

4731-10-01 Definitions.

(A) As used in this chapter of the Administrative Code:

- (1) "License" means the legal authorization issued by the board to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery in Ohio.
- (2) "Certificate of registration" means the document issued by the state medical board which evidences an individual's license to practice medicine and surgery, osteopathic medicine and surgery, or podiatry in Ohio during a specific registration period.
- (3) "CME" means continuing medical education.
- (4) "License renewal" means the extension of a current license by fulfilling the requirements of section [4731.281](#) of the Revised Code, and this chapter of the Administrative Code.
- (5) "License reinstatement" means the return of a license which has lapsed or been in a suspended or inactive status for two years or less for any reason
- (6) "License restoration" means the return of a license which has lapsed or been in a suspended or inactive status for more than two years for any reason.
- (7) "Applicant" means an individual who seeks to attain a certificate of registration from the board.
- (8) "Licensee" means a person who holds a current and valid license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery in Ohio.
- (9) "CME period" means a period of two years in which every doctor of medicine, doctor of osteopathic medicine, and doctor of podiatric medicine licensed in Ohio must attain one hundred hours of CME to register their certificate as current and valid pursuant to section [4731.281](#) of the Revised Code, and this chapter of the Administrative Code
- (10) "Registration period" means the period between granting of initial licensure or renewal and the next scheduled license renewal date.
- (11) "Volunteer registration period" means a period of three years between the granting or renewal of a volunteer certificate and the next scheduled renewal date. Every doctor of medicine or doctor of osteopathic medicine holding a volunteer's certificate, shall be required to earn one hundred and fifty hours of CME to register their certificate as current and valid pursuant to sections [4731.295](#) and [4731.281](#) of the Revised Code and this chapter of the Administrative Code.
- (12) "Board" means the state medical board of Ohio.
- (13) "CME waiver" means a reduction of hours that may be granted by the board on an individual basis to those applicants who have been ill for more than six consecutive months or out of the United States for more than six consecutive months during the CME period.

(B) Action by the board refusing "license restoration" as that phrase is used in this chapter of the Administrative Code shall be deemed refusal to "register" or "reinstate" as such words are used in section [4731.22](#) of the Revised Code.

Eff 5-16-83; 10-31-96; 3-10-98 (Emer.); 7-20-98; 2-28-03

Rule promulgated under: RC [119.03](#)

Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

R.C. [119.032](#) review dates: 11/18/2002 and 03/25/2006

NO CHANGE

4731-10-02 Requisite hours of continuing medical education for license renewal or reinstatement.

(A) The respective CME program requirements certified by the Ohio state medical association, the Ohio osteopathic association or the Ohio podiatric medical association and approved by the board shall consist of two categories, category 1 and category 2.

(1) Category 1 and category 2, CME shall be defined and identified within the programs certified by the respective state medical associations and approved by the board.

(2) In a two year CME period, a licensee shall be required to earn a total of one hundred hours of CME, of which a minimum of forty hours shall be category 1 as certified by their respective state professional associations and approved by the board. Certification is a process whereby the Ohio state medical association, the Ohio osteopathic medical association and the Ohio podiatric medical association define their respective CME program requirements for periodic submission to the board for approval. The board may approve each association's CME program requirements which consist of CME courses and activities that are deemed acceptable for completing the requisite hours of CME by each licensee.

(3) When undertaking a CME program, a licensee shall be responsible for ascertaining from the sponsor or co-sponsor whether the CME program will be credited toward the category 1 or category 2 requirement.

(B) The board shall keep on file copies of the program requirements of the various state professional associations.

(C) If a licensee has not completed the requisite hours of CME, a licensee is not eligible for license renewal or license reinstatement until such time as the requisite hours have been completed. Any CME undertaken after the end of a renewal period and utilized for purposes of renewing or reinstating a suspended license cannot also be utilized to meet the CME requirement of the current CME period.

(D) Licensees and applicants who are not working in the medical profession or who are retired from practice but wish to renew or reinstate their licenses shall meet the CME requirements of section [4731.281](#) of the Revised Code and this chapter of the Administrative Code.

Eff 6-8-98; 2-28-03

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Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

Replaces: Part of 4731-10-01, 4731-10-03, 4731-10-06

R.C. [119.032](#) review dates: 11/18/2002 and 03/25/2006

NO CHANGE

4731-10-03 CME waiver.

