



OCCUPATIONAL THERAPY LAWS AND RULES

Effective October 11, 2024

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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 occupational therapy 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/4755:1>

<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 4755.08 License

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

Ohio Revised Code 4755.09 Waiver of examination

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

October 2023

Ohio Revised Code 4755.11

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

Ohio Revised Code 4755.111

- Adds art therapists and music therapists to the rendering of therapy services through business entity statute

Recent Rule Changes (Ohio Administrative Code)

October 2024

Rule Number	Title	Summary of Changes	Rules being rescinded and replaced
4755-3-04	Military provisions related to licensure (all professions)	Replaces identical rules for all OTPTAT Board sections detailing military benefits and temporary military licensure. Added reference to the US Space Force as a branch of the military.	4755-3-15
4755:1-2-01	Code of ethical conduct	Replaces current rule. Renumbered with no change.	4755-7-08
4755:1-2-02	Occupational therapy practice defined	Replaces current rule. Adds a definition of OTD Capstone students	4755-7-01
4755:1-2-03	Roles and responsibilities	Replaces current rule. Renumbered with no change.	4755-7-02
4755:1-2-04	Delegation	Replaces current rule. Renumbered with no change.	4755-7-03

4755:1-2-05	Supervision	Replaces current rule. Adds a new type of supervision that applies to OTD Capstone students.	4755-7-04
4755:1-2-06	Telehealth	Replaces current rule. Renumbered with no change.	4755-7-05
4755:1-2-07	Required credential to indicate licensure or student status	Replaces current rule. Includes "OT" and "OTA" in addition to current credentials in the rule (OT/L, OTR/L, OTA/L, COTA/L) to make it easier for practitioners to comply with electronic medical records systems.	4755-7-10

December 2023

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

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

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 detailing 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.	4755-1-01
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.	4755-1-02
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.	4755-8-01, -02, -03, -04, -05, -06
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.	4755-3-06

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	4755-3-07
4755-2-04	Investigations and inspections	Replaces rules that detail the various Board sections' ability to conduct investigations and inspections at workplaces related Ohio Revised Code chapters 4755 and 4779. Only change is to reiterate the ORC Section that deems investigations confidential since we receive so many questions about public records.	4755-1-03
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.	4755-3-02
4755-3-02	Notice of change of name, place of employment, e-mail, and mailing address	Replaces rules to remind a license holder that they must update the board with important contact information within 30 days of a change.	4755-3-08
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.	4755-3-13
4755-3-05	Criminal records check	Replaces rules that detail the process for obtaining a criminal background check as required by ORC4779.091 and 4755.70 for the purpose of obtaining an initial license	4755-3-14
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.	4755-5-01, -04, -05, -06, -07, -08, -09, -11,
4755-4-02	Waiver of fees	Replaces rules that detail the circumstances when the Board may waive a required fee.	4755-5-10
4755:1-1-02	Educational requirements	Describes the minimum level of educational requirements to become an occupational therapist (OT) and Occupational Therapy Assistant (OTA). Only change is to align the number of years of experience in a state not requiring licensure with SB 131 (from five to two).	4755-3-03
4755:1-1-03	Examination requirements	The rule requires an OT and OTA applicant to have passed the examination given by the National Board for Certification in Occupational Therapy.	4755-3-04
4755:1-1-04	Active practice defined	Defines what it means to actively practice occupational therapy and underscores the requirement to have a license to do so.	4755-3-09

4755:1-1-05	Biennial renewal of license	Describes the renewal process and the requirements to renew a license, including filling out an application, paying a fee, and completing continuing education.	4755-3-10
4755:1-3-02	Waivers; exemption for continuing education	Describes the criteria for and the process of obtaining a waiver or extension of continuing education requirements.	4755-9-02
Rescind	Escrow of license; restoration	Gives details on how to restore a license from escrow; Proposed for rescission - the OT Section ceased permitting licenses to enter escrow in 2018 and all possible licenses in escrow at the time have either been restored or expired.	4755-3-05

October 2023

Ohio Administrative Code 4755:1-1-01 Applications for initial licensure.

- Renumbered from 4755-3-01
- The change to this rule aligns OTPTAT Board rule English language requirement to the criteria used by the National Board of Certification for Occupational Therapy (NBCOT) to evaluate internationally educated individuals with respect to obtaining a Visa Credential Verification Certificate.
- This rule change also adds a requirement initial applicants for licensure to view a short informational video about the Board's Safe Haven program.

Ohio Administrative Code 4755:1-1-07 Application for reinstatement

- Renumbered from 4755-3-12
- Adds a requirement initial applicants for licensure to view a short informational video about the Board's August 2023

August 2023

Ohio Administrative Code 4755:1-3-01 Continuing Education

- Renumbered from 4755-9-01
- Adds a requirement for one hour of continuing education on mental health and/or substance use education as a part of the biennial renewal. This will count for one of the required 20 hours. The same contact hour cannot be used for both mental health/substance use and ethics, jurisprudence or cultural competence. Any course offering by the Board's Safe Haven program provider will count.

December 2022

Safe Haven Program

A safe haven program will:

- Provide confidential services to OTPTAT Board practitioners who are seeking help with burnout, mental health, or substance use disorders.

- Be a safe space that is intended to be an early intervention before patient safety becomes a concern.
- Serve as a therapeutic alternative to Board involvement in a problematic situation while still meeting the Board's mandate of public protection.

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

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

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

Ohio Administrative Code 4755-7-08 Code of ethical conduct

This rule sets forth the code of ethical conduct for occupational therapy. Changes include:

- Inclusion of reports of impairment issues to the safe haven program as fulfilling a practitioner's "duty to report" a fellow practitioner instead of making a report to the Board.
- Clarifies that the Board may take action against the license of an impaired practitioner unless they are a participant in the safe haven program.
- Includes an option to participate in the safe haven program in lieu of self-reporting impairment to the Board.
- Adds that a violation of the code of ethics may include a failure to protect and keep confidential personal health information and a failure to respect privacy rights of clients, other facility care recipients, employees, colleagues, and students.



Ohio Revised Code

Section 4755.04 Occupational therapist definitions.

Effective: September 30, 2021

Legislation: House Bill 110

As used in sections 4755.04 to 4755.13 and section 4755.99 of the Revised Code:

(A) "Occupational therapy" means the therapeutic use of everyday life activities or occupations with individuals or groups for the purpose of participation in roles and situations in the home, school, workplace, community, and other settings. The practice of occupational therapy includes all of the following:

(1) Methods or strategies selected to direct the process of interventions, including, but not limited to, establishment, remediation, or restoration of a skill or ability that has not yet developed or is impaired and compensation, modification, or adaptation of activity or environment to enhance performance;

(2) Evaluation of factors affecting activities of daily living, instrumental activities of daily living, education, work, play, leisure, and social participation, including, but not limited to, sensory motor abilities, vision, perception, cognition, psychosocial, and communication and interaction skills;

(3) Interventions and procedures to promote or enhance safety and performance in activities of daily living, education, work, play, leisure, and social participation, including, but not limited to, application of physical agent modalities, use of a range of specific therapeutic procedures to enhance performance skills, rehabilitation of driving skills to facilitate community mobility, and management of feeding, eating, and swallowing to enable eating and feeding performance;

(4) Consultative services, case management, and education of patients, clients, or other individuals to promote self-management, home management, and community and work reintegration;

(5) Designing, fabricating, applying, recommending, and instructing in the use of selected orthotic or prosthetic devices and other equipment which assists the individual to adapt to the individual's potential or actual impairment;



(6) Administration of topical drugs that have been prescribed by a licensed health professional authorized to prescribe drugs, as defined in section 4729.01 of the Revised Code.

(B) "Occupational therapist" means a person who is licensed to practice occupational therapy and who offers such services to the public under any title incorporating the words "occupational therapy," "occupational therapist," or any similar title or description of services.

(C) "Occupational therapy assistant" means a person who holds a license to provide occupational therapy techniques under the general supervision of an occupational therapist.



Ohio Revised Code

Section 4755.05 Requirement of license or permit.

Effective: September 30, 2021

Legislation: House Bill 110

No person who does not hold a current license under sections 4755.04 to 4755.13 of the Revised Code shall practice or offer to practice occupational therapy, or use in connection with the person's name, or otherwise assume, use, or advertise, any title, initials, or description tending to convey the impression that the person is an occupational therapist or an occupational therapy assistant. No partnership, association, or corporation shall advertise or otherwise offer to provide or convey the impression that it is providing occupational therapy unless an individual holding a current license under sections 4755.04 to 4755.13 of the Revised Code is or will at the appropriate time be rendering the occupational therapy services to which reference is made.



Ohio Revised Code

Section 4755.06 Administrative rules.

Effective: October 9, 2021

Legislation: House Bill 110

The occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board may make reasonable rules in accordance with Chapter 119. of the Revised Code relating to, but not limited to, the following:

- (A) The form and manner for filing applications for licensure under sections 4755.04 to 4755.13 of the Revised Code;
- (B) The issuance, suspension, and revocation of the licenses and the conducting of investigations and hearings;
- (C) Standards for approval of courses of study relative to the practice of occupational therapy;
- (D) The time and form of examination for the licensure;
- (E) Standards of ethical conduct in the practice of occupational therapy;
- (F) The form and manner for filing applications for renewal and a schedule of deadlines for renewal;
- (G) The conditions under which a license of a licensee who files a late application for renewal will be reinstated;
- (H) The amount, scope, and nature of continuing education activities required for license renewal, including waivers of the continuing education requirements;
- (I) Requirements for criminal records checks of applicants under section 4776.03 of the Revised Code;
- (J) Subject to section 4755.061 of the Revised Code, the amount for each fee specified in section



4755.12 of the Revised Code that the section charges;

(K) The amount and content of corrective action courses required by the board under section 4755.11 of the Revised Code.

The section may hear testimony in matters relating to the duties imposed upon it, and the chairperson and secretary of the section may administer oaths. The section may require proof, beyond the evidence found in the application, of the honesty and truthfulness of any person named in an application for licensure, before admitting the applicant to an examination or issuing a license.



Ohio Revised Code

Section 4755.061 Limitation on fee amounts.

Effective: October 16, 2009

Legislation: House Bill 1 - 128th General Assembly

If the occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board adopts rules pursuant to section 4755.06 of the Revised Code relating to the amounts of the fees that the section may charge for the late renewal of licenses and the review of continuing education activities, as provided in divisions (A)(5) and (A)(6) of section 4755.12 of the Revised Code, the section shall not establish fee amounts for those services that exceed the actual costs the section incurs in providing the services to a licensee.



Ohio Revised Code

Section 4755.062 Contracting for assistance with continuing education duties.

Effective: April 6, 2023

Legislation: House Bill 509

The occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board may contract with the Ohio occupational therapy association, or its successor organization, for assistance in performing any duties prescribed in rules adopted under division (H) of section 4755.06 of the Revised Code.



Ohio Revised Code

Section 4755.07 License qualifications.

Effective: October 9, 2021

Legislation: House Bill 263

No person shall qualify for licensure as an occupational therapist or as an occupational therapy assistant unless the person has shown to the satisfaction of the occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board that the person:

(A) Has successfully completed the academic requirements of an educational program recognized by the section, including a concentration of instruction in basic human sciences, the human development process, occupational tasks and activities, the health-illness-health continuum, and occupational therapy theory and practice;

(B) Has successfully completed a period of supervised field work experience at a recognized educational institution or a training program approved by the educational institution where the person met the academic requirements. For an occupational therapist, a minimum of six months of supervised field work experience is required. For an occupational therapy assistant, a minimum of two months of supervised field work experience is required.

(C) Has successfully passed a written examination testing the person's knowledge of the basic and clinical sciences relating to occupational therapy, and occupational therapy theory and practice, including the applicant's professional skills and judgment in the utilization of occupational therapy techniques and methods, and such other subjects as the section may consider useful to determine the applicant's fitness to practice. The section may require separate examinations of applicants for licensure as occupational therapy assistants and applicants for licensure as occupational therapists.

Applicants for licensure shall be examined at a time and place and under such supervision as the section determines.



Ohio Revised Code

Section 4755.08 License - limited permit.

Effective: December 29, 2023

Legislation: Senate Bill 131

The occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license to every applicant who has passed the appropriate examination designated by the section and who otherwise complies with the licensure requirements of sections 4755.04 to 4755.13 of the Revised Code. The license entitles the holder to practice occupational therapy or to assist in the practice of occupational therapy. The licensee shall display the license in a conspicuous place at the licensee's principal place of business.

The section shall issue a license to practice occupational therapy or to assist in the practice of occupational therapy 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 as an occupational therapist or assistant occupational therapist in a state that does not issue that license.



Ohio Revised Code

Section 4755.09 Waiver of examination.

Effective: December 29, 2023

Legislation: Senate Bill 131

The occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board may waive the examination requirement under section 4755.07 of the Revised Code for any applicant for licensure as an occupational therapist or occupational therapy assistant who has met educational, training, and job experience requirements established by the section.

The section may waive the educational requirements under section 4755.07 of the Revised Code for any applicant who has met job experience requirements established by the section.



Ohio Revised Code Section 4755.10 Renewals.

Effective: April 6, 2007

Legislation: House Bill 403 - 126th General Assembly

Each license issued under section 4755.08 of the Revised Code is valid without further recommendation or examination until revoked or suspended or until the license expires for failure to file an application for renewal as provided for in this section.

