



State Medical Board of
Ohio

30 E. Broad St., 3rd Floor
Columbus, Ohio 43215
(614) 466-3934
www.med.ohio.gov

Rules & Policies Agenda for Board Meeting July 8, 2022

- A. Rule Review Update
 - B. Legislative Update
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MEMORANDUM

TO: Betty Montgomery, President
Members, State Medical Board of Ohio

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Rule Review Update

DATE: July 5, 2022

Attached please find the Rule Schedule and Spreadsheet for July 2022.

Requested Action: No action requested.

Legal Dept. Rules Schedule

As of July 5, 2022

RULES TO JULY BOARD MEETING

Ready to file with CSI

Massage Therapy Rules

4731-1-01 4731-1-02 4731-1-03
4731-1-04 4731-1-05 4731-1-07
4731-1-08 4731-1-09 4731-1-10
4731-1-11 4731-1-12 4731-1-15
4731-1-16 4731-1-17 4731-1-18
4731-1-19

Light Based Medical Device Rules

4731-18-01 4731-18-02
4731-18-03

Controlled Substance & Weight Loss Rules

4731-11-03 4731-11-04 4731-11-04.1

Podiatric Licensure Rules

4731-12-01
4731-12-02
4731-12-03
4731-12-04
4731-12-05
4731-12-06
4731-12-07

Public Notice of Rules Procedures

4731-2-01

Examinations

4731-5-01
4731-5-02
4731-5-03
4731-5-04

Demonstration of Proficiency in Spoken English

4731-6-04

Rules Filed with CSI

Telehealth Rules

4731-11-09 4731-37-01

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4730-1-01	Regulation of Physician Assistants - Definitions		06/12/19	07/16/19	11/07/19	06/18/20	No change rule			09/16/20	06/18/25
4730-1-05	Quality Assurance System		06/12/19	07/16/19	11/07/19	06/19/20	No change rule			09/17/20	06/19/25
4730-1-06	Licensure as a physician assistant	03/22/19	06/12/19	12/04/19		06/18/20	07/23/20	08/17/20	09/09/20	12/31/20	09/30/23
4730-1-07	Miscellaneous Provisions	02/12/22	05/11/22	05/16/22						12/31/21	09/30/23
4730-2-01	Physician Delegated Prescriptive Authority - Definitions		06/12/19	07/16/19	11/07/19	06/18/20	No change rule			09/18/20	06/18/25
4730-2-04	Period of on-site supervision of physician-delegated prescriptive authority		06/12/19	07/16/19	11/07/19	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	11/15/23
4730-2-05	Addition of valid prescriber number after initial licensure		06/12/19	07/16/19	11/07/19	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/23
4730-2-07	Standards for Prescribing	02/12/22	05/11/22	05/16/22						12/31/21	09/30/25
4730-2-10	Standards and Procedures for use of OARRS		06/12/19	07/16/19	11/07/19	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/23
4730-4-01	Definitions	05/09/19		11/15/19	05/20/20	06/18/20	07/23/20	08/17/20	10/14/20	10/31/20	04/30/24
4730-4-02	Standards and procedures for withdrawal management for drug or alcohol addiction	05/09/19		11/15/19	05/20/20	06/18/20	07/23/20	08/17/20	10/14/20	10/31/20	10/31/25
4730-4-03	Office Based Treatment for Opioid addiction									04/30/19	04/30/24
4730-4-04	Medication assisted treatment using naltrexone									04/30/19	04/30/24
4730-5-01											
4730-5-02											
4731-1-01	Limited Practitioners - Definition of Terms	06/17/21								03/30/20	03/30/25
4731-1-02	Application of Rules Governing Limited Branches of Medicine or Surgery	06/17/21								07/31/19	07/31/24
4731-1-03	General Prohibitions	06/17/21									08/31/23
4731-1-04	Scope of Practice: Mechanotherapy	06/17/21								12/31/18	12/31/23
4731-1-05	Scope of Practice: Massage Therapy	06/17/21								11/05/19	11/05/24
4731-1-06	Scope of Practice: Naprapathy									08/31/18	08/31/23

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-1-07	<i>Eligibility of Electrologists Licensed by the Ohio State Board of Cosmetology to Obtain Licensure as Cosmetic Therapists Pursuant to Chapter 4731 ORC and Subsequent Limitations</i>	06/17/21								12/31/18	12/31/23
4731-1-08	<i>Continuing Cosmetic Therapy Education Requirements for Registration or Reinstatement of a License to Practice Cosmetic Therapy</i>	06/17/21								09/30/19	09/30/24
4731-1-09	<i>Cosmetic Therapy Curriculum Requirements</i>	06/17/21									08/31/23
4731-1-10	<i>Distance Education</i>	06/17/21								01/31/19	01/31/24
4731-1-11	<i>Application and Certification for certificate to practice cosmetic therapy</i>	06/17/21								03/30/20	03/30/25
4731-1-12	<i>Examination</i>									11/30/16	11/30/21
4731-1-15	<i>Determination of Standing of School, College or Institution</i>	06/17/21								12/31/18	12/31/23
4731-1-16	<i>Massage Therapy curriculum rule (Five year review)</i>	06/17/21								01/31/19	11/30/21
4731-1-17	<i>Instructional Staff</i>	06/17/21								05/31/19	05/31/24
4731-1-18	<i>Grounds for Suspension, Revocation or Denial of Certificate of Good Standing, Hearing Rights</i>	06/17/21								03/30/20	03/30/25
4731-1-19	<i>Probationary Status of a limited branch school</i>	06/17/21								03/30/20	03/30/25
4731-1-24	Massage Therapy Continuing Education	03/09/16		10/26/16	04/24/19	04/29/19	06/05/19				
4731-2-01	Public Notice of Rules Procedure	05/15/22								12/07/17	12/07/22
4731-4-01	Criminal Records Checks - Definitions									09/30/19	09/30/24
4731-4-02	Criminal Records Checks									09/30/19	09/30/24
4731-5-01	<i>Admission to Examinations</i>	05/15/22								06/09/17	06/09/22
4731-5-02	<i>Examination Failure; Inspection and Regrading</i>	05/15/22								06/09/17	06/09/22
4731-5-03	<i>Conduct During Examinations</i>	05/15/22								06/09/17	06/09/22
4731-5-04	<i>Termination of Examinations</i>	05/15/22								06/09/17	06/09/22
4731-6-01	Medical or Osteopathic Licensure: Definitions									07/31/19	07/31/24
4731-6-02	Preliminary Education for Medical and Osteopathic Licensure									07/31/19	07/31/24