(A) For purposes of obtaining a CME waiver, the applicant or licensee shall have the burden of establishing that the illness or absence affected the reasonable opportunity to participate in CME activities. No more than five hours will be subtracted from the CME requirement for each month which is approved for reduction of hours. Application for CME waiver shall be completed by the applicant or licensee and submitted to the board at least sixty days prior to the end of the CME period. Applicants shall not sign and submit the renewal application prior to receiving approval from the Board of the waiver request.

(B) The board shall not waive the total CME requirement for any CME period.

(C) The board shall not grant a CME waiver for consecutive CME periods.

(D) Applicants shall be eligible to apply for CME waiver only if the applicant's illness or absence from the United States lasted a minimum of six consecutive months and occurred in its entirety within a single CME period.

Eff 5-16-83; 10-31-96; 3-10-98 (Emer.); 6-8-98; 2-28-03

Rule promulgated under: RC [119.03](#)

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Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

Replaces: 4731-10-09

R.C. [119.032](#) review dates: 03/25/2006

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

4731-10-04

Continuing medical education requirements for restoration of a license.

~~Any application for license restoration shall invoke the provisions of section 4731.222 of the Revised Code. The authority of the board to impose terms and conditions includes the following:~~

~~(A) Requiring the applicant to obtain additional training and to pass an examination upon completion of such training;~~

~~(B) Restricting or limiting the extent, scope, or type of practice of the applicant.~~

(A) To be eligible for restoration of a license the applicant shall submit evidence establishing the completion of one hundred hours of continuing medical education during the twenty four months after the most current expiration date which preceded the board's receipt of the application for restoration.

(B) The board may impose terms and conditions for the restoration of a license pursuant to section 4731.222 of the Revised Code.

NO CHANGE

4731-10-05 Out-of-state licensees.

Those applicants and licensees residing or practicing out of the state who wish to renew or reinstate their licenses to practice medicine or surgery, osteopathic medicine and surgery or podiatric medicine and surgery in Ohio must complete the required CME within the CME period even though not currently residing or practicing in Ohio.

Eff 5-16-83; 6-8-98; 2-28-03

Rule promulgated under: RC [119.03](#)

Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

R.C. [119.032](#) review dates: 11/18/2002 and 03/25/2006

NO CHANGE

4731-10-06 Licensure after cutoff for preparation of registration notices.

(A) The mailing of renewal applications requires that a cutoff date be established for preparation of renewal application notices. Individuals who are initially licensed between the cutoff date and the last day of a registration period are not required to renew for that registration period but shall be required to renew for all subsequent registration periods. These licensees shall be responsible for the requisite CME hours at the time of their next renewal.

(B) Each licensee's registration group is based on the first letter of his or her last name at the time of the implementation of the staggered renewal system or at the time of initial licensure, whichever occurred later. Each licensee shall remain in their originally assigned license registration group for all subsequent license renewals.

Eff 2-28-03

Rule promulgated under: RC [119.03](#)

Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

Replaces: 4731-10-12, part of 4731-10-16

R.C. [119.032](#) review dates: 03/25/2006

NO CHANGE

4731-10-07 Internships, residencies, and fellowships.

(A) CME program requirements certified by the respective state professional societies and approved by the board may contain provisions authorizing CME credit for licensees in internships, residencies, or fellowships in an accredited program approved by the board. The training shall have been taken during the CME period. Any training received prior to initial licensure or license restoration shall not be utilized for CME credit.

(B) Interns, residents, and fellows holding full licenses to practice shall make application for license renewal and comply with CME requirements under section [4731.281](#) of the Revised Code and this chapter of the Administrative Code.

Eff 7-22-83; 6-8-98; 2-28-03

Rule promulgated under: RC [119.03](#)

Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

R.C. [119.032](#) review dates: 11/18/2002 and 03/25/2006

NO CHANGE

4731-10-08 Evidence of continuing medical education.

(A) Each applicant for license renewal or license reinstatement shall certify that the applicant has completed the requisite hours of CME since the start of the CME period.

(B) The board may select applications for verification that all CME requirements have been met. Licensees whose applications are selected shall submit additional documentation of compliance with CME requirements as the board may require. Failure to submit the additional documents shall constitute a violation of section [4731.281](#) of the Revised Code and section [4731.22](#) of the Revised Code.

(C) Applicants and licensees have a continuing obligation to maintain detailed records of CME hours earned. Each applicant or licensee shall be responsible for and shall retain written verification obtained from the sponsoring entity of attendance at category 1 CME programs. Written verification shall include a description of the CME activity, the location of the CME activity, the dates of attendance, the hours of each CME activity and the category of CME. Each applicant or licensee shall retain written documentation of category 2 CME completed during the CME period. Records of all CME undertaken shall be retained by the licensee for two years after the end of the CME period and shall be made available to the board upon request.