Licenses shall be renewed biennially in accordance with the schedule established in rules adopted by the occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board under section 4755.06 of the Revised Code. Applicants for renewal shall file the fee for renewal as provided in section 4755.12 of the Revised Code, an application for renewal on a form prescribed by the occupational therapy section, and proof of completion of continuing education requirements as provided in rules adopted by the section under section 4755.06 of the Revised Code. An application for renewal shall be mailed by the section to the licensee in accordance with the schedule established in rules adopted by the section under section 4755.06 of the Revised Code. In all other respects the renewal process is as provided in section 4745.02 of the Revised Code.

The license of any licensee who fails to file an application for renewal on or before the deadline established in rules adopted by the section under section 4755.06 of the Revised Code shall expire automatically, unless the section, for good cause shown, determines that the application for renewal could not have been filed by such day.

Except as provided in sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code, the section may renew a license while the license is suspended, but the renewal shall not affect the suspension. The section shall not renew a license that has been revoked. If a revoked license is reinstated under section 4755.11 of the Revised Code after it has expired, the licensee, as a condition of reinstatement, shall pay a reinstatement fee equal to the renewal fee in effect on the last preceding regular renewal date before the reinstatement date, plus any delinquent fees accrued from the time of the revocation, if such fees are prescribed by the section by rule.



Ohio Revised Code

Section 4755.11 Disciplinary actions.

Effective: October 3, 2023

Legislation: House Bill 33

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

- (1) Conviction of an offense involving moral turpitude or a felony, regardless of the state or country in which the conviction occurred;
- (2) Violation of any provision of sections 4755.04 to 4755.13 of the Revised Code;
- (3) Violation of any lawful order or rule of the occupational therapy section;
- (4) Obtaining or attempting to obtain a license issued by the occupational therapy section by fraud or deception, including the making of a false, fraudulent, deceptive, or misleading statement in relation to these activities;
- (5) Negligence, unprofessional conduct, or gross misconduct in the practice of the profession of occupational therapy;
- (6) Accepting commissions or rebates or other forms of remuneration for referring persons to other professionals;
- (7) Communicating, without authorization, information received in professional confidence;
- (8) Using controlled substances, habit forming drugs, or alcohol to an extent that it impairs the ability to perform the work of an occupational therapist or occupational therapy assistant;



- (9) Practicing in an area of occupational therapy for which the individual is untrained or incompetent;
- (10) Failing the licensing or Ohio jurisprudence examination;
- (11) Aiding, abetting, directing, or supervising the unlicensed practice of occupational therapy;
- (12) Denial, revocation, suspension, or restriction of authority to practice a health care occupation, including occupational therapy, for any reason other than a failure to renew, in Ohio or another state or jurisdiction;
- (13) Except as provided in division (C) of this section:
 - (a) Waiving the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers occupational therapy, 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 that provider;
 - (b) Advertising that the individual will waive the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers occupational therapy, would otherwise be required to pay.
- (14) Working or representing oneself as an occupational therapist or occupational therapy assistant without a current and valid license issued by the occupational therapy section;
- (15) Engaging in a deceptive trade practice, as defined in section 4165.02 of the Revised Code;
- (16) Violation of the standards of ethical conduct in the practice of occupational therapy as identified by the occupational therapy section;
- (17) A departure from, or the failure to conform to, minimal standards of care required of licensees, whether or not actual injury to a patient is established;



(18) An adjudication by a court that the applicant or licensee is incompetent for the purpose of holding a license and has not thereafter been restored to legal capacity for that purpose;

(19)(a) Except as provided in division (A)(19)(b) of this section, failure to cooperate with an investigation conducted by the occupational therapy section, including failure to comply with a subpoena or orders issued by the section or failure to answer truthfully a question presented by the section at a deposition or in written interrogatories.

(b) Failure to cooperate with an investigation does not constitute grounds for discipline under this section if a court of competent jurisdiction issues an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence at issue.

(20) Conviction of a misdemeanor reasonably related to the practice of occupational therapy, regardless of the state or country in which the conviction occurred;

(21) Inability to practice according to acceptable and prevailing standards of care because of mental or physical illness, including physical deterioration that adversely affects cognitive, motor, or perception skills;

(22) Violation of conditions, limitations, or agreements placed by the occupational therapy section on a license to practice;

(23) Making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients in relation to the practice of occupational therapy;

(24) Failure to complete continuing education requirements as prescribed in rules adopted by the occupational therapy section under section 4755.06 of the Revised Code;

(25) Regardless of whether it is consensual, engaging in any of the following with a patient other than the spouse of the occupational therapist or occupational therapy assistant:

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



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

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

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

(C) Sanctions shall not be imposed under division (A)(13) of this section against any individual who waives deductibles and copayments as follows:

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

(2) For professional services rendered to any other person licensed pursuant to sections 4755.04 to 4755.13 of the Revised Code to the extent allowed by those sections and the rules of the occupational therapy section.

(D) Except as provided in division (E) of this section, the suspension or revocation of a license under this section is not effective until either the order for suspension or revocation has been affirmed following an adjudication hearing, or the time for requesting a hearing has elapsed.

When a license is revoked under this section, application for reinstatement may not be made sooner than one year after the date of revocation. The occupational therapy section may accept or refuse an application for reinstatement and may require that the applicant pass an examination as a condition of reinstatement.

When a license holder is placed on probation under this section, the occupational therapy section's probation order shall be accompanied by a statement of the conditions under which the individual may be removed from probation and restored to unrestricted practice.



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

(F) If any person other than a person who holds a license issued under section 4755.08 of the Revised Code has engaged in any practice that is prohibited under sections 4755.04 to 4755.13 of the Revised Code or the rules of the occupational therapy section, the section may apply to the court of common pleas of the county in which the violation occurred, for an injunction or other appropriate order restraining this conduct, and the court shall issue this order.



Ohio Revised Code

Section 4755.111 Rendering of therapy services through business entity.

Effective: October 3, 2023

Legislation: House Bill 33

(A) An individual whom the occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board licenses, certificates, or otherwise legally authorizes to engage in the practice of occupational therapy may render the professional services of an occupational therapist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an individual of that nature from rendering professional services as an occupational therapist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with sections 4755.04 to 4755.13 of the Revised Code, another chapter of the Revised Code, or rules of the Ohio occupational therapy, physical therapy, and athletic trainers board adopted pursuant to sections 4755.04 to 4755.13 of the Revised Code.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

- (1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;
- (2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;
- (3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;



- (4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;
- (5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;
- (6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;
- (7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;
- (8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;
- (9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;
- (10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, marriage and family therapists, art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of a code of ethics applicable to an occupational therapist that prohibits an occupational therapist from engaging in the practice of occupational therapy in combination with a person who is licensed, certificated, or otherwise legally authorized to practice optometry, chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, physical therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, marriage and family therapy, art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of occupational therapy.



Ohio Revised Code

Section 4755.12 Fees.

Effective: September 30, 2021

Legislation: House Bill 110

(A) The occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board may charge any or all of the following fees:

- (1) A nonrefundable examination fee, which is to be paid at the time of application for licensure;
- (2) An application fee for an initial license;
- (3) An initial licensure fee;
- (4) A fee for biennial renewal of a license;
- (5) A fee for late renewal of a license;
- (6) A fee for the review of continuing education activities;
- (7) A fee for verification of a license.

(B) The section may, by rule, provide for the waiver of all or part of a fee when the license is issued less than one hundred days before the date on which it will expire.

(C) Except when all or part of a fee is waived under division (B) of this section, the amount charged by the occupational therapy section for each of its fees shall be the applicable amount established in rules adopted under section 4755.06 of the Revised Code.



Ohio Revised Code

Section 4755.13 Exemptions.

Effective: March 20, 2014

Legislation: House Bill 83 - 130th General Assembly

Nothing in sections 4755.04 to 4755.13 of the Revised Code shall be construed to prevent or restrict the practice, services, or activities of the following:

(A) Any person who does not claim to the public by any title, initials, or description of services as being engaged in the practice of occupational therapy, who is:

(1) A physician licensed under Chapter 4731. of the Revised Code, or anyone employed or supervised by a licensed physician in the delivery of treatment or services;

(2) A person licensed, certified, or registered under sections 4755.40 to 4755.56 of the Revised Code or under any other chapter of the Revised Code who is practicing within the standards and ethics of practice that represent appropriate extensions of the person's profession;

(3) A qualified member of any other profession who is practicing within the standards and ethics of the member's profession.

(B) Any person employed as an occupational therapist or occupational therapy assistant by the government of the United States, if the person provides occupational therapy solely under the direction or control of the organization by which the person is employed;

(C) Any person pursuing a course of study leading to a degree or certificate in occupational therapy in an accredited or approved educational program if the activities and services constitute a part of a supervised course of study, if the person is designated by a title that clearly indicates the person's status as a student or trainee;

(D) Any person fulfilling the supervised field work experience requirements of section 4755.07 of the Revised Code, if the activities and services constitute a part of the experience necessary to meet those requirements.



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COMMISSION
DOCUMENT #242581



Ohio Revised Code

Section 4755.14 Occupational therapy licensure compact.

Effective: June 30, 2021

Legislation: Senate Bill 7

The "Occupational Therapy Licensure Compact" is hereby ratified, enacted into law, and entered into by the state of Ohio as a party to the compact with any other state that has legally joined in the compact as follows:

OCCUPATIONAL THERAPY LICENSURE COMPACT

SECTION 1. PURPOSE

The purpose of this Compact is to facilitate interstate practice of Occupational Therapy with the goal of improving public access to Occupational Therapy services. The Practice of Occupational Therapy occurs in the State where the patient/client is located at the time of the patient/client encounter. The Compact preserves the regulatory authority of States to protect public health and safety through the current system of State licensure.

This Compact is designed to achieve the following objectives:

- A. Increase public access to Occupational Therapy services by providing for the mutual recognition of other Member State licenses;
- B. Enhance the States' ability to protect the public's health and safety;
- C. Encourage the cooperation of Member States in regulating multi-State Occupational Therapy Practice;
- D. Support spouses of relocating military members;
- E. Enhance the exchange of licensure, investigative, and disciplinary information between Member States;



F. Allow a Remote State to hold a provider of services with a Compact Privilege in that State accountable to that State's practice standards; and

G. Facilitate the use of Telehealth technology in order to increase access to Occupational Therapy services.

SECTION 2. DEFINITIONS

As used in this Compact, and except as otherwise provided, the following definitions shall apply:

A. "Active Duty Military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Chapter 1209 and Section 1211.

B. "Adverse Action" means any administrative, civil, equitable, or criminal action permitted by a State's laws which is imposed by a Licensing Board or other authority against an Occupational Therapist or Occupational Therapy Assistant, including actions against an individual's license or Compact Privilege such as censure, revocation, suspension, probation, monitoring of the Licensee, or restriction on the Licensee's practice.

C. "Alternative Program" means a non-disciplinary monitoring process approved by an Occupational Therapy Licensing Board.

D. "Compact Privilege" means the authorization, which is equivalent to a license, granted by a Remote State to allow a Licensee from another Member State to practice as an Occupational Therapist or practice as an Occupational Therapy Assistant in the Remote State under its laws and rules. The Practice of Occupational Therapy occurs in the Member State where the patient/client is located at the time of the patient/client encounter.

E. "Continuing Competence/Education" means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.



F. "Current Significant Investigative Information" means Investigative Information that a Licensing Board, after an inquiry or investigation that includes notification and an opportunity for the Occupational Therapist or Occupational Therapy Assistant to respond, if required by State law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

G. "Data System" means a repository of information about Licensees, including but not limited to license status, Investigative Information, Compact Privileges, and Adverse Actions.

H. "Encumbered License" means a license in which an Adverse Action restricts the Practice of Occupational Therapy by the Licensee or said Adverse Action has been reported to the National Practitioners Data Bank (NPDB).

I. "Executive Committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.

J. "Home State" means the Member State that is the Licensee's Primary State of Residence.

K. "Impaired Practitioner" means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.

L. "Investigative Information" means information, records, and/or documents received or generated by an Occupational Therapy Licensing Board pursuant to an investigation.

M. "Jurisprudence Requirement" means the assessment of an individual's knowledge of the laws and rules governing the Practice of Occupational Therapy in a State.

N. "Licensee" means an individual who currently holds an authorization from the State to practice as an Occupational Therapist or as an Occupational Therapy Assistant.

O. "Member State" means a State that has enacted the Compact.

P. "Occupational Therapist" means an individual who is licensed by a State to practice Occupational



Therapy.

Q. "Occupational Therapy Assistant" means an individual who is licensed by a State to assist in the Practice of Occupational Therapy.

R. "Occupational Therapy," "Occupational Therapy Practice," and the "Practice of Occupational Therapy" mean the care and services provided by an Occupational Therapist or an Occupational Therapy Assistant as set forth in the Member State's statutes and regulations.

S. "Occupational Therapy Compact Commission" or "Commission" means the national administrative body whose membership consists of all States that have enacted the Compact.

T. "Occupational Therapy Licensing Board" or "Licensing Board" means the agency of a State that is authorized to license and regulate Occupational Therapists and Occupational Therapy Assistants.

U. "Primary State of Residence" means the state (also known as the Home State) in which an Occupational Therapist or Occupational Therapy Assistant who is not Active Duty Military declares a primary residence for legal purposes as verified by: driver's license, federal income tax return, lease, deed, mortgage or voter registration or other verifying documentation as further defined by Commission Rules.

V. "Remote State" means a Member State other than the Home State, where a Licensee is exercising or seeking to exercise the Compact Privilege.

W. "Rule" means a regulation promulgated by the Commission that has the force of law.

X. "State" means any state, commonwealth, district, or territory of the United States of America that regulates the Practice of Occupational Therapy.

