



State Medical Board of
Ohio

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Statutes

Laws enacted by Ohio legislature
Ohio Revised Code (ORC)

Rules

Regulations developed and enacted
by Medical Board

Ohio Administrative Code (OAC)

Rules clarify & amplify provisions in
the Ohio Revised Code



The Board

The Medical Board is the state agency charged with regulating the practice of medicine and selected other health professions.

12 members appointed by the governor to 5-year terms:

- 9 doctors: 7 MDs, 1 DO, and 1 DPM
- 3 consumer members

The board meets the second Wednesday of each month in the Rhodes Tower.



License Types

The Medical Board regulates more than 88,000 licensees.

Allopathic Physicians 42,007	Anesthesiologist Assistants 278	Massage Therapists 11,638
Osteopathic Physicians 6,826	Physician Assistants 4,149	Cosmetic Therapists 176
Podiatric Physicians 981	Radiologist Assistants 18	Acupuncturists 247
Training Certificates MD-DO-DPM 8,004	Genetic Counselors 377	Oriental Medicine Practitioners 59
	Dietitians 4,353	Respiratory Care 8,391

Data from FY19 annual report



Licensure



Confidential investigations



Disciplinary actions

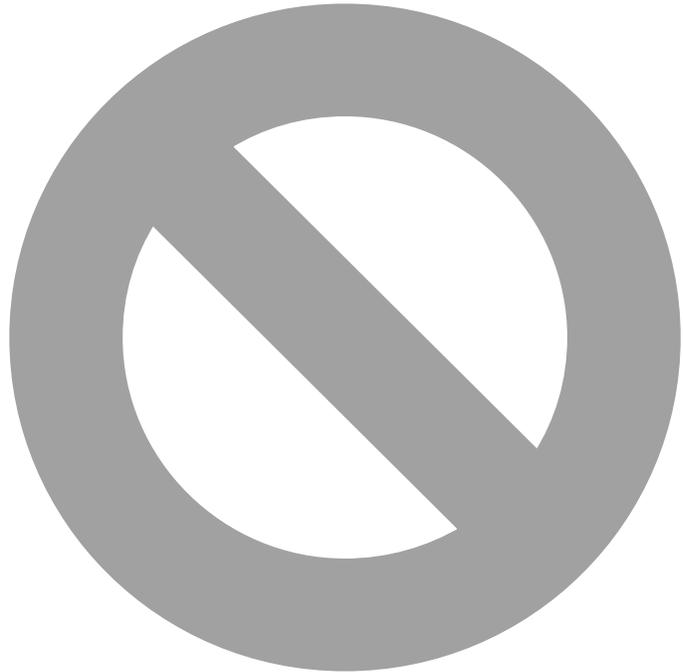


Probationary monitoring



Education & Outreach

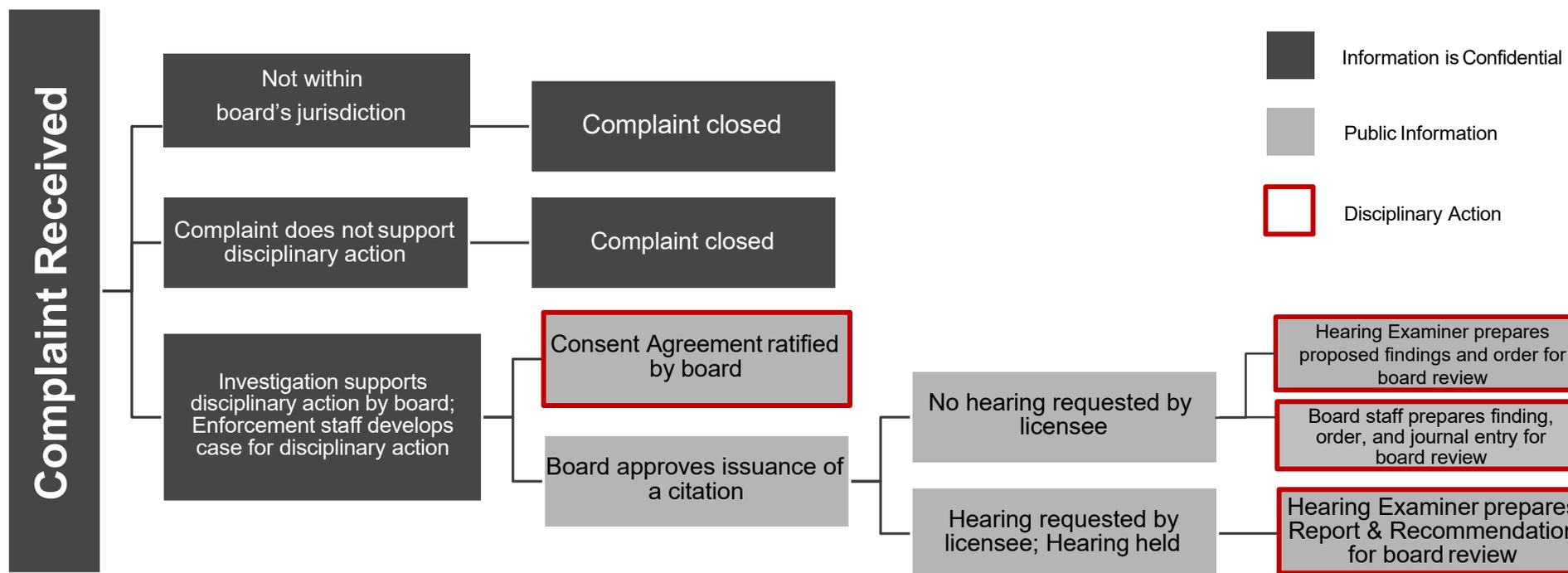
Medical Board Core Services



Unlicensed Practice

Practicing without a valid license is a **felony**.

Complaint Investigation Key Steps





Disciplinary Actions

Ohio statute identifies **51** grounds for board disciplinary action.

Board action examples:
dismissal, reprimand,
suspension, probation,
permanent revocation, etc.

LAWriter® Ohio Laws and Rules

Route: [Ohio Revised Code](#) » [Title 47 OCCUPATIONS - PROFESSIONS](#) » [Chapter 4731: PHYSICIANS: LIMITED PRACTITIONERS](#)

4731.22 Disciplinary actions.

(A) The state medical board, by an affirmative vote of not fewer than six of its members, may limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to grant a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate if the individual applying for or holding the license or certificate is found by the board to have committed fraud during the administration of the examination for a license or certificate to practice or to have committed fraud, misrepresentation, or deception in applying for, renewing, or securing any license or certificate to practice or certificate to recommend issued by the board.

(B) The board, by an affirmative vote of not fewer than six members, shall, to the extent permitted by law, limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to issue a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate for one or more of the following reasons:

- (1) Permitting one's name or one's license or certificate to practice to be used by a person, group, or corporation when the individual concerned is not actually directing the treatment given;
- (2) Failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease;
- (3) Except as provided in section [4731.97](#) of the Revised Code, selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug;
- (4) Willfully betraying a professional confidence.

For purposes of this division, "willfully betraying a professional confidence" does not include providing any information, documents, or reports under sections [307.621](#) to [307.629](#) of the Revised Code to a child fatality review board; does not include providing any information, documents, or reports to the director of health pursuant to guidelines established under section [3701.70](#) of the Revised Code; does not include written notice to a mental health professional under section [4731.62](#) of the Revised Code; and does not include the making of a report of an employee's use of a drug of abuse, or a report of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section [2305.33](#) of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by section [2305.33](#) or [4731.62](#) of the Revised Code upon a physician who makes a report in accordance with section [2305.33](#) or notifies a mental health professional in accordance with section [4731.62](#) of the Revised Code. As used in this division, "employee," "employer," and "physician" have the same meanings as in section [2305.33](#) of the Revised Code.