(D) Notwithstanding the provisions of paragraph (C) of this rule, applicants and licensees shall not destroy or otherwise make unavailable written documentation of CME activity after the board has requested verification of CME pursuant to this rule or section [4731.22](#) of the Revised Code. Upon verification that all CME requirements have been met, the board shall provide written notice to the applicant or licensee that the requested records may be destroyed.

(E) Nothing in this rule shall limit the board's authority to investigate and take action under section [4731.22](#) of the Revised Code.

Eff 2-28-03

Rule promulgated under: RC [119.03](#)

Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

Replaces: 4731-10-08

R.C. [119.032](#) review dates: 03/25/2006

NO CHANGE

4731-10-09 Continuing medical education requirement for mid-term licensees.

(A) The CME requirements for individuals licensed after the start of a CME period shall be computed as follows:

If the license is initially issued prior to the first day of the second year of a CME period, an individual shall be required to earn fifty total hours, of which at least twenty shall be category 1; if the license is issued on or after the first day of the second year of a CME period and prior to the first day of the eighteenth month of that CME period, the licensee shall be required to earn twenty-five hours, of which at least ten hours shall be category 1; if the license is issued on or after the first day of the eighteenth month of a CME period, the licensee shall not be required to earn any hours of CME credits for that CME period.

(B) Nothing in this rule shall limit the board's authority to require additional training under the provisions of section [4731.222](#) of the Revised Code. Training required by section [4731.222](#) of the Revised Code shall not be used to satisfy the CME requirement of this rule and of section [4731.281](#) of the Revised Code.

(C) Only those hours earned from the date of initial licensure to the end of the CME period shall be used towards the total hour requirement as contained in paragraph (A) of this rule.

Eff 2-28-03

Rule promulgated under: RC [119.03](#)

Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

Replaces: 4731-10-10

R.C. [119.032](#) review dates: 03/25/2006

NO CHANGE

4731-10-10 Continuing medical education requirements following license restoration.

(A) After license restoration, the CME requirement for the CME period shall be computed as follows:

If the date of restoration is prior to the first day of the second year of a CME period, an individual shall be required to earn fifty total hours, of which at least twenty shall be category 1; if the date of restoration is on or after the first day of the second year of a CME period and prior to the first day of the eighteenth month of that CME period, the licensee shall be required to earn twenty-five hours, of which at least ten hours shall be category 1; if the date of restoration is on or after the first day of the eighteenth month of a CME period, the licensee shall not be required to earn any hours of CME credits for that CME period.

(B) Nothing in this rule shall limit the board's authority to require additional training under the provisions of section [4731.222](#) of the Revised Code. Training required by section [4731.222](#) of the Revised Code shall not be used to satisfy the CME requirement of this rule and of section [4731.281](#) of the Revised Code.

Eff 2-28-03

Rule promulgated under: RC [119.03](#)

Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

Replaces: 4731-10-11

R.C. [119.032](#) review dates: 03/25/2006

NO CHANGE

4731-10-11 Telemedicine certificates.

(A) A telemedicine licensee's registration group shall be based on the first letter of his or her last name at the time of initial telemedicine licensure. Each licensee shall remain in their originally assigned license registration group for all subsequent license renewals. If a telemedicine certificate is converted, pursuant to division (E) of section [4731.296](#) of the Revised Code, to a certificate issued under section [4731.29](#) of the Revised Code the licensee shall remain in the same registration group as at the time of initial telemedicine licensure.

(B) An initial telemedicine certificate shall be valid until the renewal date for the telemedicine licensee's registration group. If initial telemedicine licensure is granted on or after the first day of the eighteenth month of a registration period, the licensee shall not be required to renew for that registration period but shall be required to renew for all subsequent registration periods.

(C) An applicant for an initial telemedicine certificate or for renewal of a telemedicine certificate shall hold a current, unrestricted license to practice medicine and surgery or osteopathic medicine and surgery issued by another state that requires license holders to complete at least fifty hours of CME every two years. A holder of a telemedicine certificate who fails to meet the CME requirements of the state in which he or she holds the license used to qualify for the telemedicine certificate shall report that failure in writing to the board.

Eff 2-28-03

Rule promulgated under: RC [119.03](#)

Rule authorized by: RC [4731.05](#), [4731.281](#), [4731.295](#)

Rule amplifies: RC [4731.22](#), [4731.281](#), [4731.291](#), [4731.292](#), [4731.293](#), [4731.294](#), [4731.295](#), [4731.296](#)

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