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## **OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETICS 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 under continuing law, to review the allegations and vote on the suspension by telephone conference call.
- Exempts that meeting from the requirements of the Open Meetings Law.
- Prohibits a court of common pleas from suspending a summary suspension issued by the respective section during an appeal of that summary suspension under the Administrative Procedure Act.
- Requires a summary suspension to remain in effect, unless reversed on appeal, until a final adjudication order is issued by the appropriate section.
- Requires a section to issue its final adjudication order regarding an order of summary suspension not later than 90 days after completion of its hearing.
- Dissolves the suspension order if the section fails to issue the 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 the appropriate section has committed any of the prohibited actions listed in continuing law, the appropriate section 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 bill permits the appropriate section to review the allegations and vote on the suspension by telephone conference call. This meeting, under the bill, is exempt from the requirements of the Open Meetings Law.

The bill prohibits a court of common pleas granting a suspension of the appropriate section's summary suspension order pending the determination of an



appeal filed under the Administrative Procedure Act (currently, a court may 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 the agency's order pending determination of the appeal). Any summary suspension order issued under the bill remains in effect, unless reversed on appeal, until a final adjudication order issued by the appropriate section pursuant to continuing law becomes effective. The bill requires the section 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.