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-6-04	Demonstration of proficiency in spoken English	05/15/22								06/09/17	06/09/22
4731-6-05	Format of Medical and Osteopathic Examination		09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	01/31/27
4731-6-14	Examination for physician licensure	09/03/20								07/31/19	07/31/24
4731-6-15	Eligibility for Licensure of National Board Diplomats and Medical Council of Canada Licentiates									07/31/19	07/31/24
4731-6-21	Application Procedures for Certificate Issuance; Investigation; Notice of Hearing Rights									07/31/19	07/31/24
4731-6-22	Abandonment and Withdrawal of Medical and Osteopathic Licensure Applications									07/31/19	07/31/24
4731-6-30	Training Certificates									07/31/19	07/31/24
4731-6-31	Limited Preexamination Registration and Limited Certification									07/31/19	07/31/24
4731-6-33	Special Activity Certificates									07/31/19	07/31/24
4731-6-34	Volunteer's Certificates									07/31/19	07/31/24
4731-7-01	Method of Notice of Meetings									07/31/19	07/31/24
4731-8-01	Personal Information Systems	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26
4731-8-02	Definitions	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26
4731-8-03	Procedures for accessing confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26
4731-8-04	Valid reasons for accessing confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-8-05	Confidentiality Statutes	04/29/20		10/05/20	11/18/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-8-06	Restricting & Logging access to confidential personal information	04/29/20		10/05/20	11/18/20	02/11/21			no change	02/11/21	02/11/26
4731-9-01	Record of Board Meetings; Recording, Filming, and Photographing of Meetings									09/15/19	06/17/24
4731-10-01	Definitions	10/25/19		05/26/20		Revised filing 11/3/20 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-10-02	Requisite Hours of Continuing Medical Education for License Renewal or Reinstatement	10/25/19		05/26/20		Revised filing 11/3/20 10/30/20	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-10-03	CME Waiver	10/25/19		05/26/20		Revised filings 11/24 & 11/3 - orig 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26
4731-10-04	Continuing Medical Education Requirements for Restoration of a License	10/25/19		05/26/20		Revised filings 11/24 & 11/3 - orig 10/30/20	12/04/20	12/07/20	05/12/21	05/31/21	05/31/26
4371-10-08	Evidence of Continuing Medical Education	10/25/19		05/26/20		Revised filings 11/24 & 11/3 - orig 10/30/20	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-11-01	Controlled substances; General Provisions Definitions	02/12/22								10/31/20	10/31/25
4731-11-02	Controlled Substances - General Provisions	07/26/19	11/13/19	10/05/20		05/27/21			no change		05/27/26
4731-11-03	Schedule II Controlled Substance Stimulants	07/26/19	11/13/19	10/05/20						12/31/15	12/31/20
4731-11-04	Controlled Substances: Utilization for Weight Reduction	07/26/19	11/13/19	10/05/20						02/29/16	02/28/21
4731-11-04.1	Controlled substances: Utilization for chronic weight management	07/26/19	11/13/19	10/05/20						12/31/15	12/31/20
4731-11-07	Research Utilizing Controlled Substances	07/26/19	11/13/19	10/05/20		05/27/21			no change		05/27/26
4731-11-08	Utilizing Controlled Substances for Self and Family Members	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26
4731-11-09	Prescribing to persons the physician has never personally examined.	02/12/22	05/11/22	05/16/22						03/23/17	09/19/22

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-11-11	Standards and procedures for review of "Ohio Automated Rx Reporting System" (OARRS).	07/26/19	11/13/19	10/05/20		05/27/21	06/28/21		09/08/21	09/30/21	09/30/26
4731-11-13	Prescribing of Opioid Analgesics for Acute Pain									08/31/17	08/31/22
4731-11-14	Prescribing for subacute and chronic pain			3/21/19	11/14/19	corrected- 7/16/20 6/18/2020	07/23/20	08/17/20	10/14/20	10/31/20	12/23/23
4731-12-01	Preliminary Education for Licensure in Podiatric Medicine and Surgery	04/18/22								06/30/17	06/30/22
4731-12-02	Standing of Colleges of Podiatric Surgery and Medicine	04/18/22								06/30/17	06/30/22
4731-12-03	Eligibility for the Examination in Podiatric Surgery and Medicine (see note below)	04/18/22								04/19/17	10/16/22
4731-12-04	Eligibility of Licensure in Podiatric Medicine and Surgery by Endorsement from Another State	04/18/22								06/30/17	06/30/22
4731-12-05	Application Procedures for Licensure in Podiatric Medicine and Surgery, Investigation, Notice of Hearing Rights.	04/18/22								06/30/17	06/30/22
4731-12-06	Visiting Podiatric Faculty Certificates	04/18/22								06/30/17	06/30/22
4731-12-07	Podiatric Training Certificates	04/18/22								06/30/17	06/30/22
4731-13-01	Conduct of Hearings - Representative; Appearances	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-02	Filing Request for Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	No change				04/12/26
4731-13-03	Authority and Duties of Hearing Examiners	08/26/20	10/14/20	amended filing 1/6/21 10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-04	Consolidation	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-05	Intervention	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-06	Continuance of Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-07	Motions	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-13-07.1	Form and page limitations for briefs and memoranda	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-08	Filing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-09	Service	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-10	Computation and Extension of Time	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-11	Notice of Hearings	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-12	Transcripts	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-13	Subpoenas for Purposes of Hearing	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-14	Mileage Reimbursement and Witness Fees	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-15	Reports and Recommendations	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-16	Reinstatement or Restoration of Certificate	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-17	Settlements, Dismissals, and Voluntary Surrenders	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-18	Exchange of Documents and Witness Lists	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-20	Depositions in Lieu of Live Testimony and Transcripts in place of Prior Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-20.1	Electronic Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-21	Prior Action by the State Medical Board	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-22	Stipulation of Facts	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-23	Witnesses	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-24	Conviction of a Crime	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-25	Evidence	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-26	Broadcasting and Photographing Administrative Hearings	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-27	Sexual Misconduct Evidence	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26

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4731-13-28	Supervision of Hearing Examiners	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-30	Prehearing Conference	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-31	Transcripts of Prior Testimony	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-32	Prior Statements of the Respondent	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-33	Physician's Desk Physician	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-13-34	Ex Parte Communication	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-35	Severability	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	no change				04/12/26
4731-13-36	Disciplinary Actions	08/26/20	10/14/20	10/23/20	04/02/21	04/12/21	05/17/21	06/07/21	07/14/21	07/31/21	07/31/26
4731-14-01	Pronouncement of Death	01/25/21	03/10/21	03/18/21		05/27/21	06/28/21		09/08/21	09/30/21	09/30/26
4731-15-01	Licensee Reporting Requirement; Exceptions									11/17/17	11/17/22
4731-15-02	Healthcare Facility Reporting Requirement									11/17/17	11/17/22
4731-15-03	Malpractice Reporting Requirement									11/17/17	11/17/22
4731-15-04	Professional Society Reporting									11/17/17	11/17/22
4731-15-05	Liability; Reporting Forms; Confidentially and Disclosure									11/17/17	11/17/22
4731-16-01	Rules governing impaired physicians and approval of treatments programs - Definitions									11/17/17	11/17/22
4731-16-02	General Procedures in Impairment Cases	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	11/17/22
4731-16-04	Other Violations									11/17/17	11/17/22
4731-16-05	Examinations	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	11/17/22
4731-16-06	Consent Agreements and Orders for Reinstatement of Impaired Practitioners								01/12/22	01/31/22	11/17/22
4731-16-07	Treatment Provider Program Obligations									11/17/17	11/17/22
4731-16-08	Criteria for Approval	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21			11/17/17	11/17/22
4731-16-09	Procedures for Approval									11/17/17	11/17/22
4731-16-10	Aftercare Contracts									11/17/17	11/17/22