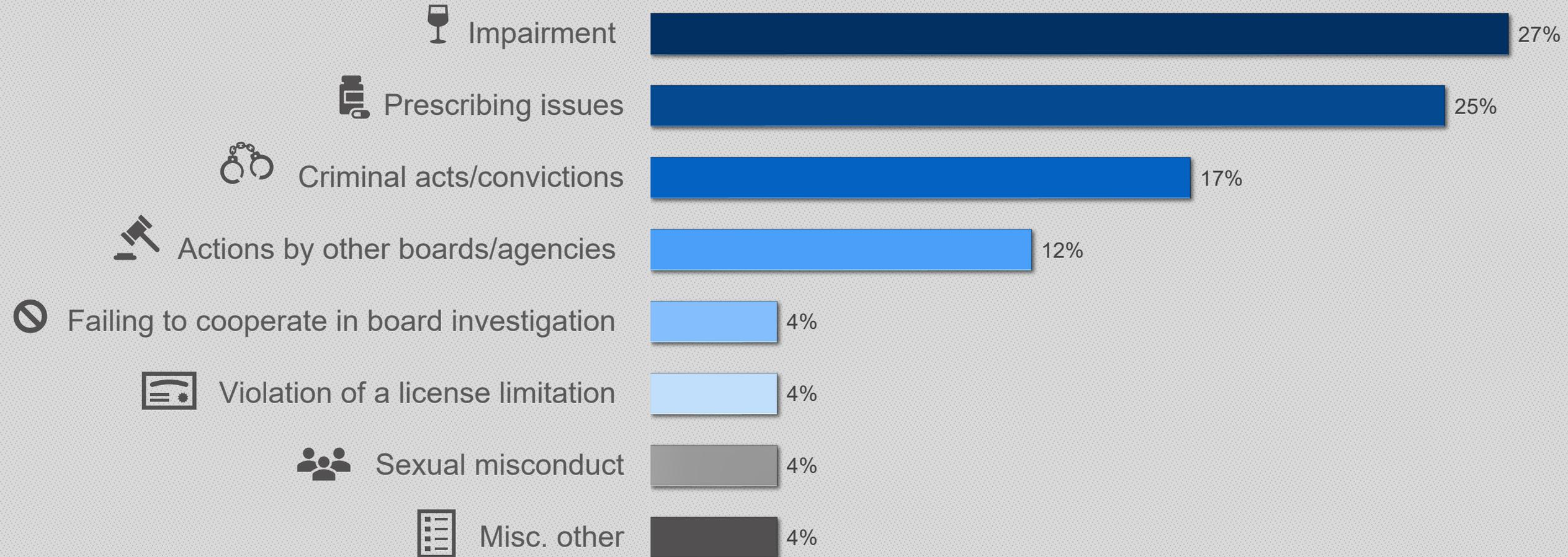
(5) Making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any license or certificate to practice issued by the board.

As used in this division, "false, fraudulent, deceptive, or misleading statement" means a statement that includes a misrepresentation of fact, is likely to mislead or deceive because of a failure to disclose material facts, is intended or is likely to create false or unjustified expectations of favorable results, or includes representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.

- (6) A departure from, or the failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established;
- (7) Representing, with the purpose of obtaining compensation or other advantage as personal gain or for any other person, that an incurable disease or injury, or other incurable condition, can be permanently cured;
- (8) The obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice;
- (9) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony;
- (10) Commission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed;
- (11) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in the course of practice;
- (12) Commission of an act in the course of practice that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed;
- (13) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor involving moral turpitude;

ORC 4731.22 (B)

FY19 Basis for Disciplinary Actions



Duty to Report

Licensees have a personal duty to report to the State Medical Board of Ohio when they believe an individual licensed by the Board has violated the Board's laws or rules including **sexual misconduct, impairment, practice below the minimal standards of care, and improper prescribing of controlled substances.**

Reports of misconduct to supervisors, law enforcement or health care system management do **NOT** fulfill the duty to report to the Board; failure to report could result in formal disciplinary action.





State Medical Board of Ohio's Confidential Complaint Hotline

1-833-333-SMBO (7626)

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