renewal fees, as well as a license placed under suspension as the result of an adjudication pursuant to section 4779.28, 4779.29, or 4779.30 of the Revised Code, or as the result of an agreement entered into between the board and the license holder in lieu of proceeding to adjudication.

(I) Supervision definitions and requirements

(1) "Physically present" as it is used under division (B) of section 4779.04 of the Revised Code means at the same building, location, or facility as the non-licensed practitioner and patient.

(2) "Under the direct supervision", as it is used under division (B)(5) of section 4779.02 of the Revised Code, means the person who provides orthotic, prosthetic, or pedorthic services under the supervision of a person authorized to practice medicine or osteopathic medicine, must perform the evaluation, measurement, design, fitting, adjusting, servicing, or training in a building, facility, or location where the physician or osteopathic physician is present at the time the service is provided and pursuant to a professional arrangement whereby the physician or osteopathic physician takes full clinical and consumer care responsibility for the orthotic, prosthetic, or pedorthic services provided.



## Ohio Administrative Code

### Rule 4755:4-2-03 Device-related and scope of practice definitions.

Effective: October 11, 2024

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The following definitions apply to the language of Chapter 4779. of the Revised Code:

(A) "Accommodative" as defined at division (A) of section 4779.01 of the Revised Code means in addition that the item is designed to conform to the anatomy of the particular person who purchases and wears the item. "Accommodative" may describe an item sold on a strictly retail basis, but may also describe an item requiring custom fitting or custom fabricating as required by patient presentation and medical order.

(B) "Arch support" as used in division (G) of section 4779.01 of the Revised Code means an item sold off-the-shelf on a retail basis to be accommodative to the anatomy of the foot for the person who uses it, which is not custom fitted or custom fabricated, and is not provided to fill a doctor's order or healthcare prescription.

(C) "Nontherapeutic" as used in divisions (D) and (G) of section 4779.01 of the Revised Code means an item sold off-the-shelf on a retail basis, which is not custom fitted or custom fabricated, and is not delivered to fill a doctor's order or healthcare prescription.

(D) "Therapeutic" as used in division (G) of section 4779.01 of the Revised Code refers to an item delivered to fill a patient-specific doctor's order or healthcare prescription.

(E) "Custom fabricated or fitted medical device" as referenced in division (E), (G), or (I) of section 4779.01 of the Revised Code means an orthotic, prosthetic or pedorthic device that is individually made (custom fabricated) or fitted (custom fitted) for a specific patient. Further, it is a device the provision of which requires access to a facility with the equipment necessary to fulfill the ongoing consumer-care responsibility to provide follow-up treatment, including modification, adjustment, maintenance and repair of the item(s).

(1) A custom fabricated item is defined as a device which is individually made for a specific patient.



No other patient would be able to use this item. A custom fabricated item is a device which is fabricated based on clinically derived and rectified castings, tracings, measurements, and/or other images (such as x-rays or digital scans) of the body part. The fabrication may involve using calculations, templates and components. This process requires the use of basic materials including, but not limited to plastic, metal, leather or cloth in the form of uncut or unshaped sheets, bars, or other basic forms and involves substantial work such as vacuum forming, cutting, bending, molding, sewing, drilling and finishing prior to fitting on the patient.

A molded-to-patient-model item is a particular type of custom fabricated device in which either:

(a) An impression (usually by means of a plaster or fiberglass cast) of the specific body part is made directly on the patient, and this impression is then used to make a positive model of the body part from which the final product is crafted; or

(b) A digital image of the patient's body part is made using computer-aided design-computer aided manufacture (CAD-CAM) systems software. This technology includes specialized probe/digitizers and scanners that create a computerized positive model and then direct milling equipment to carve a positive model. The device is then individually fabricated and molded over the positive model of the patient. The use of CAD/CAM software or digital software packages and hardware to generate a negative model (three-D printing) can be used for direct fabrication of intermediate stages of the device up to and including the final or definitive device itself.

(2) A custom fitted item is defined as a prefabricated device which is manufactured in quantity without a specific patient in mind. The device may or may not be supplied as a kit that requires some assembly and/or fitting and adjustment, or a device that may be trimmed, bent, molded (with or without heat), or otherwise modified by a person with expertise in customizing the item to fit and be used by a specific patient.