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-16-11	Revocation, Suspension, or Denial of Certificate of Good Standing									11/17/17	11/17/22
4731-16-12	Out-of-State Impairment Cases									11/17/17	11/17/22
4731-16-13	Patient Consent; Revocation of Consent									11/17/17	11/17/22
4731-16-14	Caffeine, Nicotine, and Over-The Counter Drugs									11/17/17	11/17/22
4731-16-15	Patient Rights									11/17/17	11/17/22
4731-16-17	Requirements for the one-bite program									01/31/19	01/31/24
4731-16-18	Eligibility for the one-bite program									01/31/19	01/31/24
4731-16-19	Monitoring organization for one-bite program									01/31/19	01/31/24
4731-16-20	Treatment providers in the one-bite program									01/31/19	01/31/24
4731-16-21	Continuing care for the one-bite program									01/31/19	01/31/24
4731-17-01	Exposure-Prone Invasive Procedure Precautions - Definitions	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-17-02	Universal Precautions	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26
4731-17-03	Hand Washing	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26
4731-17-04	Disinfection and Sterilization	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-17-05	Handling and Disposal of Sharps and Wastes	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-17-06	Barrier Techniques	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21			no change		02/11/26
4731-17-07	Violations	08/26/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-18-01	Definitions	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6-9-21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26
4731-18-02	Use of Light Based Medical Devices	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6-9-21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26
4731-18-03	Delegation of the Use of Light Based Medical Devices	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6-9-21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-18-04	Delegation of phototherapy and photodynamic therapy	01/10/18	01/20/20	05/12/20	04/05/21	04/09/21	refiled 6-9-21 5/17/2021	06/25/21	07/14/21	07/31/21	07/31/26
4731-20-01	Surgery Privileges of Podiatrist - Definition of Foot									05/31/18	05/31/23
4731-20-02	Surgery: Ankle Joint									05/31/18	05/31/23
4731-22-01	Emeritus Registration - Definitions									08/31/17	08/31/22
4731-22-02	Application									08/31/17	08/31/22
4731-22-03	Status of Registrant									05/12/17	05/12/22
4731-22-04	Continuing Education Requirements									05/12/17	05/12/22
4731-22-06	Renewal of Cycle of Fees									05/12/17	05/12/22
4731-22-07	Change to Active Status	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	08/31/22
4731-22-08	Cancellation of or Refusal to Issue an Emeritus Registration									05/12/17	05/12/22
4731-23-01	Delegation of Medical Tasks - Definitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26
4731-23-02	Delegation of Medical Tasks	01/25/21	03/10/21	03/18/21	04/23/21	refiled 7/14/21 5/27/2021	06/28/21		09/08/21	09/30/21	09/30/26
4731-23-03	Delegation of Medical Tasks: Prohibitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26
4731-23-04	Violations	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21			no change		05/27/26
4731-24-01	Anesthesiologist Assistants - Definitions									07/31/19	07/31/24
4731-24-02	Anesthesiologist Assistants; Supervision									07/31/19	07/31/24
4731-24-03	Anesthesiologist Assistants; Enhanced Supervision									07/31/19	07/31/24
4731-25-01	Office-Based Surgery - Definition of Terms										03/01/23
4731-25-02	General Provisions									05/31/18	05/31/23
4731-25-03	Standards for Surgery Using Moderate Sedation/Analgesia									05/31/18	08/31/23
4731-25-04	Standards for Surgery Using Anesthesia Services									05/31/18	05/31/23
4731-25-05	Liposuction in the Office Setting									03/01/18	03/01/23

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-25-07	Accreditation of Office Settings									05/31/18	05/31/23
4731-25-08	Standards for Surgery									09/30/19	09/30/24
4731-26-01	Sexual Misconduct - Definitions	01/25/21	03/10/21	03/18/21	04/23/21	refiled 7/14/21 5/27/2021	06/28/21		09/08/21	09/30/21	09/30/26
4731-26-02	Prohibitions	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21	06/28/21		09/08/21	09/30/21	09/30/26
4731-26-03	Violations; Miscellaneous	01/25/21	03/10/21	03/18/21	04/23/21	05/27/21	06/28/21		09/08/21	09/30/21	09/30/26
4731-27-01	Definitions									02/04/19	02/02/24
4731-27-02	Dismissing a patient from the medical practice									05/31/19	05/31/24
4731-27-03	Notice of termination of physician employment or physician leaving a practice, selling a practice, or retiring from the practice of medicine									05/31/19	05/31/24
4731-28-01	Mental or Physical Impairment									08/31/17	08/31/22
4731-28-02	Eligibility for confidential monitoring program									08/31/18	08/31/23
4731-28-03	Participation in the confidential monitoring program									08/31/18	08/31/23
4731-28-04	Disqualification from continued participation in the confidential monitoring program									08/31/18	08/31/23
4731-28-05	Termination of the participation agreement for the confidential monitoring program									08/31/18	08/31/23
4731-29-01	Standards and procedures for operation of a pain management clinic.									06/30/17	06/30/22
4731-30-01	Internal Management Definitions									09/23/18	09/23/23
4731-30-02	Internal Management Board Metrics	07/26/19								09/23/18	09/23/23
4731-30-03	Approval of Licensure Applications	06/17/21				refiled 11-4-21 5/7/2020			01/12/22	01/31/22	10/17/24
4731-30-04	Maintenance of List of Disqualifying Criminal Offenses	08/13/21				refiled 11-4-21			09/08/21	12/31/21	12/31/26
4731-31-01	Requirements for assessing and granting clearance for return to practice or competition. (concussion rule)						04/10/19	05/13/19		11/30/19	11/30/24

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4731-32-01	Definition of Terms									09/08/17	09/08/22
4731-32-02	Certificate to Recommend Medical Marijuana									09/08/17	09/08/22
4731-32-03	Standard of Care									09/08/17	09/08/22
4731-32-04	Suspension and Revocation of Certificate to Recommend									09/08/17	09/08/22
4731-32-05	Petition to Request Additional Qualifying Condition or Disease									09/08/17	09/08/22
4731-33-01	Definitions	05/09/19		11/15/19	05/20/20	06/18/20	07/23/20	08/17/20	10/14/20	10/31/20	04/30/24
4731-33-02	Standards and procedures for withdrawal management for drug or alcohol addiction	05/09/19		11/15/19	05/20/20	06/18/20	07/23/20	08/17/20	10/14/20	10/31/20	10/31/25
4731-33-03	Office-Based Treatment for Opioid Addiction									04/30/19	04/30/24
4731-33-04	Medication Assisted Treatment Using Naltrexone									04/30/19	04/30/24
4731-34-01	Standards and Procedures to be followed by physicians when prescribing a dangerous drug that may be administered by a pharmacist by injection.									07/31/19	07/31/24
4731-35-01	Consult Agreements	01/25/21	04/14/21	04/26/21	06/04/21	09/22/21	10/29/21	11/08/21	12/08/21	12/31/21	10/31/25
4731-35-02	Standards for managing drug therapy	01/25/21	04/14/21	04/26/21	06/04/21	09/22/21	10/29/21	11/08/21	12/08/21	12/31/21	10/31/25
4731-36-01	Military provisions related to education and experience requirements for licensure	06/17/21	09/08/21	09/24/21	10/27/21	10/29/21	12/03/21		01/12/22	01/31/22	10/29/21
4731-36-02	Military provisions related to renewal of license and continuing education	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25
4731-36-03	Processing applications from service members, veterans, or spouses of service members or veterans.	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25
4731-36-04	Temporary license for military spouse	02/11/20	02/12/20	02/14/20		02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4731-37-01	Telemedicine	02/12/22	05/11/22	05/16/22							
4731-38-01	Licenses Issued or Renewed Under the Interstate Medical Licensure Compact	11/12/21	01/12/22	01/14/22	02/14/22	02/18/22	03/25/22		05/11/22	05/31/22	05/31/27
4759-2-01	Definitions									11/30/19	11/30/24
4759-4-01	Applications									11/30/19	11/30/24
4759-4-02	Preprofessional experience										08/28/24
4759-4-03	Examination									11/30/19	11/30/24