Y. "Single-State License" means an Occupational Therapist or Occupational Therapy Assistant license issued by a Member State that authorizes practice only within the issuing State and does not include a Compact Privilege in any other Member State.



Z. "Telehealth" means the application of telecommunication technology to deliver Occupational Therapy services for assessment, intervention and/or consultation.

SECTION 3. STATE PARTICIPATION IN THE COMPACT

A. To participate in the Compact, a Member State shall:

1. License Occupational Therapists and Occupational Therapy Assistants
2. Participate fully in the Commission's Data System, including but not limited to using the Commission's unique identifier as defined in Rules of the Commission;
3. Have a mechanism in place for receiving and investigating complaints about Licensees;
4. Notify the Commission, in compliance with the terms of the Compact and Rules, of any Adverse Action or the availability of Investigative Information regarding a Licensee;
5. Implement or utilize procedures for considering the criminal history records of applicants for an initial Compact Privilege. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that State's criminal records;
 - a. A Member State shall, within a time frame established by the Commission, require a criminal background check for a Licensee seeking/applying for a Compact Privilege whose Primary State of Residence is that Member State, by receiving the results of the Federal Bureau of Investigation criminal record search, and shall use the results in making licensure decisions.
 - b. Communication between a Member State, the Commission and among Member States regarding the verification of eligibility for licensure through the Compact shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a Member State under Public Law 92-544.



6. Comply with the Rules of the Commission;

7. Utilize only a recognized national examination as a requirement for licensure pursuant to the Rules of the Commission; and

8. Have Continuing Competence/Education requirements as a condition for license renewal.

B. A Member State shall grant the Compact Privilege to a Licensee holding a valid unencumbered license in another Member State in accordance with the terms of the Compact and Rules.

C. Member States may charge a fee for granting a Compact Privilege.

D. A Member State shall provide for the State's delegate to attend all Occupational Therapy Compact Commission meetings.

E. Individuals not residing in a Member State shall continue to be able to apply for a Member State's Single-State License as provided under the laws of each Member State. However, the Single-State License granted to these individuals shall not be recognized as granting the Compact Privilege in any other Member State.

F. Nothing in this Compact shall affect the requirements established by a Member State for the issuance of a Single-State License.

SECTION 4. COMPACT PRIVILEGE

A. To exercise the Compact Privilege under the terms and provisions of the Compact, the Licensee shall:

1. Hold a license in the Home State;

2. Have a valid United States Social Security Number or National Practitioner Identification number;

3. Have no encumbrance on any State license;



4. Be eligible for a Compact Privilege in any Member State in accordance with Section 4D, F, G, and H;
 5. Have paid all fines and completed all requirements resulting from any Adverse Action against any license or Compact Privilege, and two years have elapsed from the date of such completion;
 6. Notify the Commission that the Licensee is seeking the Compact Privilege within a Remote State(s);
 7. Pay any applicable fees, including any State fee, for the Compact Privilege;
 8. Complete a criminal background check in accordance with Section 3A(5);
 - a. The Licensee shall be responsible for the payment of any fee associated with the completion of a criminal background check.
 9. Meet any Jurisprudence Requirements established by the Remote State(s) in which the Licensee is seeking a Compact Privilege; and
 10. Report to the Commission Adverse Action taken by any non-Member State within 30 days from the date the Adverse Action is taken.
- B. The Compact Privilege is valid until the expiration date of the Home State license. The Licensee must comply with the requirements of Section 4A to maintain the Compact Privilege in the Remote State.
- C. A Licensee providing Occupational Therapy in a Remote State under the Compact Privilege shall function within the laws and regulations of the Remote State.
- D. Occupational Therapy Assistants practicing in a Remote State shall be supervised by an Occupational Therapist licensed or holding a Compact Privilege in that Remote State.



E. A Licensee providing Occupational Therapy in a Remote State is subject to that State's regulatory authority. A Remote State may, in accordance with due process and that State's laws, remove a Licensee's Compact Privilege in the Remote State for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The Licensee may be ineligible for a Compact Privilege in any State until the specific time for removal has passed and all fines are paid.

F. If a Home State license is encumbered, the Licensee shall lose the Compact Privilege in any Remote State until the following occur:

1. The Home State license is no longer encumbered; and
2. Two years have elapsed from the date on which the Home State license is no longer encumbered in accordance with Section 4(F)(1).

G. Once an Encumbered License in the Home State is restored to good standing, the Licensee must meet the requirements of Section 4A to obtain a Compact Privilege in any Remote State.

H. If a Licensee's Compact Privilege in any Remote State is removed, the individual may lose the Compact Privilege in any other Remote State until the following occur:

1. The specific period of time for which the Compact Privilege was removed has ended;
2. All fines have been paid and all conditions have been met;
3. Two years have elapsed from the date of completing requirements for 4(H)(1) and (2); and
4. The Compact Privileges are reinstated by the Commission, and the compact Data System is updated to reflect reinstatement.

I. If a Licensee's Compact Privilege in any Remote State is removed due to an erroneous charge, privileges shall be restored through the compact Data System.



J. Once the requirements of Section 4H have been met, the license must meet the requirements in Section 4A to obtain a Compact Privilege in a Remote State.

SECTION 5: OBTAINING A NEW HOME STATE LICENSE BY VIRTUE OF COMPACT PRIVILEGE

A. An Occupational Therapist or Occupational Therapy Assistant may hold a Home State license, which allows for Compact Privileges in Member States, in only one Member State at a time.

B. If an Occupational Therapist or Occupational Therapy Assistant changes Primary State of Residence by moving between two Member States:

1. The Occupational Therapist or Occupational Therapy Assistant shall file an application for obtaining a new Home State license by virtue of a Compact Privilege, pay all applicable fees, and notify the current and new Home State in accordance with applicable Rules adopted by the Commission.

2. Upon receipt of an application for obtaining a new Home State license by virtue of compact privilege, the new Home State shall verify that the Occupational Therapist or Occupational Therapy Assistant meets the pertinent criteria outlined in Section 4 via the Data System, without need for primary source verification except for:

a. an FBI fingerprint based criminal background check if not previously performed or updated pursuant to applicable Rules adopted by the Commission in accordance with Public Law 92-544;

b. other criminal background check as required by the new Home State; and

c. submission of any requisite Jurisprudence Requirements of the new Home State.

3. The former Home State shall convert the former Home State license into a Compact Privilege once the new Home State has activated the new Home State license in accordance with applicable Rules adopted by the Commission.



4. Notwithstanding any other provision of this Compact, if the Occupational Therapist or Occupational Therapy Assistant cannot meet the criteria in Section 4, the new Home State shall apply its requirements for issuing a new Single-State License.

5. The Occupational Therapist or the Occupational Therapy Assistant shall pay all applicable fees to the new Home State in order to be issued a new Home State license.

C. If an Occupational Therapist or Occupational Therapy Assistant changes Primary State of Residence by moving from a Member State to a non-Member State, or from a non-Member State to a Member State, the State criteria shall apply for issuance of a Single-State License in the new State.

D. Nothing in this compact shall interfere with a Licensee's ability to hold a Single-State License in multiple States; however, for the purposes of this compact, a Licensee shall have only one Home State license.

E. Nothing in this Compact shall affect the requirements established by a Member State for the issuance of a Single-State License.

SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

A. Active Duty Military personnel, or their spouses, shall designate a Home State where the individual has a current license in good standing. The individual may retain the Home State designation during the period the service member is on active duty. Subsequent to designating a Home State, the individual shall only change their Home State through application for licensure in the new State or through the process described in Section 5.

SECTION 7. ADVERSE ACTIONS

A. A Home State shall have exclusive power to impose Adverse Action against an Occupational Therapist's or Occupational Therapy Assistant's license issued by the Home State.

B. In addition to the other powers conferred by State law, a Remote State shall have the authority, in accordance with existing State due process law, to:



1. Take Adverse Action against an Occupational Therapist's or Occupational Therapy Assistant's Compact Privilege within that Member State.

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a Licensing Board in a Member State for the attendance and testimony of witnesses or the production of evidence from another Member State shall be enforced in the latter State by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the State in which the witnesses or evidence are located.

C. For purposes of taking Adverse Action, the Home State shall give the same priority and effect to reported conduct received from a Member State as it would if the conduct had occurred within the Home State. In so doing, the Home State shall apply its own State laws to determine appropriate action.

D. The Home State shall complete any pending investigations of an Occupational Therapist or Occupational Therapy Assistant who changes Primary State of Residence during the course of the investigations. The Home State, where the investigations were initiated, shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the OT Compact Commission Data System. The Occupational Therapy Compact Commission Data System administrator shall promptly notify the new Home State of any Adverse Actions.

E. A Member State, if otherwise permitted by State law, may recover from the affected Occupational Therapist or Occupational Therapy Assistant the costs of investigations and disposition of cases resulting from any Adverse Action taken against that Occupational Therapist or Occupational Therapy Assistant.

F. A Member State may take Adverse Action based on the factual findings of the Remote State, provided that the Member State follows its own procedures for taking the Adverse Action.

G. Joint Investigations



1. In addition to the authority granted to a Member State by its respective State Occupational Therapy laws and regulations or other applicable State law, any Member State may participate with other Member States in joint investigations of Licensees.

2. Member States shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the Compact.

H. If an Adverse Action is taken by the Home State against an Occupational Therapist's or Occupational Therapy Assistant's license, the Occupational Therapist's or Occupational Therapy Assistant's Compact Privilege in all other Member States shall be deactivated until all encumbrances have been removed from the State license. All Home State disciplinary orders that impose Adverse Action against an Occupational Therapist's or Occupational Therapy Assistant's license shall include a Statement that the Occupational Therapist's or Occupational Therapy Assistant's Compact Privilege is deactivated in all Member States during the pendency of the order.

I. If a Member State takes Adverse Action, it shall promptly notify the administrator of the Data System. The administrator of the Data System shall promptly notify the Home State of any Adverse Actions by Remote States.

J. Nothing in this Compact shall override a Member State's decision that participation in an Alternative Program may be used in lieu of Adverse Action.

SECTION 8. ESTABLISHMENT OF THE OCCUPATIONAL THERAPY COMPACT COMMISSION.

A. The Compact Member States hereby create and establish a joint public agency known as the Occupational Therapy Compact Commission:

1. The Commission is an instrumentality of the Compact States.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is



located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting, and Meetings

1. Each Member State shall have and be limited to one (1) delegate selected by that Member State's Licensing Board.

2. The delegate shall be either:

a. A current member of the Licensing Board, who is an Occupational Therapist, Occupational Therapy Assistant, or public member; or

b. An administrator of the Licensing Board.

3. Any delegate may be removed or suspended from office as provided by the law of the State from which the delegate is appointed.

4. The Member State board shall fill any vacancy occurring in the Commission within 90 days.

5. Each delegate shall be entitled to one (1) vote with regard to the promulgation of Rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

6. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

7. The Commission shall establish by Rule a term of office for delegates.



C. The Commission shall have the following powers and duties:

1. Establish a Code of Ethics for the Commission;
2. Establish the fiscal year of the Commission;
3. Establish bylaws;
4. Maintain its financial records in accordance with the bylaws;
5. Meet and take such actions as are consistent with the provisions of this Compact and the bylaws;
6. Promulgate uniform Rules to facilitate and coordinate implementation and administration of this Compact. The Rules shall have the force and effect of law and shall be binding in all Member States;
7. Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any State Occupational Therapy Licensing Board to sue or be sued under applicable law shall not be affected;
8. Purchase and maintain insurance and bonds;
9. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a Member State;
10. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the Compact, and establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
11. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and receive, utilize and dispose of the same; provided that at all times the Commission shall avoid any appearance of impropriety and/or conflict of interest;



12. Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve or use, any property, real, personal or mixed; provided that at all times the Commission shall avoid any appearance of impropriety;
13. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;
14. Establish a budget and make expenditures;
15. Borrow money;
16. Appoint committees, including standing committees composed of members, State regulators, State legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this Compact and the bylaws;
17. Provide and receive information from, and cooperate with, law enforcement agencies;
18. Establish and elect an Executive Committee; and
19. Perform such other functions as may be necessary or appropriate to achieve the purposes of this Compact consistent with the State regulation of Occupational Therapy licensure and practice.

D. The Executive Committee

The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this Compact.

1. The Executive Committee shall be composed of nine members:
 - a. Seven voting members who are elected by the Commission from the current membership of the Commission;
 - b. One ex-officio, nonvoting member from a recognized national Occupational Therapy professional



association; and

c. One ex-officio, nonvoting member from a recognized national Occupational Therapy certification organization.

2. The ex-officio members will be selected by their respective organizations.

3. The Commission may remove any member of the Executive Committee as provided in bylaws.

4. The Executive Committee shall meet at least annually.

5. The Executive Committee shall have the following Duties and responsibilities:

a. Recommend to the entire Commission changes to the Rules or bylaws, changes to this Compact legislation, fees paid by Compact Member States such as annual dues, and any Commission Compact fee charged to Licensees for the Compact Privilege;

b. Ensure Compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the Commission;

e. Monitor Compact compliance of Member States and provide compliance reports to the Commission;

f. Establish additional committees as necessary; and

g. Perform other duties as provided in Rules or bylaws.

E. Meetings of the Commission

1. All meetings shall be open to the public, and public notice of meetings shall be given in the same



manner as required under the Rulemaking provisions in Section 10.

2. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, non-public meeting if the Commission or Executive Committee or other committees of the Commission must discuss:

- a. Non-compliance of a Member State with its obligations under the Compact;
- b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;
- c. Current, threatened, or reasonably anticipated litigation;
- d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
- e. Accusing any person of a crime or formally censuring any person;
- f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
- g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- h. Disclosure of investigative records compiled for law enforcement purposes;
- i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the Compact; or
- j. Matters specifically exempted from disclosure by federal or Member State statute.

3. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal



counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

4. The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

F. Financing of the Commission

1. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The Commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

3. The Commission may levy on and collect an annual assessment from each Member State or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved by the Commission each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a Rule binding upon all Member States.

4. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the Member States, except by and with the authority of the Member State.

5. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be



included in and become part of the annual report of the Commission.

G. Qualified Immunity, Defense, and Indemnification

1. The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The Commission shall defend any member, officer, executive director, employee, or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The Commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

SECTION 9. DATA SYSTEM

A. The Commission shall provide for the development, maintenance, and utilization of a coordinated



database and reporting system containing licensure, Adverse Action, and Investigative Information on all licensed individuals in Member States.

B. A Member State shall submit a uniform data set to the Data System on all individuals to whom this Compact is applicable (utilizing a unique identifier) as required by the Rules of the Commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse Actions against a license or Compact Privilege;
4. Non-confidential information related to Alternative Program participation;
5. Any denial of application for licensure, and the reason(s) for such denial;
6. Other information that may facilitate the administration of this Compact, as determined by the Rules of the Commission; and
7. Current Significant Investigative Information.

C. Current Significant Investigative Information and other Investigative Information pertaining to a Licensee in any Member State will only be available to other Member States.

D. The Commission shall promptly notify all Member States of any Adverse Action taken against a Licensee or an individual applying for a license. Adverse Action information pertaining to a Licensee in any Member State will be available to any other Member State.

E. Member States contributing information to the Data System may designate information that may not be shared with the public without the express permission of the contributing State.

F. Any information submitted to the Data System that is subsequently required to be expunged by the



laws of the Member State contributing the information shall be removed from the Data System.

SECTION 10. RULEMAKING

A. The Commission shall exercise its Rulemaking powers pursuant to the criteria set forth in this Section and the Rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each Rule or amendment.

B. The Commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the Compact. Notwithstanding the foregoing, in the event the Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the Compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect.

C. If a majority of the legislatures of the Member States rejects a Rule, by enactment of a statute or resolution in the same manner used to adopt the Compact within 4 years of the date of adoption of the Rule, then such Rule shall have no further force and effect in any Member State.

D. Rules or amendments to the Rules shall be adopted at a regular or special meeting of the Commission.

E. Prior to promulgation and adoption of a final Rule or Rules by the Commission, and at least thirty (30) days in advance of the meeting at which the Rule will be considered and voted upon, the Commission shall file a Notice of Proposed Rulemaking:

1. On the website of the Commission or other publicly accessible platform; and
2. On the website of each Member State Occupational Therapy Licensing Board or other publicly accessible platform or the publication in which each State would otherwise publish proposed Rules.

F. The Notice of Proposed Rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the Rule will be considered and



voted upon;

2. The text of the proposed Rule or amendment and the reason for the proposed Rule;
3. A request for comments on the proposed Rule from any interested person; and
4. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments.

G. Prior to adoption of a proposed Rule, the Commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

H. The Commission shall grant an opportunity for a public hearing before it adopts a Rule or amendment if a hearing is requested by:

1. At least twenty five (25) persons;
2. A State or federal governmental subdivision or agency; or
3. An association or organization having at least twenty five (25) members.

I. If a hearing is held on the proposed Rule or amendment, the Commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the Commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the Commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.
2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.
3. All hearings will be recorded. A copy of the recording will be made available on request.



4. Nothing in this section shall be construed as requiring a separate hearing on each Rule. Rules may be grouped for the convenience of the Commission at hearings required by this section.

J. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.

K. If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed Rule without a public hearing.

L. The Commission shall, by majority vote of all members, take final action on the proposed Rule and shall determine the effective date of the Rule, if any, based on the Rulemaking record and the full text of the Rule.

M. Upon determination that an emergency exists, the Commission may consider and adopt an emergency Rule without prior notice, opportunity for comment, or hearing, provided that the usual Rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the Rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the Rule. For the purposes of this provision, an emergency Rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of Commission or Member State funds;
3. Meet a deadline for the promulgation of an administrative Rule that is established by federal law or Rule; or
4. Protect public health and safety.

N. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted Rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on



the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a Rule. A challenge shall be made in writing and delivered to the chair of the Commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

SECTION 11. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Oversight

1. The executive, legislative, and judicial branches of State government in each Member State shall enforce this Compact and take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of this Compact and the Rules promulgated hereunder shall have standing as statutory law.
2. All courts shall take judicial notice of the Compact and the Rules in any judicial or administrative proceeding in a Member State pertaining to the subject matter of this Compact which may affect the powers, responsibilities, or actions of the Commission.
3. The Commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the Commission shall render a judgment or order void as to the Commission, this Compact, or promulgated Rules.

B. Default, Technical Assistance, and Termination

1. If the Commission determines that a Member State has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated Rules, the Commission shall:
 - a. Provide written notice to the defaulting State and other Member States of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the Commission; and



b. Provide remedial training and specific technical assistance regarding the default.

2. If a State in default fails to cure the default, the defaulting State may be terminated from the Compact upon an affirmative vote of a majority of the Member States, and all rights, privileges and benefits conferred by this Compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending State of obligations or liabilities incurred during the period of default.

3. Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the governor, the majority and minority leaders of the defaulting State's legislature, and each of the Member States.

4. A State that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

5. The Commission shall not bear any costs related to a State that is found to be in default or that has been terminated from the Compact, unless agreed upon in writing between the Commission and the defaulting State.

6. The defaulting State may appeal the action of the Commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the Commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

C. Dispute Resolution

1. Upon request by a Member State, the Commission shall attempt to resolve disputes related to the Compact that arise among Member States and between member and non-Member States.

2. The Commission shall promulgate a Rule providing for both mediation and binding dispute resolution for disputes as appropriate.



D. Enforcement

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and Rules of this Compact.
2. By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a Member State in default to enforce compliance with the provisions of the Compact and its promulgated Rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.
3. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or State law.

SECTION 12. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR OCCUPATIONAL THERAPY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

- A. The Compact shall come into effect on the date on which the Compact statute is enacted into law in the tenth Member State. The provisions, which become effective at that time, shall be limited to the powers granted to the Commission relating to assembly and the promulgation of Rules. Thereafter, the Commission shall meet and exercise Rulemaking powers necessary to the implementation and administration of the Compact.
- B. Any State that joins the Compact subsequent to the Commission's initial adoption of the Rules shall be subject to the Rules as they exist on the date on which the Compact becomes law in that State. Any Rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that State.
- C. Any Member State may withdraw from this Compact by enacting a statute repealing the same.



1. A Member State's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing State's Occupational Therapy Licensing Board to comply with the investigative and Adverse Action reporting requirements of this act prior to the effective date of withdrawal.

D. Nothing contained in this Compact shall be construed to invalidate or prevent any Occupational Therapy licensure agreement or other cooperative arrangement between a Member State and a non-Member State that does not conflict with the provisions of this Compact.

E. This Compact may be amended by the Member States. No amendment to this Compact shall become effective and binding upon any Member State until it is enacted into the laws of all Member States.

SECTION 13. CONSTRUCTION AND SEVERABILITY

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any Member State or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any Member State, the Compact shall remain in full force and effect as to the remaining Member States and in full force and effect as to the Member State affected as to all severable matters.

SECTION 14. BINDING EFFECT OF COMPACT AND OTHER LAWS

A. A Licensee providing Occupational Therapy in a Remote State under the Compact Privilege shall function within the laws and regulations of the Remote State.

B. Nothing herein prevents the enforcement of any other law of a Member State that is not inconsistent with the Compact.



C. Any laws in a Member State in conflict with the Compact are superseded to the extent of the conflict.

D. Any lawful actions of the Commission, including all Rules and bylaws promulgated by the Commission, are binding upon the Member States.

E. All agreements between the Commission and the Member States are binding in accordance with their terms.

F. In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any Member State, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that Member State.



Ohio Revised Code

Section 4755.141 Delegate to occupational therapy compact commission.

Effective: June 30, 2021

Legislation: Senate Bill 7

Not later than ninety days after the "Occupational Therapy Licensure Compact" is entered into under section 4755.14 of the Revised Code, the occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall select an individual to serve as a delegate to the occupational therapy compact commission created under the compact. The occupational therapy section shall fill a vacancy in this position not later than ninety days after the vacancy occurs.



Ohio Revised Code

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

Effective: April 6, 2023

Legislation: House Bill 509

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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



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



Ohio Revised Code

Section 4755.02 Powers and duties of board.

Effective: September 30, 2021

Legislation: House Bill 110

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

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

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

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

(E)(1) Subject to division (E)(2) of this section, information and records received or generated by the board pursuant to an investigation are confidential, are not public records as defined in section



149.43 of the Revised Code, and are not subject to discovery in any civil or administrative action.

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

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

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

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



Ohio Revised Code

Section 4755.03 Fees credited to occupational licensing and regulatory fund.

Effective: September 29, 2007

Legislation: House Bill 119 - 127th General Assembly

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



Ohio Revised Code

Section 4755.031 Fee for costs of sanction proceedings.

Effective: April 6, 2007

Legislation: House Bill 403 - 126th General Assembly

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



Ohio Revised Code

Section 4755.66 Effect of child support default on license.

Effective: April 6, 2007

Legislation: House Bill 403 - 126th General Assembly

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



Ohio Revised Code

Section 4755.70 License applicant to comply with RC Chapter 4776.

Effective: October 9, 2021

Legislation: House Bill 263

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

(B) In addition to any other eligibility requirement set forth in this chapter, each applicant for an initial license shall comply with sections 4776.01 to 4776.04 of the Revised Code. The occupational therapy section, the physical therapy section, and the athletic trainers section of the Ohio occupational therapy, physical therapy, and athletic trainers board shall not grant a license to an applicant for an initial license unless the applicant complies with sections 4776.01 to 4776.04 of the Revised Code.



Ohio Revised Code

Section 4755.71 Compliance with law regarding sanctions for human trafficking.

Effective: March 22, 2013

Legislation: House Bill 247 - 129th General Assembly

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



Ohio Revised Code

Section 4755.90 Telehealth services.

Effective: [March 23, 2022](#)

Legislation: [House Bill 122 - 134th General Assembly](#)

An occupational therapist or physical therapist may provide telehealth services in accordance with section 4743.09 of the Revised Code.

An occupational therapy assistant or physical therapist assistant may provide telehealth services in accordance with section 4743.09 of the Revised Code.



Ohio Revised Code Section 4755.99 Penalty.

Effective: [March 27, 2013](#)

Legislation: [Senate Bill 141 - 129th General Assembly](#)

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

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

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

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



Ohio Revised Code

Section 4743.09 [Former R.C. 4731.2910, amended and renumbered by H.B. 122 of the 134th General Assembly, effective 3/23/2022] Standards for telehealth services.

Effective: October 3, 2023

Legislation: House Bill 33

(A) As used in this section:

(1) "Durable medical equipment" means a type of equipment, such as a remote monitoring device utilized by a physician, physician assistant, or advanced practice registered nurse in accordance with this section, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, and generally is not useful to a person in the absence of illness or injury and, in addition, includes repair and replacement parts for the equipment.

(2) "Facility fee" means any fee charged or billed for telehealth services provided in a facility that is intended to compensate the facility for its operational expenses and is separate and distinct from a professional fee.

(3) "Health care professional" means:

(a) An advanced practice registered nurse, as defined in section 4723.01 of the Revised Code;

(b) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry;

(c) A pharmacist licensed under Chapter 4729. of the Revised Code;

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

(e) A physician licensed under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(f) A psychologist, independent school psychologist, or school psychologist licensed under Chapter



4732. of the Revised Code;

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

(h) An audiologist or speech-language pathologist licensed under Chapter 4753. of the Revised Code;

(i) An occupational therapist or physical therapist licensed under Chapter 4755. of the Revised Code;

(j) An occupational therapy assistant or physical therapist assistant licensed under Chapter 4755. of the Revised Code;

(k) A professional clinical counselor, independent social worker, independent marriage and family therapist, art therapist, or music therapist licensed under Chapter 4757. of the Revised Code;

(l) An independent chemical dependency counselor licensed under Chapter 4758. of the Revised Code;

(m) A dietitian licensed under Chapter 4759. of the Revised Code;

(n) A respiratory care professional licensed under Chapter 4761. of the Revised Code;

(o) A genetic counselor licensed under Chapter 4778. of the Revised Code;

(p) A certified Ohio behavior analyst certified under Chapter 4783. of the Revised Code.

(4) "Health care professional licensing board" means any of the following:

(a) The board of nursing;

(b) The state vision professionals board;



- (c) The state board of pharmacy;
 - (d) The state medical board;
 - (e) The state board of psychology;
 - (f) The state chiropractic board;
 - (g) The state speech and hearing professionals board;
 - (h) The Ohio occupational therapy, physical therapy, and athletic trainers board;
 - (i) The counselor, social worker, and marriage and family therapist board;
 - (j) The chemical dependency professionals board.
- (5) "Health plan issuer" has the same meaning as in section 3922.01 of the Revised Code.
- (6) "Telehealth services" means health care services provided through the use of information and communication technology by a health care professional, within the professional's scope of practice, who is located at a site other than the site where either of the following is located:
- (a) The patient receiving the services;
 - (b) Another health care professional with whom the provider of the services is consulting regarding the patient.
- (B)(1) Each health care professional licensing board shall permit a health care professional under its jurisdiction to provide the professional's services as telehealth services in accordance with this section. Subject to division (B)(2) of this section, a board may adopt any rules it considers necessary to implement this section. All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code. Any such rules adopted by a board are not subject to the requirements of division (F) of section 121.95 of the Revised Code.



