
STATE MEDICAL BOARD

Temporary hearing examiners

- Allows the State Medical Board to enter into a personal service contract with an attorney to serve as a temporary hearing examiner subject to the Controlling Board's continuing law authority to approve a purchase without competitive selection, rather than subject to only Controlling Board approval as under former law.

Internal management and assessment

- Requires the State Medical Board to adopt internal management rules setting forth criteria for assessing the Board's accomplishments and requires the Board to include data gleaned from the assessments in its annual report.
- Requires the rules adopted by the Board, as well as the Board's annual report, to be publicly accessible on the Board's web site.

Expedited certificate to practice medicine

- Creates an expedited certificate to practice medicine surgery or osteopathic medicine and surgery by endorsement for certain physicians who are licensed in another state or in Canada.

Educational requirements for genetic counselor licensure

- Provides that an individual who meets all other genetic counselor licensure requirements is eligible for a license by attaining a master's or higher degree in education or in a field closely related to genetic counseling and requires the individual to apply for licensure by December 31, 2013.

Approval of temporary hearing examiners

(R.C. 4731.23, by reference to R.C. 127.16)

The act allows the State Medical Board to enter into a personal service contract with an attorney to serve as a temporary hearing examiner subject to the Controlling Board's continuing law authority to approve a purchase without competitive selection, rather than subject to only Controlling Board approval as under former law. Competitive selection (competitive sealed bidding, competitive sealed proposals, or reverse auctions) is required when a state agency, using money that has been appropriated to it directly, makes any purchase from a particular supplier that would



amount to \$50,000 or more when combined with both the amount of all disbursements to the supplier during the fiscal year for purchases made by the agency and the amount of all outstanding encumbrances for purchases made by the agency from the supplier. The Controlling Board may approve a purchase without competitive selection upon request of a state agency or the Director of Budget and Management and upon determination that an emergency exists.

Internal management and assessment

(R.C. 4731.05)

The act requires the State Medical Board to adopt internal management rules that set forth criteria for assessing the Board's accomplishments, activities, and performance data, including metrics detailing the following:

- (1) Revenues and reimbursements;
- (2) Budget distribution;
- (3) Investigation and licensing activity, including processing time frames;
- (4) Enforcement data, including processing time frames.

Under the act, the Board must include the data gleaned from the assessment in the Board's annual report, which is required by continuing law.¹⁹⁹ The act requires the Board to cause the internal management rules and the annual report to be publicly accessible on the Board's web site.

Expedited certificate to practice medicine

(R.C. 4731.299)

The act creates an expedited certificate to practice medicine and surgery or osteopathic medicine and surgery by endorsement for certain physicians who are licensed in another state or in Canada. The act permits the State Medical Board to issue the certificate, without examination, to an applicant who meets the act's requirements. The Board's authority under the act to issue an expedited certificate by endorsement is in addition to its authority under continuing law to issue a certificate to practice under a different process to physicians who are licensed in another state or in Canada and meet specified requirements.²⁰⁰

¹⁹⁹ See R.C. 149.01.

²⁰⁰ R.C. 4731.29, not in the act.



Eligibility

To be eligible for the expedited certificate by endorsement, the act requires an applicant to do both of the following:

(1) Provide evidence satisfactory to the Board that the applicant meets all of the following requirements:

- Has passed Steps One, Two, and Three of the United States Medical Licensing Examination; Levels One, Two, and Three of the Comprehensive Osteopathic Medical Licensing Examination of the United States; or any other medical licensing examination recognized by the Board;
- For at least five years immediately preceding the date of application, has held a current, unrestricted license to practice medicine and surgery or osteopathic medicine and surgery issued by the licensing authority of another state or a Canadian province;
- For at least two years immediately preceding the date of application, has actively practiced medicine and surgery or osteopathic medicine and surgery in a clinical setting;
- Is in compliance with the medical education and training requirements that must be met under continuing law to be eligible for a certificate to practice medicine and surgery or osteopathic medicine and surgery.

(2) Certify to the Board that all of the following are the case:

- Not more than two malpractice claims have been filed against the applicant within a period of ten years and no malpractice claim against the applicant has resulted in total payment of more than \$500,000;
- The applicant does not have a criminal record according to the criminal records check required by the act;
- The applicant does not have a medical condition that could affect the applicant's ability to practice according to acceptable and prevailing standards of care;
- No adverse action has been taken against the applicant by a health care institution;



- To the applicant's knowledge, no federal agency, medical society, medical association, or branch of the U.S. military has investigated or taken action against the applicant;
- No professional licensing or regulatory authority has filed a complaint against, investigated, or taken action against the applicant and the applicant has not withdrawn a professional license application;
- The applicant has not been suspended or expelled from any institution of higher education or school, including a medical school.

Application and issuance

The act requires a person seeking an expedited certificate by endorsement to file with the Board a written application on a form prescribed and supplied by the Board, pay a nonrefundable application fee of \$1,000, and submit to a criminal records check. The application must include all the information the Board considers necessary to process the application.

The Board must review all applications received. After review, if the Board determines that an applicant meets the requirements for an expedited certificate by endorsement, the Board must issue the certificate to the applicant.

Compliance with education and training requirements

Not later than September 29, 2013, the act requires the Board to approve acceptable means for an applicant for an expedited certificate by endorsement to demonstrate compliance with the medical education and training requirements specified under continuing law for a regular certificate to practice medicine and surgery or osteopathic medicine and surgery.

Educational requirements for genetic counselor licensure

(R.C. 4778.02 and 4778.03)

The act establishes a limited exception to the educational requirements that must be met to be eligible for a genetic counselor license. Continuing law requires an applicant for a license to have attained a master's degree or higher from a genetic counseling graduate program accredited by the American Board of Genetic Counseling, its successor, or an equivalent organization recognized by the State Medical Board.

The act provides that an individual who meets all other genetic counselor licensure requirements is eligible for a license by attaining a master's or higher degree in education or in a field that the Board considers to be closely related to genetic



counseling. An individual seeking a license under this provision must file a license application with the Board not later than December 31, 2013.