Rule Number	Rule Description	Sent for Initial Comment	Board Approval to File with CSI	CSI filing	CSI recommendation	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4761-7-04	Supervision			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25
4761-7-05	Administration of medicines										11/15/23
4761-8-01	Renewal of license or permits	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25
4761-9-01	Definition of respiratory care continuing education			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	02/28/24
4761-9-02	General RCCE requirements and reporting mechanism	03/22/19	06/12/19	12/05/19	09/11/20	09/25/20	10/27/20	11/16/20	12/09/20	12/31/20	12/31/25
4761-9-03	Activities which do not meet the Ohio RCCE requirements									02/28/19	02/28/24
4761-9-04	Ohio respiratory care law and professional ethics course criteria			11/06/19	01/10/20	Refiled 8/24/20 6/18/2020	9/24/20 7/23/2020	08/17/20	11/10/20		02/28/24
4761-9-05	Approved sources of RCCE			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	02/28/24
4761-9-07	Auditing for compliance with RCCE requirements			11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25
4761-10-01	Ethical and professional conduct									02/28/19	02/28/24
4761-10-02	Proper use of credentials										11/15/23
4761-10-03	Providing information to the Board	04/23/19	06/12/19	11/06/19	01/10/20	06/18/20	07/23/20	08/17/20	09/09/20	09/30/20	09/30/25
4761-15-01	Miscellaneous Provisions	02/12/22	05/11/22	05/16/22						02/28/19	02/28/24
4774-1-01	Definitions	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21			no change	02/11/21	02/11/26
4774-1-02	Application for Certificate to Practice	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4774-1-03	Renewal of Certificate to Practice	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21	03/15/21	03/29/21	05/12/21	05/31/21	05/31/26
4774-1-04	Miscellaneous Provisions	04/29/20	10/14/20	10/23/20	11/24/20	02/11/21			no change	02/11/21	02/11/26
4778-1-01	Definition									01/29/19	01/24/24
4778-1-02	Application									04/30/19	04/30/24
4778-1-03	Special Activity License									01/24/19	01/24/24
4778-1-05	Collaboration Agreement									04/30/19	04/30/24
4778-1-06	Miscellaneous Provisions	02/12/22	05/11/22	05/16/22						04/30/19	04/30/24



**SMBO Legislative Update:
July 2022**

Recent activity:

HB 203 – Occupational Licenses (Rep. Powell) (companion SB 131)

To require an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances.

Of Note:

- Requires automatic licensure of out of state applicants that meet certain criteria.

Status: Introduced in the House 3/10/2021. 1st House State & Local Government hearing 4/21/2021. 2nd House State & Local Government hearing 5/5/2021. 3rd House State & Local Government Hearing 6/10/2021. 4th House State and Local Government hearing 10/27/2021. 5th hearing House State and Local Government 1/26/2022. Reported out of House State & Local 4/6/2022. Passed the House 6/1/2022

SB 131 – Occupational Licensing (Reciprocity) (Sen. Roegner and Sen. McColley) (companion HB 203)

To require an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances.

Of note:

- Requires automatic licensure of out of state applicants that meet certain criteria.
- Allows for the licensing authority to take disciplinary action against an applicant, deny an application and determine fitness to practice of an applicant.
- Amended – A person who holds a license issued through an interstate licensure compact to which Ohio is a party is not required to obtain a license through reciprocity
- Amended – Delays the bill's effective date to 270 days after the bill's effective date

Status: Introduced in the Senate 3/16/2021. 1st Senate Workforce & Higher Education hearing 5/19/2021. 2nd Senate Workforce & Higher Education hearing 5/26/2021. 3rd Senate Workforce & Higher Education hearing 3/22/2022. 4th Senate Workforce & Higher Education hearing 5/18/2022. 5th Senate Workforce & Higher Education hearing 5/25/2022. Reported out of Senate Workforce & Higher Education 5/25/2022. Passed the Senate 6/1/2022.

HB 196 – Surgical Assistants (Rep. Kelly and Rep. Carruthers) To Regulate the practice of surgical assistants.

Of Note:

- Creates a new license type for surgical assistants to be overseen by the Medical Board.
- Amended – Revises the bill’s provision allowing an applicant who is not credentialed by a national organization as a surgical assistant to be eligible for licensure if the applicant has instead practiced as a surgical assistant at an Ohio hospital or facility during any part of the 6 month period that precedes the bill’s effective date by increasing that period to 18 months

Status: Introduced in the House 3/9/2021. 1st House Health hearing 4/20/2021. 2nd House Health hearing 5/11/2021. 3rd House Health hearing 12/7/21. 4th House Health hearing 2/15/2022. 5th House Health hearing 3/1/2022 *Approved sub bill. 6th House Health hearing 5/17/2022. 7th House Health hearing 5/24/2022. Reported out of House Health 5/24/2022

HB 81 – Massage Therapy (Rep. Plummer and Rep. Manchester) (companion bill SB 55)
To make changes to the laws governing massage establishments and massage therapy.

Of note:

- Change current law to no longer limit “massage therapy” to the treatment of disorders of the human body
- Standardizes, for purposes of regulation by the State Medical Board, townships, and municipal corporations, terminology regarding massage therapy and individuals authorized to perform massage therapy
- Eliminates township authority to issue licenses to individuals who perform massage therapy
- Requires that if a township opts to regulate massage establishments, the regulations must require all massage therapy to be performed only by specified state-licensed professionals or massage therapy students

Status: Introduced in the House 2/9/2021. Passed out of the House 6/24/2021. Referred to Senate Health 9/8/2021. 1st Senate Health hearing 5/18/2022. 2nd Senate Health hearing 6/1/2022.

HB 193 – Electronic Prescriptions (Rep. Cutrona and Rep. Pavliga)
Regarding electronic prescriptions and schedule II-controlled substances.