(2)(a) Except as provided in division (B)(2)(b) of this section, the rules adopted by a health care professional licensing board under this section shall establish a standard of care for telehealth services that is equal to the standard of care for in-person services.

(b) Subject to division (B)(2)(c) of this section, a board may require an initial in-person visit prior to prescribing a schedule II controlled substance to a new patient, equivalent to applicable state and federal requirements.

(c)(i) A board shall not require an initial in-person visit for a new patient whose medical record indicates that the patient is receiving hospice or palliative care, who is receiving medication-assisted treatment or any other medication for opioid-use disorder, who is a patient with a mental health condition, or who, as determined by the clinical judgment of a health care professional, is in an emergency situation.

(ii) Notwithstanding division (B) of section 3796.01 of the Revised Code, medical marijuana shall not be considered a schedule II controlled substance.

(C) With respect to the provision of telehealth services, all of the following apply:

(1) A health care professional may use synchronous or asynchronous technology to provide telehealth services to a patient during an initial visit if the appropriate standard of care for an initial visit is satisfied.

(2) A health care professional may deny a patient telehealth services and, instead, require the patient to undergo an in-person visit.

(3) When providing telehealth services in accordance with this section, a health care professional shall comply with all requirements under state and federal law regarding the protection of patient information. A health care professional shall ensure that any username or password information and any electronic communications between the professional and a patient are securely transmitted and stored.



(4) A health care professional may use synchronous or asynchronous technology to provide telehealth services to a patient during an annual visit if the appropriate standard of care for an annual visit is satisfied.

(5) In the case of a health care professional who is a physician, physician assistant, or advanced practice registered nurse, both of the following apply:

(a) The professional may provide telehealth services to a patient located outside of this state if permitted by the laws of the state in which the patient is located.

(b) The professional may provide telehealth services through the use of medical devices that enable remote monitoring, including such activities as monitoring a patient's blood pressure, heart rate, or glucose level.

(D) When a patient has consented to receiving telehealth services, the health care professional who provides those services is not liable in damages under any claim made on the basis that the services do not meet the same standard of care that would apply if the services were provided in-person.

(E)(1) A health care professional providing telehealth services shall not charge a patient or a health plan issuer covering telehealth services under section 3902.30 of the Revised Code any of the following: a facility fee, an origination fee, or any fee associated with the cost of the equipment used at the provider site to provide telehealth services.

A health care professional providing telehealth services may charge a health plan issuer for durable medical equipment used at a patient or client site.

(2) A health care professional may negotiate with a health plan issuer to establish a reimbursement rate for fees associated with the administrative costs incurred in providing telehealth services as long as a patient is not responsible for any portion of the fee.

(3) A health care professional providing telehealth services shall obtain a patient's consent before billing for the cost of providing the services, but the requirement to do so applies only once.



(F) Nothing in this section limits or otherwise affects any other provision of the Revised Code that requires a health care professional who is not a physician to practice under the supervision of, in collaboration with, in consultation with, or pursuant to the referral of another health care professional.

(G) It is the intent of the general assembly, through the amendments to this section, to expand access to and investment in telehealth services in this state in congruence with the expansion and investment in telehealth services made during the COVID-19 pandemic.



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

(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 Revised Code Section 4796.01 Definitions.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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

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.



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

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

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.



Ohio Revised Code

Section 4796.05 Licensure of individual with adequate work experience.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

(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.



Ohio Revised Code

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

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

(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.



Ohio Revised Code

Section 4796.10 Disqualifying offenses.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

Section 4796.11 Disciplinary actions.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

Section 4796.12 Fitness to practice after specified period.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

Section 4796.13 Past disciplinary action.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

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

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

(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.



Ohio Revised Code

Section 4796.21 Scope of practice.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

Section 4796.22 Equivalent treatment; national standard exception.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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

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

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

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

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



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



Ohio Revised Code

Section 4796.23 Reciprocal licensing agreements.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

Section 4796.24 Interstate licensure compacts.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

Section 4796.26 Individual license requirement.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

Section 4796.30 Administrative rules.

Effective: April 3, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



Ohio Revised Code

Section 4796.35 Political subdivisions.

Effective: December 29, 2023

Legislation: Senate Bill 131 - 134th General Assembly

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.



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

Effective: November 9, 2023

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

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

(1) Visiting the board's website;

(2) E-mailing the board;

(3) Writing the board at its business address;

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

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

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

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



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



Ohio Administrative Code

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

Effective: November 9, 2023

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

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

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

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

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



Ohio Administrative Code

Rule 4755-1-03 Personal information systems.

Effective: November 9, 2023

(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

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

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

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

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

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

(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

(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

(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.



Ohio Administrative Code

Rule 4755-2-04 Investigations and inspections.

Effective: November 9, 2023

(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.



Ohio Administrative Code

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

Effective: November 9, 2023

(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.



Ohio Administrative Code

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

Effective: November 9, 2023

(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.



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

Effective: November 9, 2023

(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](#)

(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

(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.



Ohio Administrative Code

Rule 4755-4-01 Fees.

Effective: November 9, 2023

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

(B) Fee amounts are as follows:

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

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

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

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

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

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

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

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

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



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



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

Effective: [November 9, 2023](#)

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.



Ohio Administrative Code

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

Effective: December 14, 2023

(A) For purposes of this rule:

- (1) "Amsterdam Guidelines" means the consensus statement on concussion in sport: the sixth international conference on concussion in sport held in Amsterdam, October 2022" (available on the OTPTAT board website <http://otptat.ohio.gov>).
- (2) "Interscholastic athletics" means an interscholastic extracurricular activity that a school or school district sponsors or participates in that includes participants from more than one school or school district.
- (3) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.
- (4) "Youth" means an individual between the ages of four and nineteen who participated in a youth sports organization or interscholastic athletics and was removed from practice of competition under division (D) of section 3313.539 of the Revised Code or division (D) of section 3707.511 of the Revised Code, based on exhibiting signs, symptoms, or behaviors consistent with having sustained a concussion or head injury while participating in practice or competition.
- (5) "Youth sports organization" has the same meaning as in section 3707.51 of the Revised Code and means a public or nonpublic entity that organizes an athletic activity in which the athletes are not more than nineteen years of age and are required to pay a fee to participate in the athletic activity or whose cost to participate is sponsored by a business or nonprofit organization.

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

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



done:

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

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

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

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

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



Ohio Administrative Code

Rule 4755:1-1-01 Applications for initial licensure.

Effective: October 1, 2023

(A) To receive a license to practice as an occupational therapist or occupational therapy assistant, an applicant shall be at least eighteen years of age.

(B) All applications for initial licensure as an occupational therapist or occupational therapy assistant shall be submitted to the occupational therapy section on the forms provided by the section. All applications, statements, and other documents submitted are retained by the section.

(C) Applications are:

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

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

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

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

(D) An applicant for initial licensure by examination shall:

(1) Have completed an occupational therapy program accredited by the accreditation council for occupational therapy education (ACOTE) of the American occupational therapy association (AOTA) or submit evidence satisfactory to the section that the applicant completed an educational program substantially equivalent to the requirements established in Chapter 4755. of the Administrative Code;

(2) Have passed the certification examination administered by the national board for certification in occupational therapy, inc. (NBCOT); and



(3) Not be licensed or ever been licensed in any state or territory of the United States as an:

(a) Occupational therapist to apply for initial licensure by examination as an occupational therapist;
or

(b) Occupational therapy assistant to apply for initial licensure by examination as an occupational therapy assistant.

(E) In addition to the requirements contained in paragraph (D) of this rule, applicants for an initial license by examination who graduated from their entry-level occupational therapy program five or more years prior to the date they apply to the section for licensure by examination may be subject to additional requirements including:

(1) Submission of proof of completion of twenty hours of continuing education within the two year period immediately preceding the date the application is submitted;

(2) Competency-based performance appraisals;

(3) Mentorship;

(4) Professional development plan;

(5) Extended coursework; and

(6) Retaking and passing the NBCOT certification examination.

(F) An applicant for initial licensure by endorsement shall:

(1) Meet the requirements established in paragraphs (D)(1) and (D)(2) of this rule; and

(2) Hold a current, valid license to practice as an occupational therapist or occupational therapy assistant in another state or United States territory or possess current, valid certification from NBCOT.



(G) In addition to the requirements contained in paragraph (F) of this rule, applicants for an initial license by endorsement who have not engaged in the practice of occupational therapy for more than five years prior to the date they apply to the section for licensure by endorsement may be subject to additional requirements including:

- (1) Submission of proof of completion of twenty hours of continuing education within the two year period immediately preceding the date the application is submitted;
- (2) Professional development plan;
- (3) Extended coursework;
- (4) Retaking and passing the NBCOT certification examination;
- (5) Mentorship; and
- (6) Competency-based performance appraisals.

(H) In addition to the other requirements of this rule, an internationally educated applicant shall:

- (1) Complete an education credentials review from an entity approved by the section to be used by the section to determine if the applicant's international education was substantially equivalent to an accredited occupational therapy program in the United States, Puerto Rico, territory of the United States, or the District of Columbia. People whose initial certification by NBCOT is on or after January 1, 2004 are not required to meet this provision;
- (2) Demonstrate that the person met the requirements to practice occupational therapy in the country of education and evidence of eligible licensure and/or certification credentialing in that country; and
- (3) Demonstrate a working knowledge of English by obtaining:
 - (a) Scores on the test of English as a foreign language (TOEFL) iBT of at least:



(i) Twenty -six on the speaking section;

(ii) Eighty-nine on the overall examination.

(b) The TOEFL is not required for graduates of occupational therapy programs in Australia, Canada (except Quebec), Ireland, New Zealand, United Kingdom, and United States.

(I) 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 constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.

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

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

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



Ohio Administrative Code

Rule 4755:1-1-02 Educational requirements.

Effective: November 9, 2023

(A) The education requirements described in divisions (A) and (B) of section 4755.07 of the Revised Code are satisfied by completion of an entry-level education program accredited by the accreditation council for occupational therapy education (ACOTE) of the American occupational therapy association. Occupational therapy programs which have not been accredited by ACOTE will be accepted provided program equivalency has been established by a recognized educational credentialing body approved by the section.

(B) In accordance with the provision of the second paragraph of section 4755.09 of the Revised Code, the section may waive the educational requirements specified in paragraph (A) of this rule on the basis of job experience if all of the following conditions are met:

- (1) The applicant passed the NBCOT certification examination.
 - (2) The applicant for licensure engaged in the active practice of occupational therapy as a licensed occupational therapist or occupational therapy assistant in another state.
 - (3) The applicant's licensure and/or certification are active and without restriction.
 - (4) The applicant is foreign educated and meets the requirements of rule 4755:1-1-01 of the Administrative Code.
 - (5) If the applicant has not engaged in the practice of occupational therapy for more than five years in accordance with rule 4755:1-1-04 of the Administrative Code, they may be subject to additional requirements outlined by the occupational therapy section.
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Ohio Administrative Code

Rule 4755:1-1-03 Examination requirements.

Effective: November 9, 2023

(A) An applicant has satisfied the examination requirements of the occupational therapy section if they passed the certification examination of the national board for certification in occupational therapy for occupational therapists or occupational therapy assistants.

(B) Examination may be waived for any person who was certified as an occupational therapy assistant by the American Occupational Therapy Association prior to August 27, 1976.



Ohio Administrative Code

Rule 4755:1-1-04 Active practice defined.

Effective: November 9, 2023

(A) In accordance with section 4755.05 of the Revised Code, only persons licensed by the occupational therapy section of the board shall practice or offer to practice occupational therapy.

(B) The practice of occupational therapy, as used in Chapter 4755. of the Revised Code, means engaging in occupational therapy, as defined in division (A) of section 4755.04 of the Revised Code.

(C) As used in division 4755:1 of the Administrative Code, "not engaged in the practice of occupational therapy for more than five years" means being actively engaged in the practice of occupational therapy for fewer than two hundred fifty hours over the five year period prior to the date the applicant submits the endorsement or reinstatement application.



Ohio Administrative Code Rule 4755:1-1-05 Biennial renewal of license.

Effective: November 9, 2023

(A) Renewal of an occupational therapist or occupational therapy assistant license happens in accordance with section 4755.10 of the Revised Code.

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

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

(b) Compliance with the continuing education requirement specified in rule 4755:1-3-01 of the Administrative Code; and

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

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

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

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

(D) Persons who fail to submit the renewal fee, completed application, any other required information, and/or comply with the continuing education requirement specified in rule 4755-9-01 of the Administrative Code by the thirtieth day of June of the appropriate year shall have their license automatically expire.



(1) A license holder whose license expires for failure to renew shall submit a reinstatement application in accordance with rule 4755:1-1-07 of the Administrative Code. The occupational therapy section shall approve the reinstatement application before the person may legally practice as an occupational therapist or occupational therapy assistant in Ohio.

(2) A license holder who continues to practice occupational therapy with an expired license is subject to disciplinary action pursuant to section 4755.11 of the Revised Code or is guilty of a misdemeanor pursuant to section 4755.99 of the Revised Code.

(E) 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 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 4755:1-1-07 Application for reinstatement.