A custom fabricated or fitted medical device as referenced in division (E), (G), or (I) of section 4779.01 of the Revised Code does not include:

(a) Upper extremity adaptive equipment used to facilitate the activities of daily living;



(b) Finger splints or wrist splints;

(c) Prefabricated elastic or fabric abdominal supports with or without metal or plastic reinforcing stays requiring minimal fitting;

(d) Other prefabricated soft goods requiring minimal fitting;

(e) Nontherapeutic accommodative inlays;

(f) Nontherapeutic or therapeutic over-the-counter or off-the-shelf shoes or boots that are not manufactured or modified for a particular person;

(g) Prefabricated foot care products;

(h) Other durable medical equipment that is not categorized as an orthotic, prosthetic, or pedorthic device; dental appliances; or devices implanted into the body by a physician.

(F) "For use from the apex of the medial malleolus and below" as used in division (G) of section 4779.01 of the Revised Code means that the pedorthic device does not physically extend proximal to the apex of the medial malleolus, meaning not extending higher than the middle of the ankle bone.

(G) "Minimal fitting" as used in division (D) of section 4779.01 of the Revised Code and this rule means the prefabricated device is classified as an off the shelf device by the U.S. department of health and human services center for medicare/medicaid services.





## Ohio Administrative Code

### Rule 4755:4-2-04 Proper use of credentials.

Effective: November 9, 2023

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(A) A license holder shall not misrepresent any professional qualifications or credentials or provide any information that is false, deceptive or misleading in connection with his/her own application for employment or work as an orthotics, prosthetics, or pedorthics practitioner.

(B) A license holder shall not delegate the use of his/her name or signature on documentation for services unless he/she actually provided these services and has given permission to another person for such documentation, or unless he/she appropriately supervised those services.

(C) A license holder shall not use any title, initials or acronym indicating ownership or possession of an advanced educational credential or degree unless such educational credential or degree was earned through the auspices of an institution recognized by an appropriate national or regional accrediting agency.

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## Ohio Administrative Code

### Rule 4755:4-3-01 Continuing education requirements and reporting.

Effective: October 11, 2024

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(A) Pursuant to section 4779.20 of the Revised Code, no person will qualify for license renewal as a orthotist, prosthetist, pedorthist, or orthotist-prosthetist unless the person completed the required continuing education units outlined in paragraph (A) of this rule.

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

(2) A licensed orthotist or prosthetist shall achieve twenty-five continuing education units within the two-year renewal cycle.

(3) A licensed prosthetist-orthotist shall achieve thirty-five continuing education units within the two-year renewal cycle.

(4) A licensed pedorthist shall achieve eighteen continuing education units within the two-year renewal cycle.

(B) Accumulated continuing education units may not be carried over from one renewal period to another.

(C) An orthotist, prosthetist, pedorthist, or orthotist-prosthetist license shall not be renewed unless the license holder certifies 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 board for violating section 4779.20 of the Revised Code.

(D) The occupational therapy, physical therapy, and athletic trainers board will conduct an audit of the continuing education records of a number of the license holders to be determined by the board each renewal year. The board will notify license holders who are selected for the audit to determine



compliance with the continuing education requirement specified in this rule.

(1) License holders chosen for the audit shall submit to the board by the date specified by the board copies of all records and documentation of proof of completion of the continuing education activities used to meet the continuing education requirements of this rule.

(2) Failure to provide proof of the required number of continuing education hours 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 disciplinary action.

(E) Applicants for renewal shall successfully complete the required number of continuing education hours according to section 4779.20 of the Revised Code and this rule. The board will accept as continuing education units all courses approved by the board of certification/accreditation, and the American board for certification in orthotics, prosthetics, and pedorthics. The board will also accept continuing education units as specified by section 4779.24 of the Revised Code.



## Ohio Administrative Code

### Rule 4755:4-3-02 Waivers for continuing education.

Effective: October 11, 2024

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The occupational therapy, physical therapy, and athletic trainers joint board may grant waivers of continuing education requirements or extensions of time within which to fulfill these requirements, not to exceed two calendar years in cases involving disability, illness, or undue hardship.

(A) The continuing education requirements referenced in this rule may be found in rule 4755:4-3-01 of the Administrative Code.

(B) To apply for a waiver of extension due to undue hardship, the license holder submits a request to the occupational therapy, physical therapy, and athletic trainers joint board describing the hardship no later than November first before the renewal deadline through eLicense Ohio or its successor licensing system.

