



Sub. H.B. 23

125th General Assembly
(As Passed by the General Assembly)

- Reps.** Wolpert, Fessler, Carano, McGregor, Perry, Husted, Calvert, Setzer, Flowers, J. Stewart, Seitz, D. Evans, Webster, Miller, Williams, Reidelbach, Ujvagi, Latta, Grendell, Distel, Widener, Boccieri, Kilbane, Allen, Beatty, Brown, Cirelli, Clancy, Daniels, DeBose, Domenick, C. Evans, Harwood, Hughes, Jolivette, Kearns, Oelslager, Otterman, S. Patton, T. Patton, Price, Schmidt, Schneider, D. Stewart, Strahorn, Taylor
- Sens.** Spada, Armbruster, Austria, Carey, Robert Gardner, Mumper, Nein, Prentiss, Schuler, Stivers, Randy Gardner, White, Roberts, Amstutz, Hagan

Effective date: October 29, 2003

ACT SUMMARY

- Adds four requirements that an out-of-state optometrist must satisfy to be licensed in this state.
- Removes a requirement for reciprocity in the licensure of out-of-state optometrists by permitting the State Board of Optometry to issue a license to an out-of-state applicant without regard to whether the other licensing state similarly grants licenses to Ohio optometrists.
- Permits the State Board of Optometry to issue a certificate of licensure, and a therapeutic pharmaceutical agents certificate, to an individual licensed as an optometrist in a Canadian province.
- Specifies that the application fees for the licensure by endorsement of an individual from another state or a Canadian province are non-refundable.
- Specifies that to be eligible for registration as a professional engineer, an applicant, in all cases, must complete four years or more of a required college curriculum.

CONTENT AND OPERATION

Licensure by endorsement

Former law permitted the State Board of Optometry (the "Board") to issue a certificate of licensure and a therapeutic pharmaceutical agents certificate to an individual licensed as an optometrist by another state if it determined that both of the following were true about the state of licensure:

(1) The other state had standards for the practice of optometry that were at least as stringent as the standards established by Ohio's Optometry Law (R.C. Chapter 4725.);

(2) The other state similarly granted licenses to practice optometry to individuals who hold certificates of licensure issued by the Board.

The act removes the second condition listed above and refers to this revised reciprocity provision as licensure "by endorsement" of the Board. The act also applies these reciprocity provisions to individuals who are licensed by Canadian provinces. (Sec. 4725.18(A).)

Specific requirements for the licensure in Ohio of an individual licensed by another state

Law largely retained by the act requires that an out-of-state applicant who wishes to receive a certificate of licensure and therapeutic pharmaceutical agents certificate in Ohio meet all of the following conditions:

(1) Hold a license to practice optometry from the other state that is in good standing, evidenced by a submission of a letter from the licensing agency of the other state;

(2) Have been actively engaged in the practice of optometry, including the use of therapeutic pharmaceutical agents, for at least three years immediately preceding making an application;

(3) Pay the application fees for a certificate of licensure and a therapeutic pharmaceutical agents certificate;

(4) Submit all transcripts, reports, or other information the Board requires;
and

(5) Not have been previously denied a license by the Board.

(6) Pass all or part of a licensing examination, if the Board determines that it is necessary. (Sec. 4725.18(B) and (C).)

The act makes application fees non-refundable (sec. 4725.18(B)(6)).

Additionally, the act adds four criteria that an out-of-state applicant for licensure by endorsement must satisfy. First, the applicant must meet the qualifications for a certificate of licensure and a therapeutic pharmaceutical agents certificate as specified in the Optometry Law, except for the passage of an examination (sec. 4725.18(B)(1)).

Second, the out-of-state applicant must participate in a two-hour instruction session on Ohio laws or pass an Ohio optometry jurisprudence test. Third, the out-of-state applicant must provide a certified report from the optometry licensing agencies of all states and provinces in which the applicant is licensed or has been licensed that reports any past or pending actions taken by the agency against the license of the applicant. The statement must include reports of investigations, suspensions, revocations, refusals to issue or renew a license, and consent agreements. Fourth, an applicant must be licensed to practice optometry by a state or province that requires passage of a written entry-level examination at the time of initial licensure. (Sec. 4725.18(B)(2), (4) and (8).)

Professional engineer education requirements

Under continuing law, one of the requirements for registration as a professional engineer is that an applicant satisfy one of the following education requirements:

(1) Graduation from an accredited engineering curriculum of four years or more;

(2) Graduation from a college curriculum in engineering that is not approved by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology;

(3) Graduation from a college curriculum in engineering technology that is accredited by the Technical Accreditation Commission of the Accreditation Board for Engineering and Technology.

The act specifies that if an applicant meets the educational requirements of graduating from a college curriculum in engineering that is not approved as described in (2) above, or from a college curriculum in engineering technology that is accredited as described in (3) above, that the curriculum must be for a period of time that is at least four years. (Sec. 4733.11(A)(2)(a).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-30-03	p. 81
Reported, H. Commerce & Labor	05-13-03	p. 474
Passed House (97-0)	05-20-03	p. 492
Reported, S. Insurance, Commerce, & Labor	06-24-03	p. 856
Passed Senate (33-0)	06-24-03	p. 857

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