Of Note:

- Requires that all schedule II drugs be prescribed electronically.
- Exceptions a prescriber may issue a written rather than electronic prescriptions for a schedule II controlled substance: temporary technical, electrical, or broadband failure; prescription is issued for a nursing home resident or hospice care patient; the prescriber is employed by or under contract with the same entity that operates the pharmacy; the prescriber determines that an electronic prescription cannot be issued in a timely manner and the patient’s medical condition is at risk; the prescriber issues per year not more than 50 prescriptions for schedule II controlled substances; prescription issued from a health care facility or emergency department and the prescriber determines an electronic prescription would be impractical

- Amended – Modifies a provision of existing law, which allows a physician licensed in another state or territory, but unlicensed in Ohio, to provide consultation to physician licensed in Ohio, by requiring that the Ohio-licensed physician who receives the consultation from the out-of-state physician must have an established physician-patient relationship with the patient who is the subject of the consultation

Status: Passed out of the House 6/23/2021. 1st Senate Health hearing 10/20/2021. 2nd Senate Health hearing 11/17/21. 3rd Senate Health hearing 1/26/2022. 4th Senate Health hearing 6/1/2022. Reported out of Senate Health 6/1/2022. Passed out of the Senate 6/1/2022. House concurred with Senate amendments 6/1/2022. Signed by Governor 6/24/2022. Effective 9/24/2022

Actively Monitoring

SB 322 – Sex Offenses (Sen. Hackett)

Regarding sex offenses and individuals regulated by the State Medical Board

Of Note:

- Modifies the law governing sex offenses and medical professionals
- Increasing reporting requirements of suspected sexual activity by medical professionals; Allowing the board to suspend a license upon an indictment, as well as permitting an automatic 90 day suspension of a license of an individual whose license was suspended, revoked or surrendered in another jurisdiction; Requiring licensees to provide notification of their probationary status to their patients; Allowing the board to share the confidential investigation status of a licensee with the complainant; Adding a public member of the board to the internal investigatory process, to allow additional board insight into the handling of sexual misconduct

Status: Introduced in the Senate 4/12/2022. Referred to Senate Health committee 5/18/2022

SB 261- Changes to Medical Marijuana law (Sen. S. Huffman)

Of Note:

- Transfers portions of the Medical Marijuana Program from the Board of Pharmacy to the Department of Commerce; Expands the types of qualifying medical conditions; Adds a telehealth provision; Modifies the requirement that a CTR applicant demonstrate they don't have ownership or investment interest with an entity licensed as a dispensary; Allows the medical director of a dispensary who is a licensed CTR to recommend medical marijuana.

Status: Passed Senate 12/15/2022. 1st House Government Oversight hearing 2/17/22. 2nd Government Oversight hearing 3/16/2022. 3rd House Government Oversight hearing 3/24/2022. 4th Government Oversight hearing 4/27/2022

HB 60 – Authorize medical marijuana for autism spectrum disorder (Rep. Brent and Rep. Seitz)

Of Note:

- Allows Autism Spectrum Disorder to be included in qualifying conditions.

Status: Passed House 3/2/2022. 1st Senate Health Hearing 3/30/2022

HB 286 – Court of Common Pleas (Rep. Bill Seitz) (companion SB 189)

To generally change the venue in which appeal from an agency order is proper to the local court of common pleas.

Of note:

- Modifies the current Administrative Procedure Act by generally providing that a party adversely affected by an order of an agency may appeal from the order to the court of common pleas of the county in which the place of business of the party is located or the county in which the party is a resident.
- Removes the current provision that any party adversely affected by an order of an agency issued pursuant to any other adjudication may appeal, with certain exceptions, to the Franklin County Court of Common Pleas.
- Amended – requires that appeals of orders of specified agencies must be to the Franklin County Court of Common Pleas, or the county in which the licensee is a resident
- Amended - Requires appeals from an administrative order by any party who is not a resident of Ohio must be to the Franklin County Court of Common Pleas.

Status: Passed out of the House 3/30/2022. Referred to Senate Judiciary Committee 4/6/2022. 1st Senate Judiciary hearing 5/17/2022. 2nd Senate Judiciary hearing 5/24/2022

SB 189 – Change venue for appeal from an agency order (Sen. Lang and Sen. McColley) (companion SB 286)

Of Note:

- To generally change the venue in which appeal from an agency order is proper to the local court of common pleas.
- Modifies the current Administrative Procedure Act by generally providing that a party adversely affected by an order of an agency may appeal from the order to the court of common pleas of the county in which the place of business of the party is located or the county in which the party is a resident.
- Removes the current provision that any party adversely affected by an order of an agency issued pursuant to any other adjudication may appeal, with certain exceptions, to the Franklin County Court of Common Pleas.

Status: Introduced in the Senate 5/26/2021. 1st Senate Judiciary hearing 6/16/2021. 2nd Senate Judiciary Hearing 9/28/2021. 3rd Senate Judiciary hearing 10/5/2021. 4th Senate Judiciary hearing 10/26/2021. 5th Senate Judiciary hearing 3/29/2022.

HB 318 – Anesthesiologist Assistants (Rep. Swearingen and Rep. Plummer)

To revise the law governing the practice of anesthesiologist assistants.

Of Note:

- Adds anesthesiologist assistants to the list of individuals authorized to prescribe drugs or dangerous drugs or drug therapy related devices during professional practice.
- Adds anesthesiologist assistant list of practitioners from which a respiratory care therapist may receive orders or prescriptions.

Status: First House Health Hearing 10/12/2021. Second House Health Hearing 2/8/2022. Third House Health Hearing 3/1/2022 *Approved sub bill. 4th House Health hearing 5/31/2022
*Approved sub bill. Passed out of House Health Committee 5/31/2022

HB 509 – Revise and streamline occupational regulations (Rep. John and Rep. Fowler Arthur)

Of Note:

- Requires each occupational licensing board to prepare a report including fee structure for each license issued by the board, whether the fee structure can competitively align with neighboring states, whether the fee structure is a financial barrier for license holders.
- Requires the report be submitted to the Senate President, Speaker of the House and chairpersons of committees responsible for reviewing occupational licensing boards

Status: Passed out of the House 3/23/2022. Referred to Senate Workforce & Higher Education 3/29/2022. 1st Senate Workforce & Higher Education hearing 5/25/2022

SB 55 – Massage Therapy (Sen. Brenner) (companion bill HB 81)

To make changes to the laws governing massage establishments and massage therapy.

Of Note:

- Requires any individual practicing massage within the state to obtain the current massage therapy license issued by the State Medical Board.

Status: Introduced in Senate 2/9/2021. 1st Senate Health hearing 2/24/2021. 2nd Senate Health hearing 3/3/2021. 3rd Senate Health hearing 3/10/2021. 4th Senate Health hearing 3/17/2021. 5th Senate Health hearing 5/19/2021. Passed out of Senate Health Committee 5/19/2021.

HB 356 – Drugs (Rep. Loychik and Rep. Bird)

Regarding drug offenses and treatment.

Of Note:

- Proposes to reduce the abuse of prescription opioids, establish addiction treatment facilities, increase penalties for drug trafficking violations, modify penalties for drug possession, require an offender convicted of a drug possession or drug trafficking offense involving certain drugs to be subject to ten years of post-release control, allow a criminal defendant who has a severe substance use disorder involving certain drugs to be confined by a state detoxification provider while awaiting trial, create restitution work programs, and make an appropriation.

- Limits opioid prescriptions for acute pain to three days. Then, re-examination of the patient is required, and the prescriber may issue a new prescription for more than 3 days.
- Allows health related licensing board to adopt rules specifying circumstances under which a prescriber may issue an initial prescription for an opioid to treat acute pain in an amount that exceeds three days.