(C) To apply for a waiver or extension due to disability or illness, the license holder submits a request to the occupational therapy, physical therapy, and athletic trainers joint board no later than November first before the renewal deadline through eLicense Ohio or its successor licensing system. This request should also be signed by a licensed medical professional in good standing verifying that the license holder suffers from a disability or illness.

(D) The occupational therapy, physical therapy, and athletic trainers joint board may, as a condition of any waiver granted, require the license holder to make up a certain portion of the minimum continuing education requirements being waived for the renewal cycle.

(E) The deadlines in paragraphs (B) and (C) of this rule may be waived at the discretion of the occupational therapy, physical therapy, and athletic trainers joint board.

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## Ohio Administrative Code

### Rule 4755:4-4-01 3-D printing of open-source prosthetic kits.

Effective: October 11, 2024

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(A) Pursuant to division (C) of section 4779.02 of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers joint board shall grant to a person who meets the requirements listed in paragraph (C) of this rule the authority to engage in three-D printing of open-source prosthetic kits. Such a person shall not represent that the person is authorized to practice prosthetics or orthotics and prosthetics under Chapter 4779. of the Revised Code and shall not use the title "licensed prosthetist" or "licensed prosthetist-orthotist."

(B) "Three-D printing of open-source prosthetic kits" includes the fabrication of upper limb prostheses using a three-D printer with designs originating from open-sources. The board shall not grant authority to three-D print open-source lower limb prostheses.

(C) A person seeking authority to engage in three-D printing of open-source prosthetic kits shall submit an application that demonstrates the person meets the following requirements:

(1) The applicant demonstrates proficiency in the use of three-D printing applications. Examples of ways an applicant can demonstrate proficiency include:

(a) Three-D printing coursework;

(b) Relevant training or credentials that include knowledge of appropriate material use and an understanding of how a person with limb difference uses the printed device; and

(c) Examples of experience printing three-D products for individuals in the limb-different community.

(2) The applicant shall keep on file the contact information of a medical professional for each person to whom a three-D printed prosthetic is designed or provided. The applicant shall agree to cooperate with the designated medical professional upon request to provide continuity of care. The medical



professional shall be an individual who holds a current, valid licensed, certificate, or registration issued under Chapter 4723., 4729., 4730., 4731., 4755., or 4779. of the Revised Code and in whose scope prosthetics is included.

(3) The applicant shall disclose in written form to each recipient of a three-D printed prosthetic the following:

(a) That the applicant does not hold a license to practice prosthetics or prosthetics-orthotics under Chapter 4779. of the Revised Code; and

(b) If applicable, that the applicant does not carry liability insurance.

(D) All applications for authority to engage in three-D printing of open-source prosthetic kits shall be submitted to the occupational therapy, physical therapy, and athletic trainers joint board on forms provided by the board. The board will retain all applications, statements, and other documents so submitted according to public records guidelines.

(E) Applications shall be:

(1) Submitted electronically;

(2) Signed electronically;

(3) Accompanied by a fee prescribed by rule 4755-4-01 of the Administrative Code; and

(4) Accompanied by such evidence, statements, or documents as specified on the application.

(F) Any application received in accordance with this rule that remains incomplete one year after the initial application filing is 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.



(2) No application for authority to engage in three-D printing of open-source prosthetic kits may be withdrawn without approval of the board.

(3) Submitted fees are neither refundable nor transferable.

(G) All persons with authority to engage in three-D printing of open-source prosthetic kits shall renew their authority by the thirty-first day of January in each even-numbered year. When authority to engage in three-D printing of open-source prosthetic kits is issued by the board on or after October first of an odd-numbered year, that authority is valid through the thirty-first day of January of the second even-numbered year.

(1) There will be a renewal fee of twenty-five dollars.

(2) Persons who fail to submit the renewal fee, completed application, and any other required information by the deadline will have their authority to engage in three-D printing of open-source prosthetic kits automatically expire.

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

(H) The occupational therapy, physical therapy, and athletic trainers board, upon review of the application materials, may grant, deny, or revoke authority to engage in three-D printing of open-source prosthetics kits.

(I) In accordance with Chapter 119. of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers board may suspend, revoke, or refuse to issue or renew the authority to engage in three-D printing of open-source prosthetic kits, or reprimand, fine, place an authority holder on probation, or require the authority holder to take corrective action courses.