Effective: October 1, 2023

(A) Pursuant to Chapter 4755. of the Administrative Code, the occupational therapist or occupational therapy assistant license of an person who fails to comply with the renewal requirements shall automatically expire on the thirtieth day of June of the appropriate year.

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

- (1) Submitted electronically via eLicense Ohio or its successor licensing system;
- (2) Electronically signed via the eLicense Ohio or its successor licensing system;
- (3) Contain the fee prescribed by Chapter 4755. of the Administrative Code;
- (4) Be accompanied by such evidence, statements, or documents as specified on the application, including viewing a required presentation about the board's safe haven program; and
- (5) Contain proof that the applicant met the appropriate continuing education requirement:
 - (a) For reinstatement applications submitted on or after August first of the year in which the applicant's license expired, the applicant shall complete twenty contact hours of continuing education in accordance with rule 4755:1-3-01 of the Administrative Code within the two year period immediately preceding the application for reinstatement. Contact hours used to meet the requirements of this paragraph shall not be used to renew the reinstated license; or
 - (b) For reinstatement applications submitted before August first of the year in which the applicant's license expired, the applicant shall complete the number of contact hours of continuing education that were required to renew the expired license. All contact hours used to reinstate the license shall be earned in accordance with rule 4755:1-3-01 of the Administrative Code. Contact hours used to



meet the requirements of this paragraph shall not be used to renew the reinstated license.

(C) All applications, statements, and other documents submitted shall be retained by the section.

(D) Reinstatement is required for any occupational therapist or occupational therapy assistant who wishes to return to practice in Ohio and whose Ohio occupational therapist or occupational therapy assistant license has expired. The provisions for reinstatement are as follows:

(1) Applicants out of practice for zero to five years shall:

(a) Provide proof of completion of twenty hours of continuing education within the two year period immediately preceding the application for reinstatement; and

(b) Pass the Ohio occupational therapy jurisprudence examination.

(2) Applicants out of practice more than five years:

(a) Shall provide proof of completion of twenty hours of continuing education within the two year period immediately preceding the application for reinstatement.

(b) Shall pass the Ohio occupational therapy jurisprudence examination.

(c) May be subject to additional requirements outlined by the occupational therapy section.

The occupational therapy section may consider the following additional requirements:

(i) Additional continuing education;

(ii) Competency-based performance appraisals;

(iii) Mentorship;

(iv) Professional development plan;



(v) Extended coursework; and

(vi) Retaking and passing the NBCOT certification examination.

(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 to whom it is issued. The credentials constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.

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

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

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



Ohio Administrative Code

Rule 4755:1-2-01 Code of ethical conduct.

Effective: October 11, 2024

(A) Operations.

License holders shall use the provisions contained in paragraphs (A)(1) to (A)(10) of this rule as guidelines for promoting ethical integrity and professionalism. Failure to comply with paragraphs (A)(1) to (A)(10) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) License holders shall familiarize themselves with, seek to understand, and comply with the laws and rules governing the practice of occupational therapy.

(2) License holders shall remain abreast of revisions in the laws and rules governing the practice of occupational therapy and shall inform employers, employees, and colleagues of those revisions.

(3) License holders shall achieve and continually maintain high standards of competence by doing the following:

(a) Maintain and document competency by participating in professional development, continuing competence, and other educational activities.

(b) Critically examine and keep current with emerging knowledge relevant to the practice of occupational therapy. A license holder shall not perform or attempt to perform techniques and/or procedures in which the license holder is untrained by education or experience.

(4) A person shall not practice occupational therapy without a valid license, or without holding student status, including:

(a) Practicing occupational therapy while a person's license is suspended or revoked.



(b) Practicing occupational therapy with an expired license or when no longer enrolled as a student in an accredited occupational therapy educational program.

(5) License holders shall ensure that a person supervised or directed by the license holder possesses a valid license or is a student occupational therapist or student occupational therapy assistant, as those terms are defined in rule 4755:1-2-02 of the Administrative Code.

(6) License holders shall not aid, abet, authorize, condone, or allow the practice of occupational therapy by any person not legally authorized to provide services.

(7) An applicant or license holder shall not cheat or assist others in conspiring to cheat on the written examination referenced in section 4755.07 of the Revised Code or the state jurisprudence examination.

(8) License holders shall not permit another person to use a person's wall certificate, license number, or national provider identifier for any illegal purpose.

(9) License holders shall report to the occupational therapy section any unprofessional, incompetent, or illegal behavior of an occupational therapist or occupational therapy assistant of which the license holder has knowledge.

(10) Where the alleged violation involves impairment issues and no other provisions of Chapter 4755. of the Revised Code or rules adopted under it, the reporting license holder may make a referral to the safe haven program in lieu of making report to the occupational therapy section.

(B) Professionalism of license holder.

Professionalism of the license holder includes conforming to the minimal standards of acceptable and prevailing occupational therapy practice, including practicing in a manner that is moral and honorable. Conduct may be considered unethical regardless of whether or not actual injury to a client occurred. Failure to comply with paragraphs (B)(1) to (B)(17) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.



(1) A license holder shall not:

(a) Forge the signature of other practitioners.

(b) Forge a wall certificate or any other proof of current licensure, including eLicense Ohio.

(2) An occupational therapy assistant shall not provide occupational therapy services without a supervising occupational therapist.

(3) All occupational therapy documentation, including, but not limited to, evaluations, assessments, intervention plans, treatment notes, discharge summaries, and transfers of care shall be in written or electronic format.

(4) A license holder shall not falsify, alter, or destroy client records, medical records, or billing records without authorization. The license holder shall maintain accurate client and/or billing records.

(5) A license holder shall not deliver, obtain, or attempt to obtain medications through means of misrepresentation, fraud, forgery, deception, and/or subterfuge.

(6) A license holder shall not initiate, participate in, or encourage the filing of complaints against colleagues that are unwarranted or intended to harm another practitioner.

(7) A license holder shall not practice occupational therapy 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 occupational therapy section to determine the applicant's or license holder's qualifications to practice occupational therapy.

(8) A license holder shall preserve, respect, and safeguard confidential information about colleagues,



staff, and students, unless otherwise mandated by national, state, or local laws.

(9) A license holder shall exercise sound judgment and act in a trustworthy manner in all aspects of occupational therapy practice. Regardless of practice setting, the occupational therapy practitioner shall maintain the ability to make independent judgments. A license holder shall strive to effect changes that benefit the client.

(10) A license holder shall accurately represent the qualifications, views, contributions, and findings of colleagues and students.

(11) A license holder shall not misrepresent the credential, title, qualifications, education, experience, training, and/or specialty certifications held by the license holder.

(12) A person licensed by the occupational therapy section has a responsibility to report any organization or entity that holds itself out to deliver occupational therapy services that places the license holder in a position of compromise with this code of ethical conduct.

(13) A license holder shall provide appropriate supervision to persons for whom the practitioner has supervisory responsibility.

(14) A license holder shall only seek compensation that is reasonable for the occupational therapy services delivered. A license holder shall never place the license holder's own financial interests above the welfare of the license holder's clients. A license holder, regardless of the practice setting, shall safeguard the public from unethical and unlawful business practices.

(15) A license holder shall adhere to the minimal standards of acceptable prevailing practice. Failure to adhere to minimal standards of practice, whether or not actual injury to a client occurred, includes, but is not limited to:

(a) Documenting or billing for services not actually performed.

(b) Performing techniques/procedures in which the license holder cannot demonstrate and document competency, either by experience or education.



(c) Practicing in a pattern of negligent conduct, which means a continued course of negligent conduct or of negligent conduct in performing the duties of the profession.

(d) Delegating occupational therapy functions or responsibilities to a person lacking the ability or knowledge to perform the function or responsibility in question.

(e) Failing to ensure that duties assumed by or assigned to other occupational therapy practitioners match credentials, qualifications, experience, and scope of practice.

(f) Violating confidentiality rights by failing to protect and keep confidential personal health information or other private information about clients, other facility care recipients, employees, colleagues, and students without authorization or consent unless otherwise mandated or permitted by relevant law.

(g) Failure to respect privacy rights by accessing personal health information or other private information about clients, other facility care recipients, employees, colleagues, and students without authorization or consent unless otherwise mandated or permitted by relevant law.

(16) A license holder shall respect the rights, knowledge, and skills of colleagues and other health care professionals.

(17) A license holder shall not use or participate in the use of any form of communication that contains false, fraudulent, deceptive, or unfair statements or claims.

(C) License holder and client interactions.

The license holder shall demonstrate concern for the well-being of the client. Failure to comply with paragraphs (C)(1) to (C)(17) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) A license holder shall adhere to the minimal standards of acceptable prevailing practice. Failure to adhere to minimal standards of practice, whether or not actual injury to a client occurred, includes,



but is not limited to:

- (a) Failing to assess and evaluate a client's status or establishing an occupational therapy intervention plan prior to commencing treatment/intervention of a person.
 - (b) Providing treatment interventions that are not warranted by the client's condition or continuing treatment beyond the point of reasonable benefit to the client.
 - (c) Providing substandard care as an occupational therapy assistant by exceeding the authority to perform components of interventions selected by the supervising occupational therapist.
 - (d) Abandoning the client by inappropriately terminating the practitioner-client relationship.
 - (e) Causing, or permitting another person to cause, physical or emotional injury to the client, or depriving the client of the person's dignity.
- (2) A license holder shall transfer the care of the client, as appropriate, to another health care provider in either of the following events:
- (a) Elective termination of occupational therapy services by the client; or
 - (b) Elective termination of the practitioner-client relationship by the license holder.
- (3) A license holder shall ensure the client's rights to participate fully in the client's care, including the client's right to select the occupational therapy provider, regardless of the practice setting.
- (4) A license holder shall respect the person's right to refuse professional services or involvement in research or educational activities.
- (5) A license holder shall disclose any professional, personal, financial, business, research, or volunteer affiliations that may pose a conflict of interest to those with whom the license holder may establish a professional, contractual, or other working relationship.



(6) A license holder shall not influence a client or the client's family to utilize, purchase, or rent any equipment based on direct or indirect financial interests of the license holder. Recommendations of equipment shall be based solely on the therapeutic value of that equipment to the client. A license holder who owns or has a direct financial interest in an equipment or supply company shall disclose the financial interest to the client if the license holder sells or rents, or intends to sell or rent, to that client.

(7) A license holder shall not intentionally or knowingly offer to pay or agree to accept any compensation, directly or indirectly, overtly or covertly, in cash or in kind, to or from any person or entity for receiving or soliciting clients or patronage, regardless of the source of the compensation.

(8) A license holder shall refer to or consult with other service providers whenever such a referral or consultation would be beneficial to care of the client. The referral or consultation process should be done in collaboration with the client.

(9) A license holder shall not exploit a client, or the parent/guardian of a minor client, sexually, physically, emotionally, financially, socially, or in any other manner.

(10) A license holder shall not engage in conduct that constitutes harassment or verbal or physical abuse of, or unlawful discrimination against, clients, the parent/guardian of a minor client, students, and/or colleagues.

(11) A license holder shall not engage in any sexual relationship or conduct, including dating, with any client, or engage in any conduct that may reasonably be interpreted by the client to be sexual, whether consensual or nonconsensual, while a practitioner-client relationship exists and for six months immediately following the termination of the practitioner-client relationship. In the case of minors, the practitioner-client relationship extends to the minor's parent or guardian.

(a) A license holder shall not intentionally expose or view a completely or partially disrobed client in the course of treatment if the exposure or viewing is not related to the client diagnosis or treatment under current practice standards.

(b) A license holder shall not engage in a conversation with a client that is sexually explicit and



unrelated to the occupational therapy intervention plan.

(12) A license holder shall not engage in sexual harassment of clients, the parent/guardian of a minor client, 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:

- (a) Withholding occupational therapy services to a client;
- (b) Creating an intimidating, hostile, or offensive environment; or
- (c) Interfering with the client's ability to recover.

(13) A license holder shall advocate for clients to obtain needed services through available means.

(14) A license holder shall provide accurate and relevant information to clients about the clients' care and to the public about occupational therapy services.

(a) A license holder shall not guarantee the results of any therapy, consultation, or therapeutic procedure. A guarantee of any sort, expressed or implied, oral or written, is contrary to professional ethics.

(b) A reasonable statement of prognosis is not improper, but successful results are dependent upon many uncontrollable factors. Hence, any warranty is deceptive and unethical.

(15) A license holder shall obtain informed consent from the client.

(a) A license holder, unless otherwise allowed by law, shall not provide care without disclosing to the client or the client's representative, the benefits, substantial risks, if any, or alternatives to the recommended evaluation or intervention.

(b) Information relating to the practitioner-client relationship is confidential and may not be communicated to a third party not involved in that client's care without the prior written consent of



the client or the client's representative or unless otherwise allowed by law. Information shall be disclosed when required by law for the protection of the client or the public.

(16) A license holder shall safeguard the public from underutilization or overutilization of occupational therapy services.

(17) A license holder shall respect the rights and dignity of all clients and provide care as follows:

(a) A license holder shall recognize individual differences with clients and shall respect and be responsive to those differences.

(b) A license holder shall be guided by concern for the physical, psychosocial, and socioeconomic welfare of clients.

(c) A license holder shall recognize and understand the impact of the cultural components of age, economics, gender, geography, race, ethnicity, religious and political factors, marital status, sexual orientation, and disability of all clients.

(D) Cooperation.

