



Ohio Legislative Service Commission

Bill Analysis

Carol Napp

Sub. S.B. 141

129th General Assembly
(As Reported by H. Health and Aging)

Sens. Gillmor and Hite, Schaffer, Seitz, Hughes, Brown, Tavares, Coley, Bacon, Beagle, Cafaro, Daniels, Jones, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Sawyer, Schiavoni, Skindell, Smith, Stewart, Turner, Wagoner, Widener, Wilson

Reps. Garland, Hackett, Sears

BILL SUMMARY

- Generally exempts a physician, chiropractor, or physical therapist for an out-of-state athletic team from Ohio laws governing those professionals when the professional provides health services to team members and specified individuals while the team is traveling to or from or participating in a sporting event in Ohio.

CONTENT AND OPERATION

Athletic team health professionals from other states

The bill generally exempts out-of-state athletic team physicians, chiropractors, and physical therapists from Ohio's laws governing the practice of medicine, chiropractic, and physical therapy, respectively. The exemption is subject to certain conditions. Some of the conditions apply to each of the three categories of health professionals covered by the bill, while other conditions apply to only physicians and chiropractors or only physical therapists.

Conditions that apply in all cases

With respect to an out-of-state athletic team physician, chiropractor, or physical therapist, the bill's exemption from Ohio's licensing laws is subject to all of the following:¹

¹ R.C. 4731.36(B)(1), 4734.14(B)(1), and 4755.48(G)(1).

(1) The health professional must hold a current, unrestricted license to practice the relevant profession in the state the team is from.

(2) The exemption applies only while the team is traveling to or from or participating in a sporting event in Ohio.

(3) The exemption applies only when the professional provides services to any of the following: (a) a member of the team, (b) a member of the team's coaching, communications, equipment, or sports medicine staff, (c) a member of the band or cheerleading squad accompanying the team, or (d) the team's mascot.

Conditions that apply to only physicians and chiropractors

In providing medical or chiropractic services pursuant to the bill, an out-of-state athletic team physician or chiropractor is subject to both of the following:

(1) The physician or chiropractor must be acting pursuant to a written agreement with the out-of-state athletic team;²

(2) The physician or chiropractor must not provide the services at a health care facility.³ For physicians, this includes a hospital, ambulatory surgical facility, or any other facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis.⁴

Conditions that apply to only physical therapists

In providing physical therapy pursuant to the bill, an out-of-state athletic team physical therapist is subject to all of the following:⁵

(1) The physical therapist must be acting pursuant to contract or employment with the athletic team;

(2) The physical therapist must not provide physical therapy at a health care facility;

(3) The physical therapist must not provide physical therapy for more than 60 days in a calendar year.

² R.C. 4731.36(B)(1) and 4734.14(B)(1).

³ R.C. 4731.36(B)(2) and 4734.14(B)(2).

⁴ R.C. 4731.36(B)(2).

⁵ R.C. 4755.48(G)(1) and (2); R.C. 4755.99 (technical change only).

HISTORY

ACTION	DATE
Introduced	04-05-11
Reported, S. Health, Human Services & Aging	06-23-11
Passed Senate (33-0)	06-28-11
Reported, H. Health & Aging	06-12-12

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