
OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD

- Permits each section of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board, when determining whether to issue a summary suspension of a license or limited permit, to review the allegations and vote on the suspension by telephone conference call.
- Exempts the summary suspension meeting held by conference call from the requirements of the Open Meetings Law.
- Prohibits a court of common pleas from suspending a summary suspension issued by one of the sections of the Board during an administrative appeal of that summary suspension.
- Requires a summary suspension to remain in effect, unless reversed on appeal, until a final adjudication order is issued by the appropriate section of the Board.
- Requires each section of the Board to issue its final adjudication order regarding a summary suspension not later than 90 days after completing its hearing.
- Dissolves a summary suspension if the respective section of the Board fails to issue its final adjudication order within 90 days, but states that the failure does not invalidate any subsequent, final adjudication order.

Procedures for summary suspensions

(R.C. 121.22, 4755.11, 4755.47, and 4755.64)

Under continuing law, each section of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board, on receipt of a complaint that a person who holds a license or limited permit issued by that section of the Board has committed any of the prohibited actions listed in continuing law, may immediately suspend the license or limited permit prior to holding a hearing in accordance with the Administrative Procedure Act if it determines, based on the complaint, that the licensee or limited permit holder poses an immediate threat to the public. The act permits the appropriate section of the Board to review the allegations and vote on the suspension by telephone conference call. This meeting, under the act, is exempt from the requirements of the Open Meetings Law.



The act prohibits a court of common pleas from granting a suspension of a summary suspension order issued by a section of the Board pending the determination of an appeal filed under the Administrative Procedure Act. This provision of the act is an exception to the general provision of the Administrative Procedure Act that allows a court to grant a suspension and fix its terms if it appears to the court that an unusual hardship to the appellant will result from the execution of an agency's order pending determination of the appeal.

Any summary suspension order issued under the act remains in effect, unless reversed on appeal, until a final adjudication order issued by the respective section of the Board pursuant to continuing law becomes effective. The act requires the respective section of the Board to issue its final adjudication order regarding an order of summary suspension not later than 90 days after completion of its hearing. Failure to issue the order within 90 days results in immediate dissolution of the suspension order, but does not invalidate any subsequent, final adjudication order.