In accordance with division (A)(19) of section 4755.11 of the Revised Code, license holders shall cooperate with an investigation by the occupational therapy section. Failure to cooperate is conduct detrimental to the best interest of the public and grounds for disciplinary action. Cooperation includes responding fully and promptly to any questions raised by the occupational therapy section and providing copies of the medical records and other documents requested by the occupational therapy section. Failure to comply with paragraphs (D)(1) to (D)(7) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) A license holder shall respond fully and truthfully to a request for information from the occupational therapy section.

(2) A license holder shall comply with a subpoena issued by the occupational therapy section.



- (3) A license holder shall provide information or documents within the time frame specified by the occupational therapy section.
- (4) A license holder shall appear and provide information at an interview requested by the occupational therapy section.
- (5) A license holder shall not deceive, or attempt to deceive, the occupational therapy section regarding any matter, including by altering or destroying any record or document.
- (6) A license holder shall not interfere with an investigation or disciplinary proceeding by willful misrepresentation of facts before the agency or the occupational therapy section, or by use of threats or harassment against any client or witness to prevent the client 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.
- (E) A license holder shall self report to the occupational therapy section, within thirty days, any of the items outlined in paragraphs (E)(1) to (E)(8) of this rule. Failure to comply with paragraphs (E)(1) to (E)(8) of this rule may be grounds for disciplinary action pursuant to section 4755.11 of the Revised Code and in accordance with Chapter 119. of the Revised Code.
- (1) Impairment due to abuse of or dependency on alcohol or drugs or other physical or mental 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 or intervention in lieu of a felony.
- (3) Conviction of a misdemeanor when the act that constituted the misdemeanor occurred during the practice of occupational therapy.
- (4) The termination, revocation, or suspension of membership by a state or national occupational



therapy professional association.

(5) The termination, revocation, suspension, or sanctioning of a credential issued by a state or national professional credentialing organization.

(6) The termination, revocation, suspension, or sanctioning of a professional license in the state of Ohio or another state.

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

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



Ohio Administrative Code

Rule 4755:1-2-02 Occupational therapy practice defined.

Effective: October 11, 2024

For the purpose of division 4755:1 of the Administrative Code, the following definitions apply:

(A) "Occupational therapist" means a person who is licensed to practice occupational therapy and who offers such services to the public under any title incorporating the words "occupational therapy," "occupational therapist," or similar title or description of services.

(B) "Occupational therapy assistant" means a person who holds a license to provide occupational therapy techniques under the general supervision of an occupational therapist.

(C) "Student occupational therapist" means a student enrolled in an accredited or candidacy status entry-level occupational therapist education program or a student enrolled in a "World Federation of Occupational Therapy" accredited entry-level occupational therapist education program. A student occupational therapist shall be at least eighteen years old to participate in learning opportunities outside the classroom involving clients.

(D) "Student occupational therapy assistant" means a student enrolled in an accredited or candidacy status entry-level occupational therapy assistant education program. A student occupational therapy assistant shall be at least eighteen years old to participate in learning opportunities outside the classroom involving clients.

(E) "Level I fieldwork" means the introductory fieldwork experiences that are a component of an educational program in occupational therapy in which students develop a basic understanding of the needs of clients through directed observation and supervised participation in the occupational therapy process.

(F) "Level II fieldwork" means the in-depth fieldwork experiences that are a component of an educational program in occupational therapy that provide multiple occupational therapy services to a variety of clients in multiple settings.



(G) "Capstone" means the in-depth exposure in one or more concentrated areas that may include activities that meet developed goals/objectives required of an accredited or candidacy status doctoral program.

(H) "Unlicensed personnel" means any person who is on the job trained and supports the delivery of occupational therapy services by personally assisting the occupational therapist, occupational therapy assistant, student occupational therapist, and/or student occupational therapy assistant while the occupational therapist, occupational therapy assistant, student occupational therapist, and/or student occupational therapy assistant is concurrently providing services to the same client.

(I) "Supervising occupational therapist" means the occupational therapist who is available to supervise the occupational therapy assistant, the student occupational therapist, student occupational therapy assistant, or unlicensed personnel. The supervising occupational therapist may be the occupational therapist who performed the initial evaluation or another occupational therapist with whom that occupational therapist has a documented agreement.

(J) "Supervising occupational therapy assistant" means the occupational therapy assistant who is appropriately available to supervise the student occupational therapy assistant, the student occupational therapist who is completing the level I fieldwork experience, or unlicensed personnel.



Ohio Administrative Code Rule 4755:1-2-03 Roles and responsibilities.

Effective: October 11, 2024

(A) Occupational therapist.

The occupational therapist assumes professional responsibility for the provision of all occupational therapy services, of which the following activities shall not be wholly delegated, regardless of the setting in which the services are provided:

- (1) Interpretation of referrals or prescriptions for occupational therapy services;
- (2) Interpretation and analysis for evaluation purposes;
- (3) Development, interpretation, and modification of the treatment/intervention plan and the discharge plan.

(B) Occupational therapy assistant.

(1) The occupational therapy assistant may contribute to and collaborate in:

(a) The evaluation process by gathering data, administering standardized tests and/or objective measurement tools, and reporting observations.

(b) The preparation, implementation, and documentation of the treatment/intervention plan and the discharge plan.

(c) Choosing the appropriate treatment interventions.

(2) The occupational therapy assistant may independently:

(a) Select the daily modality of choice according to the established treatment/intervention plan.



(b) Document the progress and outcomes summary.

(3) The occupational therapy assistant may not evaluate independently or initiate treatment/intervention before the supervising occupational therapist performs an evaluation.

(C) Student occupational therapist and student occupational therapy assistant.

In accordance with section 4755.13 of the Revised Code, persons fulfilling the supervised fieldwork experience requirements pursuant to section 4755.07 of the Revised Code shall, at the discretion of the supervising occupational therapist or supervising occupational therapy assistant, as appropriate, be assigned duties or functions commensurate with their education and training.

(D) Unlicensed personnel.

The primary function of unlicensed personnel functioning in an occupational therapy setting is to perform designated routine tasks related to the operation and delivery of occupational therapy services. Such tasks may include, but are not limited to:

(1) Routine department maintenance;

(2) Transportation of clients;

(3) Preparation or setting up of treatment equipment and work area;

(4) Taking care of clients' personal needs during treatments;

(5) Assisting in the construction of adaptive equipment and splints;

(6) Clerical, secretarial, and administrative activities; and

(7) Personally assisting the occupational therapist, occupational therapy assistant, student occupational therapist, or student occupational therapy assistant while the occupational therapist,



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occupational therapy assistant, student occupational therapist, or student occupational therapy assistant is concurrently providing services to the same client.



Ohio Administrative Code Rule 4755:1-2-04 Delegation.

Effective: October 11, 2024

(A) Occupational therapy assistant.

The occupational therapy assistant may implement the occupational therapy treatment/intervention plan established by the supervising occupational therapist. The supervising occupational therapist shall consider the following when delegating to the occupational therapy assistant:

- (1) The clinical complexity of the client;
 - (2) The competency of the occupational therapy assistant;
 - (3) The occupational therapy assistant's level of training in the treatment/intervention technique; and
 - (4) Whether continual reassessment of the client's status is needed during treatment/intervention.
- (5) Notwithstanding paragraphs (A)(1) to (A)(4) of this rule, the occupational therapy assistant may respond to acute changes in the client's condition that warrant immediate action.

(B) Student occupational therapist.

The student occupational therapist shall demonstrate appropriate skill and knowledge in duties being delegated. The supervising occupational therapist shall demonstrate knowledge and competency in any procedure or services delegated to a student occupational therapist.

(C) Student occupational therapy assistant.

The student occupational therapy assistant shall demonstrate appropriate skill and knowledge in duties being delegated. The supervising occupational therapist or supervising occupational therapy assistant shall demonstrate knowledge and competency in any procedure or services delegated to a



student occupational therapy assistant.

(D) Unlicensed personnel.

(1) Unlicensed personnel may only perform specific tasks which are neither evaluative, task selective, nor recommending in nature. The occupational therapist, occupational therapy assistant, student occupational therapist, or student occupational therapy assistant may delegate such tasks only after ensuring that the unlicensed personnel has been appropriately trained for the performance of the tasks.

(2) The occupational therapist, occupational therapy assistant, student occupational therapist, and student occupational therapy assistant shall not delegate the following to unlicensed personnel:

(a) Performance of occupational therapy evaluative services;

(b) Initiation, planning, adjustment, modification, or performance of occupational therapy services;

(c) Making occupational therapy entries directly in the client's official records; and

(3) The unlicensed personnel shall not act independently on behalf of the occupational therapist, occupational therapy assistant, student occupational therapist, or student occupational therapy assistant in any matter related to occupational therapy treatment.



Ohio Administrative Code Rule 4755:1-2-05 Supervision.

Effective: [October 11, 2024](#)

(A) Supervision shall ensure consumer protection. The supervising occupational therapist is ultimately responsible for all clients and is accountable and responsible at all times for the actions of persons supervised, including the:

- (1) Occupational therapy assistant;
- (2) Student occupational therapist;
- (3) Student occupational therapy assistant; and
- (4) Unlicensed personnel.

(B) The following factors shall be considered by the supervising occupational therapist when determining the appropriate frequency, methods, and content of supervision:

- (1) Complexity of the client needs;
- (2) Number and diversity of clients;
- (3) Skills of the occupational therapist and occupational therapy assistant;
- (4) Type and number of practice settings;
- (5) Requirements of the practice setting; and
- (6) Any other regulatory or administrative requirements.

(C) Occupational therapy assistant.



Supervision of the occupational therapy assistant, as defined in division (C) of section 4755.04 of the Revised Code, requires initial direction and periodic inspection of the service delivery and relevant in-service training. The supervising occupational therapist need not be on-site, but shall be available for consultation with the occupational therapy assistant at all times.

(1) The supervising occupational therapist shall provide supervision at least one time per week for all occupational therapy assistants who are in their first year of practice.

(2) The supervising occupational therapist shall provide supervision at least one time per month for all occupational therapy assistants beyond their first year of practice.

(3) Supervision requires an interactive process between the supervising occupational therapist and the occupational therapy assistant. The interactive process includes review of the following:

(a) Client assessment;

(b) Client reassessment;

(c) Treatment/intervention plan;

(d) Intervention; and

(e) Discontinuation of treatment/intervention plan.

(4) Co-signing client documentation alone does not meet the minimum level of supervision.

(5) The supervising occupational therapy assistant is accountable and responsible at all times for the actions of all student occupational therapy assistants and unlicensed personnel supervised by the supervising occupational therapy assistant.

(D) Student occupational therapist.



(1) Fieldwork and capstone supervision.

(a) A student occupational therapist on level II fieldwork shall be supervised by an occupational therapist who has completed at least one year of professional practice as a fully licensed occupational therapist.

(b) No minimum amount of experience is required to supervise a level I fieldwork student occupational therapist. Supervision should be in accordance with current standards set forth by the accreditation council for occupational therapy education (ACOTE).

(c) A student occupational therapist completing a capstone which includes provision of occupational therapy as defined by section 4755.04 of the Revised Code shall be supervised while they are providing occupational therapy services by an occupational therapist at least one time per week.

(2) A student occupational therapist shall be at least eighteen years old to be supervised by an occupational therapist licensed pursuant to Chapter 4755. of the Revised Code. This includes supervision for level I and level II fieldwork.

(3) The student occupational therapist, who is being supervised in accordance with the laws and rules governing the practice of occupational therapy, may supervise unlicensed personnel.

(E) Student occupational therapy assistant.

(1) Fieldwork supervision.

(a) A student occupational therapy assistant on level II fieldwork shall be supervised by an occupational therapist or occupational therapy assistant who has completed at least one year of professional practice as a fully licensed occupational therapist or occupational therapy assistant.

(b) No minimum amount of experience is required to supervise a level I fieldwork student occupational therapy assistant. Supervision should be in accordance with current standards set forth by ACOTE.



(2) A student occupational therapy assistant shall be at least eighteen years old to be supervised by an occupational therapist or occupational therapy assistant pursuant to Chapter 4755. of the Revised Code. This includes supervision for level I and level II fieldwork.

(3) The student occupational therapy assistant, who is being supervised in accordance with the laws and rules governing the practice of occupational therapy, may supervise unlicensed personnel.

(F) Supervising occupational therapists shall confirm that all occupational therapy assistants they supervise hold current, valid licenses to practice occupational therapy in this state prior to allowing the occupational therapy assistant to engage in the practice of occupational therapy.

(G) Occupational therapy assistants shall confirm that all occupational therapists by whom they are supervised hold current, valid licenses to practice occupational therapy in this state prior to engaging in the practice of occupational therapy.

(H) Any documentation written by an occupational therapy assistant, student occupational therapist, or student occupational therapy assistant for inclusion in the client's official record is co-signed by the supervising occupational therapist.

(I) It is the responsibility of the supervising occupational therapist and/or supervising occupational therapy assistant to establish evidence that the supervision occurred in accordance with the requirements of this rule. This evidence may include documentation in the client record, or it may exist as a separate document, such as a collaboration log.



Ohio Administrative Code

Rule 4755:1-2-06 Telehealth.

Effective: October 11, 2024

(A) "Telehealth" means health care services provided through the use of information and communication technology by a health care professional, within the professional's scope of practice, who is located at a site other than the site where either of the following is located:

(1) The patient receiving the services;

(2) Another health care professional with whom the provider of the services is consulting regarding the patient.

(B) An occupational therapist or occupational therapy assistant may provide telehealth services in accordance with section 4743.09 of the Revised Code.

(C) The standard of care for a patient treated through telehealth is equal to the standard of care for in-person services.

(D) The license holder shall verify the identity and physical location of the patient or client at the beginning of each telehealth visit.