Status: Introduced in the House 6/21/2021. 1st House Criminal Justice hearing 11/10/2021. 2nd House Criminal Justice hearing 3/24/2022. 3rd House Criminal Justice hearing 4/6/2022

HB 476 – Create Parkinson’s disease registry; change awareness month (Rep. Bird and Rep. Lightbody)

Establish a Parkinson’s disease registry and to change the observance of “Parkinson’s Disease Awareness Month” from September to April

Of Note:

- Requires that each individual case of Parkinson’s disease be reported to the registry by the physician, physician assistant, group practice, hospital or health care facility that employs the professional who diagnosed or treated the patients Parkinson’s disease
- A health care provider may be disciplined by the provider’s licensing board for failure to comply with the bill’s reporting requirements

Status: Passed out of the House 4/6/2022. Referred to Senate Health committee 5/18/2022

HB 631 – Promote Alternative Treatments for COVID (Rep. Jordan)

To protect the health care professional-patient relationship, to promote alternative drugs and therapies for the treatment of SARS-CoV-2, including its variants, and COVID-19.

Of Note:

- Allows for off label drug use for patients diagnosed with COVID-19 or its variants
- Requires each health board and department to promote and increase distribution of these drugs
- Denies the department of health, state medical board or board of nursing from suppressing the promotion or access to these drugs
- Denies reprimand of health care professionals for prescribing or promoting these drugs

Status: Introduced in House 4/21/2022. Referred to House Civil Justice committee 5/17/2022

SB 296 – Narcotics (Sen. Manning and Sen. S. Huffman)

Regards access to naloxone and certain narcotics testing products

Of Note:

- Adds physician assistants and advanced practice registered nurses to those who may authorize a pharmacist or pharmacy intern to dispense naloxone without a prescription.

Status: Introduced in the Senate 2/15/2022. 1st Senate Health hearing 3/16/2022. 2nd Senate Health hearing 3/23/22. 3rd Senate Health hearing 3/30/2022. 4th Senate Health hearing 4/6/2022

SB 311 – Coroners and Death Certificates (Sen. S. Huffman and Sen. Johnson)

Revise the law governing coroners and death certificates

Of Note:

- Requires that collaboration agreements between APRN's and collaborating physicians, and supervision agreements between physician assistants and supervising physicians, contain an agreement that the physician must complete and sign the medical certificate of death, regardless of coroner jurisdiction

Status: Introduced in the Senate 3/10/2022. 1st Senate Health hearing 3/30/2022. 2nd Senate Health hearing 4/6/2022

HB 64 – Regards fraudulent assisted reproduction (Rep. Powell)

To create the crime of fraudulent assisted reproduction and civil actions for an assisted reproduction procedure without consent.

Of Note:

- Prohibits a health care professional from purposely or knowingly using human reproductive material from a donor while performing an assisted reproduction procedure if the person receiving the procedure has not expressly consented to the use of that donor's material.
- Creates the crime of fraudulent assisted reproduction, making it a third-degree felony and allows for civil action against a fertility doctor within ten years of the offense.

Status: Introduced in the House 2/4/2021. 1st House Criminal Justice hearing 2/25/2021. 2nd House Criminal Justice hearing 3/17/2021. 3rd House Criminal Justice hearing 3/3/2022. 4th House Criminal Justice hearing 4/6/2022. Reported out of House Criminal Justice 4/6/2022

HB 451- Physician administered drugs (Rep. Manning, Rep. Oelslager)

To amend the law related to physician-administered drugs

Of Note:

- Prohibits a health benefit plan from requiring that physician-administered drugs be dispensed by a pharmacy, limiting coverage when such drugs are not dispensed by a pharmacy or affiliated pharmacy, or covering such drugs with higher cost-sharing if dispensed in a setting other than a pharmacy

Status: 1st House Insurance hearing 1/26/22. 2nd House Insurance hearing 2/9/2022. 3rd House Insurance hearing 3/23/2022. 4th House Insurance hearing 5/18/2022. 5th House Insurance hearing 5/25/2022

HB 50 – Medical Devices (Rep. Miranda)

Enact Paige's Law re: medical identifying devices

Of Note:

- Modifies the law governing the use of medical identifying devices, including by recognizing devices containing bar or quick response codes that may be scanned to obtain medical information in an emergency

Status: Introduced in the House 2/4/2021. 1st House Health hearing 1/25/2022. 2nd House Health hearing 2/15/2022. 3rd House Health hearing 5/17/2022

HB 378 – Abortion Reversal (Rep. Koehler and Rep. Fowler Arthur)

Regarding pretreatment notice about the possibility of reversing a mifepristone abortion.

Of Note:

- Prohibits a physician from performing a mifepristone abortion without both informing the patient of the possibility to reverse the mifepristone abortion if she changes her mind and providing information from the Department of Health website on assistance with reversing the effects of the of the mifepristone abortion
- Criminalizes violations of the previous requirements as a misdemeanor of the first degree.
- Allows a patient who a mifepristone abortion is performed on to file a wrongful death suit against an individual who fails to inform the patient of the possibility of reversal.

Status: Introduced in the House 7/15/2021. Referred to House Health 9/16/2021. 1st House Health hearing 2/15/2022. 2nd House Health hearing 3/8/2022. 3rd House Health hearing 3/22/2022

Closely monitoring

HB 41– Exempt mental health care providers' info from Public Records Law (Rep. Lanese and Rep. Liston)

To exempt certain mental health care providers' residential and familial information from disclosure under the Public Records Law.

Of Note:

- Adds forensic mental health providers, mental health evaluation providers, and regional psychiatric hospital employees to the list of professions, consolidated in continuing law into the term “designated public service worker,” whose residential and familial information is exempted from disclosure under the Public Records Law.

Status: Passed out the House 2/4/2021. 1st Senate Health hearing 3/24/2021. 2nd Senate Health hearing 10/6/2021

HB 435 – Vaccinations (Rep. Carfagna and Rep. Seitz)

To extend certain timelines for qualified civil immunity and expand immunity to include hearing aid dealers and hearing aid fitters; to authorize emergency medical technicians to administer

COVID-19 tests; to expressly cover COVID-19 vaccine injuries under the workers' compensation system.

Of Note:

- Sunsets June 30, 2023
- Provides vaccine mandate exemption for vaccines that have not received an FDA biologics license.
- Most public and private sector would be able to receive exemptions:
 - a) Medical contraindications; - shall provide a written statement from primary care provider
 - b) Natural immunity: - responsible for any costs or fees associated with demonstrating natural immunity to the employer.
 - c) Reasons of conscience, including religious convictions. -shall provide a written statement

Status: Introduced in the House 9/28/2021. Reported 9/29/2021. Re-referred to House Rules and Reference 9/29/2021.

SB 150 – Physician Contracts (Sen. Johnson and Sen. Williams)

To prohibit the use of noncompete provisions in physician employment contracts.

Of Note:

- Would prohibit the use of noncompete provisions in physician employment contracts.

Status: Introduced in the Senate 3/31/2021. 1st Senate Small Business & Economic Opportunity hearing 5/5/2021. 2nd Senate Small Business & Economic Opportunity hearing 5/12/2021. 3rd Senate Small Business & Economic Opportunity hearing 10/27/21.

SB 151 – Infant Medical Treatment (Sen. Johnson)

To establish standards for the medical treatment of certain infants and to name the act Emery and Elliot's Law.

