



Alan Van Dyne

Bill Analysis
Legislative Service Commission

S.B. 279
127th General Assembly
(As Introduced)

Sen. Schuring

BILL SUMMARY

- Modifies the procedures used by the State Medical Board for the biennial renewal of certificates to practice held by physicians and podiatrists.
- Increases the duration of a visiting medical faculty certificate from one year to three years.
- Exempts medical personnel employed by the Veterans Administration from the laws governing the practice of physician assistants.
- Permits physician assistants to apply or remove casts or splints.
- Allows an applicant for a certificate to practice massage therapy or cosmetic therapy to be admitted to the Board's examinations on the basis of being licensed in another state or holding national certification.

CONTENT AND OPERATION

Biennial renewal procedures for physicians and podiatrists

(R.C. 4731.281)

Under current law, a physician or podiatrist who holds a certificate to practice from the State Medical Board must renew the certificate biennially by applying for a certificate of registration.¹ In the application for biennial registration, the physician or podiatrist must certify to the Board that 100 hours of continuing medical education have been completed in the preceding two years.

¹ In some instances, current law refers to renewal of the physician or podiatrist's certificate of registration, rather than renewal of the certificate to practice (R.C. 4731.281).

The bill modifies the procedures used for the biennial registration renewal of a physician or podiatrist. Specifically, the bill does all of the following:

(1) Requires the Board to mail or cause to be mailed to each physician or podiatrist a notice of registration renewal, rather than an application for registration, and requires that the notice inform the applicant of the renewal procedure;

(2) Eliminates provisions specifying the format of the renewal application, including provisions requiring that the application contain spaces for specific information, and instead requires the Board to provide the application for registration renewal in a form determined by the Board;

(3) Eliminates provisions requiring that the applicant write or cause to be written certain information on the renewal application, and instead requires that the applicant provide the information without reference to the manner in which it is provided;

(4) Eliminates provisions requiring that the applicant include with the renewal application facts for the identification of the applicant as a person holding a certificate to practice as a physician or podiatrist, but requires the applicant to provide any other information required by the Board;

(5) Requires the application to be executed and delivered to the Board in a manner prescribed by the Board, rather than by mail or in person;

(6) Requires the applicant to report any criminal offense that occurred in the preceding two-year period, rather than only those offenses that constitute grounds for the Board's refusal of registration.

Reinstatement after failing to register

(R.C. 4731.281(D))

If a physician or podiatrist fails to comply with the biennial registration renewal process, including failure to meet the continuing medical education requirements, current law provides that the failure operates as an automatic suspension of the physician or podiatrist's certificate to practice. If a certificate to practice is suspended under this provision for two years or less, it can be reinstated on submission of the biennial registration fee, the applicable monetary penalty, and certification by signature of the applicant that the requisite continuing medical education has been completed.

The bill eliminates the condition for reinstatement pertaining to certification by signature of the applicant that the requisite continuing medical

education has been completed. Instead, the bill provides that a certificate to practice may be reinstated on payment of the required fees and penalties and completion of an application for registration.

Printed lists of physicians and podiatrists

(R.C. 4731.281(C))

Current law requires the Board to publish and cause to be mailed to each physician or podiatrist, on request, a printed list of all registered physicians or podiatrists. The bill eliminates these duties of the Board.

Duration of visiting medical faculty certificates

(R.C. 4731.293)

Current law permits the Board to issue a visiting medical faculty certificate to a physician licensed in another state who has been appointed to serve in Ohio on the academic staff of a medical school. A visiting medical faculty certificate is valid for the shorter of one year or the duration of the certificate holder's appointment. The fee for the certificate is \$125.

The bill increases the period during which a visiting medical faculty certificate is valid to the shorter of three years or the duration of the certificate holder's appointment. The fee is correspondingly raised to \$375.

The bill permits the Board to adopt any rules it considers necessary to implement the laws governing visiting medical faculty certificates. The rules must be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119.).

Effect of physician assistant laws on Veterans Administration employees

(R.C. 4730.03)

To practice in Ohio, a physician assistant must hold a certificate to practice from the State Medical Board and practice in accordance with a physician supervisory plan or the policies of a health care facility. An exemption applies to medical personnel who are in active military service.

The bill creates another exemption and applies it to medical personnel employed by the United States Veterans Administration. Specifically, the bill provides that nothing in the laws governing the practice of physician assistants can be construed to affect or interfere with the performance of duties of any medical personnel employed by the Veterans Administration while so employed.

Authority of physician assistants to apply or remove casts or splints

(R.C. 4730.09)

Current law contains a list of services that may be performed by a physician assistant without approval by the Board as special services under a physician supervisory plan. The list also applies to the services that a physician assistant may be authorized to perform under the policies of a health care facility. Examples of these services include obtaining patient histories, performing physical examinations, administering intravenous fluids, inserting specified types of catheters, performing lumbar punctures, and administering local anesthesia.

The bill adds applying or removing a cast or splint to the services physician assistants are authorized to provide.

Criteria for admission to massage or cosmetic therapist examinations

(R.C. 4731.19)

Current law requires the State Medical Board to conduct examinations of applicants for certification to practice massage therapy and cosmetic therapy.² As a condition of admission to the examination, an applicant must produce a diploma or certificate from a school, college, or institution in good standing, as determined by the Board, showing completion of the required courses of instruction.

The bill establishes the following additional methods of qualifying for admission to the massage therapy or cosmetic therapy examination:

- (1) Having a current license, registration, or certificate that is in good standing in another state for massage therapy or cosmetic therapy, as applicable;
- (2) Having certification from a national certification body and a diploma or certificate from a school, college, or institution showing completion of a course of instruction that meets course requirements determined by the Board through rules.

² "Cosmetic therapy" is defined under current law as the permanent removal of hair from the human body through the use of electric modalities approved by the Board for use in cosmetic therapy. It additionally may include the systematic friction, stroking, slapping, and kneading of the face, neck, scalp, or shoulders. (R.C. 4731.15, not in the bill.)

HISTORY

ACTION

DATE

Introduced

01-24-08

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