(E) With respect to the provision of telehealth services, all of the following apply:

(1) A license holder may use synchronous or asynchronous technology to provide telehealth services to a patient during an initial visit if the appropriate standard of care for an initial visit is satisfied.

(2) A license holder may deny a patient telehealth services and, instead, require the patient to undergo an in-person visit if care is continued with that license holder.

(3) When providing telehealth services in accordance with this rule, a license holder shall comply with all requirements under state and federal law regarding the protection of patient information. A



license holder shall ensure that any username or password information and any electronic communications between the professional and a patient are securely transmitted and stored.

(4) A license holder may use synchronous or asynchronous technology to provide telehealth services to a patient during an annual visit if the appropriate standard of care for an annual visit is satisfied.

(F) In order to treat a patient or client located in Ohio, an occupational therapist or occupational therapy assistant shall have either an Ohio license or a privilege to practice in Ohio via the occupational therapy compact.



Ohio Administrative Code

Rule 4755:1-2-07 Required credential to indicate licensure or student status.

Effective: [October 11, 2024](#)

(A) All occupational therapists shall use the following credential following their signature to indicate licensure as an occupational therapist:

- (1) "OT" or "OT/L" if the occupational therapist does not hold current NBCOT certification; or
- (2) "OT," "OTR," or "OTR/L" if the occupational therapist holds current NBCOT certification.

(B) All occupational therapy assistants shall use the following credential following their signature to indicate licensure as an occupational therapy assistant:

- (1) "OTA" or "OTA/L" if the occupational therapy assistant does not hold current NBCOT certification; or
- (2) "OTA," "COTA," or "COTA/L" if the occupational therapy assistant holds current NBCOT certification.

(C) All student occupational therapists shall use one of the following to indicate student status:

- (1) Student occupational therapist;
- (2) Student OT; or
- (3) S/OT.

(D) All student occupational therapy assistants shall use one of the following to indicate student status:

- (1) Student occupational therapy assistant;



(2) Student OTA; or

(3) S/OTA.



Ohio Administrative Code

Rule 4755:1-3-01 Continuing education.

Effective: August 4, 2023

(A) Pursuant to division (C) of section 4755.06 of the Revised Code, no person shall qualify for licensure renewal as an occupational therapist or occupational therapy assistant unless the license holder has shown to the satisfaction of the occupational therapy section that the license holder has completed twenty contact hours of continuing education activities within the two year renewal cycle.

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

(2) In the case of a license reinstatement, if the license was valid for a period of twelve months or less, the license holder shall complete ten contact hours of continuing education within the renewal cycle, including one contact hour of ethics, jurisprudence, or cultural competence pursuant to paragraph (A)(5) of this rule. The category limits contained in paragraph (B) of this rule do not apply if the license was valid for twelve months or less.

(3) A "contact hour" is one hour spent in a continuing education activity meeting the requirements of this rule. Contact hours exclude refreshment breaks, receptions, social gatherings, and meals that do not include an acceptable activity.

(4) All continuing education activities shall be earned in the two year period immediately preceding the thirtieth day of June of the year in which licensure renewal is required. Contact hours may not be carried over from one renewal period to the next.

(5) License holders shall complete at least one contact hour of ethics, jurisprudence, or cultural competence education per renewal cycle. The one hour ethics, jurisprudence, or cultural competence requirement may be fulfilled by completing an acceptable activity outlined in paragraph (B) of this rule that contains at least one hour addressing professional ethics, jurisprudence, or cultural competence. In addition, any presentation by the occupational therapy section meets the ethics, jurisprudence, or cultural competence requirement.



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

(7) The same contact hour cannot be used to fulfill both the ethics, jurisprudence, or cultural competence education and the mental health and/or substance use requirements.

(B) Pursuant to section 4755.062 of the Revised Code, the occupational therapy section may contract with the Ohio occupational therapy association (OOTA) to assist the section with the performing of its continuing education duties as prescribed in this rule. OOTA may accept, review, approve, or deny proposals for professional workshops, seminars, and/or conferences for continuing education units or for other continuing education activities reported by occupational therapists and occupational therapy assistants. OOTA shall perform any other duties agreed upon by the section and OOTA necessary for the approval, maintenance, and/or reporting of continuing education activities for occupational therapists and occupational therapy assistants. OOTA may charge applicants for continuing education a reasonable fee for the completion of its duties.

(C) Acceptable continuing education activities may include:

(1) Activities sponsored or approved by the occupational therapy section or OOTA on behalf of the section, the American occupational therapy association (AOTA), OOTA, the national board for certification in occupational therapy, or offered by an AOTA approved provider.

(2) Attending professional workshops, seminars, and/or conferences. There is no limit of contact hours in this category.

(a) Credit is obtained by attending presentations that have either been sponsored or approved by the occupational therapy section, AOTA, OOTA, offered by an AOTA approved provider, or which meets the following criteria:



- (i) It contributes directly to professional competency;
 - (ii) It relates directly to the clinical practice, management, or education of occupational therapy practitioners; and
 - (iii) It is conducted by people who have demonstrated expertise in the subject matter of the program.
- (b) Prior approval from the section is not required if paragraphs (C)(2)(a)(i) to (C)(2)(a)(iii) of this rule have been met.
- (c) Proof of content is demonstrated by the original workshop or conference brochure, agenda, notes, or materials given to participants during the presentations.
- (d) Copies of continuing education unit certificates or other original documents indicating credits awarded may also be used as verification of participation. If no other form of verification is available, license holders may obtain from the board verification of participation forms, which are to be signed by each presenter at the conclusion of each presentation. If a presentation is made by a panel of people, only one signature is required.
- (3) Presentations of occupational therapy programs, workshops, or seminars. The presentation shall be to health or education professionals and/or students, be at least one contact hour in length and relate to the clinical practice, management, or education of occupational therapy practitioners. Two contact hours will be awarded for each hour of presentation. A maximum of eight contact hours may be earned in this category. Proof of presentation is the workshop, conference, or seminar contract, or the brochure, agenda, or other printed materials describing content and audience. Continuing education credit will not be awarded for subsequent presentations of the same material.
- (4) Preparation to teach a clinical course in occupational therapy. The course shall be taught in an occupational therapy program accredited by the accreditation council for occupational therapy education (ACOTE). Credit will only be awarded for preparation for a new course or substantive changes to an existing course. One contact hour will be awarded for each hour of preparation. A maximum of eight contact hours may be earned in this category. Proof of presentation is the course syllabus or other printed materials describing the content and goals of the course.



(5) Publications of books, articles, or films related to clinical practice, management, or education of occupational therapy. A maximum of five contact hours for each published article, ten contact hours for a published book, five contact hours for a chapter in a book, and ten contact hours for a film may be earned in these categories. Co-authorship is acceptable. The item shall be published within the current renewal cycle. Proof of completion is the published article, title page of the book, or film. There is no limit of contact hours in this category.

(6) Undergraduate or graduate courses. A maximum of ten contact hours may be earned per completed course. Courses shall be related to the management, practice, or education of occupational therapy. Proof of completion is an unofficial college or university transcript. An official college or university transcript may be requested at the discretion of the occupational therapy section. Proof of content is the catalog description. There is no limit of contact hours in this category.

(7) Supervision of fieldwork.

(a) The maximum number of hours which may be earned from level I and level II supervision combined is sixteen hours per renewal cycle.

(b) Continuing education credit can be earned by supervising level I students. One contact hour may be earned for each student supervised.

(c) Continuing education credit can be earned by supervising level II students. Six contact hours may be earned per student for eight weeks of supervision. Nine contact hours may be earned per student for twelve weeks of supervision.

(d) A license holder shall be a signing rater on the American occupational therapy association fieldwork performance evaluation (FWPE) or the school's designated student performance evaluation tool to be eligible for continuing education credit. If more than one license holder is a signing rater on the FWPE or evaluation tool, the contact hours earned shall be divided between the signing raters.

(e) Proof of student supervision is a certificate of supervision from the student's school.



(8) Self-study. Formal study packages, such as printed text, multi-media, or internet based activities, related to the clinical practice, management, or education of occupational therapy are acceptable. There is no limit of contact hours in this category. Proof of completion is the certificate of completion and/or a copy of the post test results.

(9) Distance learning. Credit for distance learning requires that there be opportunity for interaction with the program presenter and that the content is related to the clinical practice, management, or education of occupational therapy. The agenda and certificate of participation are required to verify completion. There is no limit of contact hours in this category.

(10) Apprenticeships. Supervised clinical experience aimed at developing specialized skills in occupational therapy is acceptable. Five contact hours shall be credited for each forty hour week. There is no limit to the amount of contact hours that can be earned under this category. Proof of completion is a signed letter from the clinical supervisor describing length and type of education experiences and an evaluation of the occupational therapist's or occupational therapy assistant's performance.

Apprenticeships shall be served under the supervision of a licensed occupational therapist whose license is in good standing and who has demonstrated expertise in the practice of occupational therapy or other people who have demonstrated expertise in specialized techniques as approved by the occupational therapy section.

(11) Research projects. A maximum of ten contact hours may be earned in this category. The hours will be granted only for completed, published or unpublished research projects related to the theory, clinical practice, management, or education of occupational therapy. Proof of completion is the published article or unpublished manuscript.

(12) Informal independent study. One contact hour will be given for reading an evidence based book chapter or research journal article relating to the clinical practice, management, or education of occupational therapy practitioners and identifying how the information presented can be applied to one's own practice, management, or education situation. Proof of completion is a copy of the article's title page and the first page, and a written report summarizing the information and outlining how it can be applied by the license holder. One hour will be awarded for each chapter/article. A maximum



of four contact hours may be earned in this category per renewal cycle.

(13) Jurisprudence examination. One contact hour may be earned for completing and passing the Ohio occupational therapy jurisprudence examination. This contact hour may be utilized only once per renewal cycle for continuing education credit. Proof of completion is the graded examination. This contact hour may be used to fulfill the ethics, jurisprudence, or cultural competence requirement established in paragraph (A)(5) of this rule.

(14) Mentorship. A maximum of four hours per renewal cycle can be earned by any of the following:

(a) Continuing education credit can be earned by mentoring a student completing a graduate level research or capstone project at an ACOTE accredited entry-level or a post-professional occupational therapist education program. One contact hour may be earned for every eighty hours of mentorship completed, with a maximum of four contact hours per renewal cycle. Proof of mentorship will be a certificate from the student's school and a time log documenting the mentor's activities and the time spent completing those activities. Faculty members mentoring students enrolled in the faculty member's own program are not eligible for continuing education credit for mentorship.

(b) Continuing education credit can be earned by mentoring a practitioner in the first year of practice or any practitioner entering a practice area or attempting to achieve certification in a practice area in which the mentee has no prior experience. One contact hour may be earned for every eighty hours of mentorship completed, with a maximum of four contact hours per renewal cycle. Proof of mentorship will be a written contract which includes the signatures of the mentor and the practitioner who has agreed to be mentored. The contract shall also include a time log documenting the mentor's activities and the time spent completing those activities.

(c) Continuing education credit can be earned by mentoring a practitioner of an AOTA fellowship program. The mentor shall spend a minimum of three hundred fifty hours with the fellow while the fellow delivers occupational therapy services in the identified practice area. Four contact hours may be earned for each AOTA Fellowship Program mentorship with only one mentorship eligible for contact hours per renewal cycle. Proof of mentorship will be the written contract developed by the AOTA fellowship program and documentation of successful completion by this program.



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

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

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

(c) Not be credited for license holders in a paid position at the organization at which the services are rendered.

(d) Be occupational therapy or occupational therapy assistant services provided in compliance with the Revised Code and Administrative Code.

(e) Be credited as one hour of CE for each sixty minutes spent providing services as a volunteer, not to exceed four hours of the total biennial CE requirement.

(f) Not count toward the one contact hour of ethics, jurisprudence, or cultural competence education or mental health and/or substance use education per renewal cycle as required by paragraph (A)(5) or (A)(6) of this rule.

(16) Competency assessment or knowledge/skills assessment activities. Credit for completion of competency assessment or knowledge/skill assessment activities, or both, completed either online or in person. A certificate of completion or similar document that includes the participant's name, activity, date, contact hours awarded, and sponsoring organization shall be submitted as proof of completion.

(D) Continuing education credit will not be granted to standard employer required annual competency training, such as CPR, blood-borne pathogens, or HIPAA.



(E) The occupational therapy section shall conduct an audit of the continuing education records of not less than five per cent of the license holders each renewal year.

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

(2) Failure to provide proof of the required number of continuing education hours, in the appropriate categories, for the specified time period will result in the commencement of disciplinary action.

(3) Failure to respond to or acknowledge receipt of an audit notice will result in the commencement of disciplinary action.

(F) An occupational therapist or occupational therapy assistant 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 occupational therapy section for violating section 4755.11 of the Revised Code.



Ohio Administrative Code

Rule 4755:1-3-02 Waivers; exemptions for continuing education.

Effective: November 9, 2023

The occupational therapy section may grant waivers of the 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) To apply for a waiver or extension due to undue hardship, the licensee shall submit a request to the section describing the hardship no later than April first of the renewal year through eLicense Ohio or its successor licensing system.

(B) To apply for a waiver or extension due to disability or illness, the licensee shall submit the waiver form to the occupational therapy section no later than April first of the renewal year. This submission shall also include documentation signed by a licensed medical professional overseeing the individual's care verifying that the licensee suffers from a disability or illness.

(C) The deadlines in paragraphs (A) and (B) of this rule may be waived at the discretion of the occupational therapy section.