Of Note:

- Outlines medical treatment for mothers and infants in emergency situations or infants with a disability.

Status: Introduced in the Senate 3/31/2021. 1st Senate Health hearing 6/2/2021. 2nd Senate Health hearing 9/15/2021

SB 48 – Cultural Competency (Sen. Maharath and Sen. Antonio)

To require certain health care professionals to complete instruction in cultural competency.

Of Note:

- Requires certain health care professionals to complete instruction in cultural competency and provide proof of completion at initial application for licensure and at renewal.
- Includes: dentists, nurses, pharmacists, physicians, psychologists, and social workers.

Status: Introduced in the Senate 2/3/2021. 1st Senate Health hearing 6/16/2021.

HB 160 – Health Estimates (Health care price transparency) (Rep. Holmes)

Regarding the provision of health care cost estimates.

Of Note:

- Authorizes the relevant regulatory boards to impose administrative remedies on a health plan issuer or health care provider who fails to comply with the bill's health care price transparency provisions.

Status: Introduced in the House 2/18/2021. 1st House Insurance Hearing 3/10/2021.

HB 43– Authorize public bodies to meet via video- and teleconference (Rep. Sobecki and Rep. Hoops)

To authorize public bodies to meet via teleconference and video conference.

Of Note:

- Allows public bodies to meet and hold hearings via teleconference or video conference.
- Requires public bodies to provide the public with access to meetings and hearings commensurate with the method in which the meeting is being conducted.

Status: Introduced in the House 2/4/2021. Referred to House Government Oversight committee 2/4/2022. 1st House Government Oversight hearing 2/11/2021.

SB 123 – Abortion (Sen. Roegner and Sen. O'Brien) (companion HB 598)

To enact the Human Life Protection Act to prohibit abortions based upon a condition precedent.

Of Note:

- Prohibits, as the crime of criminal abortion, a person from purposely causing or inducing an abortion by using a drug or substance or an instrument or other means.
- Provides that criminal abortion is a felony of the fourth degree.
- Provides an affirmative defense to a criminal abortion charge if the physician performed or induced the abortion, or attempted to do so, under the determination that it was necessary to prevent the woman's death or a serious risk of the substantial and irreversible impairment of a major bodily function.
- Requires the State Medical Board to revoke a physician's license to practice if the physician is guilty of abortion manslaughter, criminal abortion, or promoting abortion.

Status: Introduced in the Senate 3/9/2021. 1st Senate Health hearing 9/29/2021. 2nd Senate Health Hearing 10/27/2021.

HB 598 – Abortion (Rep. Schmidt) (companion SB 123)

To enact the Human Life Protection Act to prohibit abortions based upon a condition precedent

Of Note:

- Prohibits, as the crime of criminal abortion, a person from purposely causing or inducing an abortion by using a drug or substance or an instrument or other means.
- Provides that criminal abortion is a felony of the fourth degree.

- Provides an affirmative defense to a criminal abortion charge if the physician performed or induced the abortion, or attempted to do so, under the determination that it was necessary to prevent the woman's death or a serious risk of the substantial and irreversible impairment of a major bodily function.
- Requires the State Medical Board to revoke a physician's license to practice if the physician is guilty of abortion manslaughter, criminal abortion, or promoting abortion.

Status: Introduced in the House 3/15/2022. Referred to House Government Oversight 3/22/2022. 1st House Government Oversight hearing 4/27/2022. 2nd House Government Oversight hearing 5/19/2022. 3rd House Government Oversight hearing 5/26/2022.

SB 161 – Surgical Smoke (Sen. Brenner)

Regards surgical smoke.

Of Note:

- Requires that not later than one year after the effective date of enactment, each ambulatory surgical facility shall adopt and implement a policy designed to prevent human exposure to surgical smoke during any planned surgical procedure that is likely to generate surgical smoke.
- The policy shall include the use of a surgical smoke evacuation system.

Status: Introduced in the Senate 4/15/2021. 1st Senate Health hearing 9/22/2021. 2nd Senate Health hearing 11/10/2021. 3rd Senate Health hearing 3/16/2022.

SB 206 – Art & Music Therapists (Sen. Yuko and Sen. Brenner) (companion HB 359)

To license and regulate art therapists and music therapists.

Of Note:

- Creates a new license type for music therapists to be regulated under the Medical Board

Status: Introduced in the Senate 7/1/2021. Assigned to Senate Health 9/8/2021. 1st Senate Health hearing 5/18/2022

HB 359 – Art & Music Therapists (Rep. Russo and Rep. Callender) (companion SB 206)

To license and regulate art therapists and music therapists.

Of Note:

- Creates a new license type for music therapists to be regulated under the Medical Board

Status: Introduced in the House 6/24/2021. Referred to House State and Local Government 9/21/2021. Referred to House Primary & Secondary Education 6/25/2021

HB 221 – Advanced Practice Registered Nurses (Rep. Brinkman and Rep. Gross)

To modify the laws governing the practice of advanced practice registered nurses and to designate these provisions as the Better Access, Better Care Act.

Of Note:

- Would allow an APRN who has completed 2,000 clinical practice hours under a standard care arrangement the option to practice without a collaboration agreement.
- Allows an APRN who has not completed the required hours to enter into a standard care arrangement with an APRN who has completed 2,000 clinical practice hours.

Status: Introduced in the House 3/17/2021. Referred to House Health 3/23/2021.

HB 355 – Pregnancy (Rep. Boggs and Rep. Hicks-Hudson)

To authorize a pregnant minor to consent to receive health care to maintain or improve her life or the life of the unborn child she is carrying.

Of Note:

- Allows a pregnant minor to consent to receive health care, such as prenatal health care, health care during delivery, post-delivery health care, and family planning services, to maintain or improve her life or the life of the unborn child she is carrying.
- States that the bill does not remove or limit any person’s responsibility under Ohio law to report child abuse or neglect.

Status: Introduced in the House 5/19/2021. Referred to House Families, Aging and Human Services 6/24/2021.

HB 388 – Vaccine Refusal (Rep. Jordan)

To prohibit taking certain actions against an individual because the individual refuses to be vaccinated against a disease.

Of Note:

- Prohibits certain discriminatory actions against unvaccinated people

Status: Introduced in the House 8/12/2021.

HB 402 – Ohio Midwife Practice Act (Rep. Boyd and Rep. Hicks-Hudson)

To regulate the practice of certified professional midwives and to name this act the Ohio Midwife Practice Act.

Of Note:

- Regulates the practice of certified professional midwives

Status: Introduced in the House 8/12/2021. Referred to House Families, Aging and Human Services 9/21/2021.

HB 495- Create Patient Protection Act (Representative Gross)

Of Note:

- Requires specified health care professionals (including physicians, PA’s, anesthesiology assistants, limited branch licensees, acupuncturists and genetic counselors) to offer patients medical chaperones and to establish certain mandatory reporting requirements for health care professionals.

- The health care professional may refuse to conduct an exam if the patient or patient's representative declines to have a medical chaperone present during the exam

Status: Introduced in the House 11/23/2021. Referred to the House Families Aging and Human Services 12/7/2021

HB 496 – Regulate the Practice of Certified Midwives (Rep. Koehler)

To regulate the practice of certified nurse-midwives, certified midwives, and certified professional midwives

Of Note:

- Regulates the practice of certified professional midwives

Status: Introduced in the House 11/29/2021. Referred to House Families Aging and Human Services 12/7/21. 1st House Families, Aging & Human Services hearing 2/7/2022. 2nd House Families, Aging & Human Services hearing 5/19/2022

HB 645 – Dispensing Pharmacies (Rep. Fraizer and Rep. Holmes)

To authorize the operation of remote dispensing pharmacies

Of Note:

- Authorized the operation of remote dispensing pharmacies and charges the State Board of Pharmacy with their regulations
- Requires a remote dispensing pharmacy to be staffed by two or more pharmacy interns or certified pharmacy technicians and overseen and operated by both a supervising pharmacy and pharmacist through the use of a telepharmacy system.

Status: Introduced in the House 5/11/2022. Referred to House Health 5/17/2022. 1st House Health hearing 5/24/2022.

HB 652 – Automated Rx Reporting System (Rep. Plummer and Rep. T. Young)

To revise the law governing the review of patient information in the Ohio Automated Rx Reporting System, to establish requirements on the dispensing of opioid analgesics, to provide for a cash transfer.

Of Note:

- Requires health related licensing boards to adopt guidelines regarding patient counseling and education to be provided by a health care professional when prescribing an opioid analgesic for five or more days
- Revises the law requiring prescribers to review patient information in OARRS, by eliminating an exception for an opioid analgesic prescribed or personally furnished for seven days

Status: Introduced in the House 5/12/2022. Referred to House Health committee 5/17/2022. 1st House Health hearing 5/24/2022

HB 680 – Preventative Care Act (Rep. T. Young and Rep. Stein)

Regards certain off-label use of drugs, products, and devices approved or authorized by the USFDA

Of Note:

- Allows for off-label drug treatment for patients at risk of having another qualifying condition
- Other qualifying condition means a preventable, acute or chronic health condition caused by a contagion that has resulted in the death of at least one person in this state

Status: Introduced in the House 5/16/2022. Referred to House Health committee 5/18/2022

HB 454 – Sex Alteration (Rep. Glick and Rep. Grendell)

Enact the Save Adolescents from Experimentation (SAFE) Act

Of Note:

- Bans physicians, mental health providers, or other medical health care professionals from performing gender transition procedures or referring to a medical health care professional for gender transition procedures if the individual is under 18 years old
- Any violation will be considered unprofessional conduct and subject to disciplinary action from the licensing body

Status: Introduced in the House 10/19/2021. Referred to House Families, Aging and Human Services 10/26/2021. 1st House Families, Aging and Human Services hearing 2/17/2022. 2nd House Families, Aging and Human Services hearing 5/19/2022. 3rd House Families, Aging and Human Services hearing 5/26/2022. 4th House Families, Aging and Human Services hearing 6/1/2022.

Operationalizing

SB 6 – Join Interstate Medical Licensure Compact (Sen. Roegner and Sen. Steve Huffman)

Of Note:

- Actively working through implementation

Status: Passed out of the legislature 6/24/2021. Signed by Governor DeWine 7/1/2021. Required to be operational by 9/28/2022.

HB 110 – State Operating Budget (Rep. Oelslager)

Creates appropriations for FY 2022-2023.

Of Note:

- The Medical Board budget request was granted in the first version of the bill and remained in the final version.

Status: Passed out of the legislature 6/28/2021. Signed by Governor DeWine 6/30/2021. Provisions with appropriations are effective 6/30/2021. All other provisions are effective 9/30/2021.

Sub HB 51- Valuation determinations for property damage from natural events with language to reauthorize remote hearing authority for Ohio public entities. Contains emergency clause.

Of Note:

- Public bodies could choose to meet remotely through June 30 under legislation passed by the Senate on Wednesday with an emergency clause. House concurred in Senate Amendments 2/9/2022. Signed by Governor DeWine (2/17/2022). Effective date 2/17/2022

SB 9 – Regulations (Sen. McColley and Sen. Roegner)

To reduce regulatory restrictions in administrative rules.

Of Note:

- Requires certain agencies to reduce the number of regulatory restrictions in their administrative rules.
- Changes the criteria that all agencies must use when conducting a five-year review of an existing rule to match the act's criteria for elimination of regulatory restrictions

Status: Passed out of the Senate 3/10/2021. Third hearing in House Government Oversight held 10/28/2021. Passed House 3/2/2022. Senate concurred in House Amendments 3/2/2022. Signed by Governor DeWine 3/10/2022. Effective Date: 6/7/2022

Enacted but no operational changes needed

HB 6 – Modify laws governing certain professions due to COVID-19 (Rep. Roemer)

To modify the laws governing certain health professionals and educator preparation programs due to COVID-19.

Of Note:

- Allows pharmacists to administer immunization for influenza, COVID-19, and any other disease but only pursuant to prescription for persons seven or older.
- Allows pharmacists to administer immunizations for a disease to those 13 and older.
- Allows podiatrists to administer vaccinations for individuals seven and older for influenza and COVID-1.

Status: Enacted 5/14/2021. Certain provisions effective 10/9/2021.

HB 176 – Athletic Training (Rep. Carfagna and Rep. Hall)

To revise the law governing the practice of athletic training.

Of note:

- Makes changes to the law governing the practice of athletic training, including by requiring an athletic trainer to practice under a collaboration agreement with a physician or podiatrist.
- Amendment was included in the final version to prohibit an athletic trainer from administering intratendinous and intra-articular injections.

Status: Passed out of the House 5/5/2021. Passed out of the Senate 9/28/2021. Signed 10/28/2021. Effective 1/25/2022.

HB 37– Emergency Prescription Refills (Rep. Gayle Manning)

Regards emergency prescription refills.

Of Note:

- Increases from one to three the number of times that a pharmacist may dispense, without a prescription, certain drugs (dangerous drugs, other than a schedule II controlled substance) to a specific patient within a 12-month period.

Status: Passed out the House 5/5/2021. Third Senate Health hearing 10/6/2021. 1/26/22, voted out of Senate Health Committee with one technical amendment from LSC. Passed Senate 2/9/2022. House concurred in Senate Amendments 2/16/2022. Signed by Governor DeWine 3/2/2022. Effective 6/1/2022

HB 138 – Emergency Medical Services (Rep. Baldrige)

Regarding the scope of emergency medical services provided by emergency medical service personnel.

Of Note:

- Eliminates the enumeration of specific services that may be provided by emergency medical services (EMS) personnel.
- Requires the State Board of Emergency Medical, Fire, and Transportation Services to establish the scope of practice for EMS personnel through rulemaking.
- Permits EMS personnel to comply with a do-not-resuscitate order issued by a physician assistant or advanced practice registered nurse.
- Requires the medical director or cooperating physician advisory board of each EMS organization to establish protocols for EMS personnel to follow when providing services at all times.

Status: Passed out of the House 6/16/2021. 1st Senate Health hearing 9/29/2021. 2nd Senate Health hearing 10/20/2021. 3rd Senate Health hearing 2/9/2022. 4th Senate Health hearing. Reported out of Senate Health 3/2/2022. Passed out of the Senate 3/16/2022. House Concurred in Senate Amendments 3/23/2022. Waiting for Governor DeWine's signature