



ORTHOTICS, PROSTHETICS, AND PEDORTHICS LAWS AND RULES

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This document includes the chapters of the Ohio Revised Code (ORC) and Ohio Administrative Code (OAC) related to the practice of physical therapy in Ohio. This is not an official version of the ORC or OAC and may contain errors. Official version may be found on LaWriter:

<http://codes.ohio.gov/orc/4779>

<http://codes.ohio.gov/oac/4755>

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Summary of changes since May 2019

Statute Changes

The legislature enacted changes allowing for Board approval of the authority for 3-D printing of open-source prosthetic kits. This authority is granted in Ohio Revised Code Section 4779.40 and exemptions are made throughout the prosthetics licensure.

Rule Changes

The orthotics, prosthetics, and pedorthics rules have been completely re-written and renumbered. The rewrite includes language changes to enact the fee reduction and regulatory reductions made through Board action in the [memo issued after consolidation](#). In addition, changes have been made to the code of ethics to require a duty to report another license holder who is violating the rules of Chapter 4779, as is standard for the licensing board. Licensees must also report to the Board certain violations, such as a felony charge, within 30 days. Most of the other rewrites align the OPP licensure processes with those of the rest of the OTPTAT Board licenses.

Ohio Revised Code Chapter 4779: ORTHOTISTS, PROSTHETISTS, PEDORTHISTS

4779.01 Orthotist, prosthetist and pedorthist definitions.

As used in this chapter:

- (A) "Accommodative" means designed with the primary goal of conforming to the anatomy of a particular individual.
- (B) "Full-time" means not less than one thousand six hundred hours per year.
- (C) "Inlay" means any removable material on which the foot rests inside a shoe and that may be an integral design component of the shoe.
- (D) "Orthotics" means the evaluation, measurement, design, fabrication, assembly, fitting, adjusting, servicing, or training in the use of an orthotic or pedorthic device, or the repair, replacement, adjustment, or service of an existing orthotic or pedorthic device. It does not include upper extremity adaptive equipment used to facilitate the activities of daily living, finger splints, wrist splints, prefabricated elastic or fabric abdominal supports with or without metal or plastic reinforcing stays and other prefabricated soft goods requiring minimal fitting, nontherapeutic accommodative inlays, shoes that are not manufactured or modified for a particular individual, prefabricated foot care products, durable medical equipment, dental appliances, pedorthic devices, or devices implanted into the body by a physician.
- (E) "Orthotic device" means a custom fabricated or fitted medical device used to support, correct, or alleviate neuromuscular or musculoskeletal dysfunction, disease, injury, or deformity.
- (F) "Pedorthics" means the evaluation, measurement, design, fabrication, assembly, fitting, adjusting, servicing, or training in the use of a pedorthic device, or the repair, replacement, adjustment, or servicing of a pedorthic device.
- (G) "Pedorthics device" means a custom fabricated or fitted therapeutic shoe, shoe modification for therapeutic purposes, prosthetic filler of the forefoot, or foot orthosis for use from the apex of the medial malleolus and below. It does not include an arch support, a nontherapeutic accommodative inlay, nontherapeutic accommodative footwear, prefabricated footcare products, or unmodified, over-the-counter shoes.
- (H) "Prosthetics" means the evaluation, measurement, design, fabrication, assembly, fitting, adjusting, servicing, or training in the use of a prosthesis or pedorthic device, or the repair, replacement, adjustment, or service of a prosthesis or pedorthic device.
- (I) "Prosthesis" means a custom fabricated or fitted medical device used to replace a missing appendage or other external body part. It includes an artificial limb, hand, or foot, but does not include devices implanted into the body by a physician, artificial eyes, intraocular lenses, dental appliances, ostomy products, cosmetic devices such as breast prostheses, eyelashes, wigs, or other devices that do not have a significant impact on the musculoskeletal functions of the body.

Effective Date: 06-06-2001 .

4779.02 License required.

(A) Except as provided in division (B) or (C) of this section, no person shall practice or represent that the person is authorized to practice orthotics, prosthetics, or pedorthics unless the person holds a current, valid license issued or renewed under this chapter.

(B) Division (A) of this section does not apply to any of the following:

(1) An individual who holds a current, valid license, certificate, or registration issued under Chapter 4723., 4729., 4730., 4731., 4734., or 4755. of the Revised Code and is practicing within the individual's scope of practice under statutes and rules regulating the individual's profession;

(2) An individual who practices orthotics, prosthetics, or pedorthics as an employee of the federal government and is engaged in the performance of duties prescribed by statutes and regulations of the United States;

(3) An individual who provides orthotic, prosthetic, or pedorthic services under the supervision of a licensed orthotist, prosthetist, or pedorthist in accordance with section 4779.04 of the Revised Code;

(4) An individual who provides orthotic, prosthetic, or pedorthic services as part of an educational, certification, or residency program approved by the Ohio occupational therapy, physical therapy, and athletic trainers board under sections 4779.25 to 4779.27 of the Revised Code;

(5) An individual who provides orthotic, prosthetic, or pedorthic services under the direct supervision of an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(C) Division (A) of this section does not prohibit an individual who is not licensed under this chapter to practice prosthetics or orthotics and prosthetics from engaging in the 3-D printing of open-source prosthetic kits if the individual has been granted the authority to engage in that activity by the Ohio occupational therapy, physical therapy, and athletic trainers board under section 4779.40 of the Revised Code. Such an individual shall not represent that the individual is authorized to practice prosthetics or orthotics and prosthetics under this chapter.

Amended by 133rd General Assembly File No. TBD, HB 166, §101.01, eff. 10/17/2019.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Amended by 130th General Assembly File No. TBD, HB 326, §1, eff. 3/23/2015.

Effective Date: 06-06-2001 .

4779.03 Unauthorized use of titles.

No person shall use the titles "licensed orthotist," "licensed prosthetist," "licensed orthotist-prosthetist," or "licensed pedorthist," the initials "L.O.," "L.P.," "L.O.P.," or "L.Ped.," or any other title or initials to represent that the person is licensed to practice orthotics, prosthetics, or pedorthics, unless the person holds a current, valid license issued or renewed under this chapter. No person shall use any title or initials to represent that the person is licensed to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics as a temporarily licensed orthotist,

prosthetist, or pedorthist, unless the person holds a current, valid temporary license issued or renewed under this chapter.

Effective Date: 10-27-2001 .

4779.04 Supervision by licensee.

No individual who provides orthotic, prosthetic, or pedorthic services under the supervision of an individual licensed under this chapter, as provided in division (B)(3) of section 4779.02 of the Revised Code, shall do so unless all of the following are the case:

(A) The individual does not perform any services that the supervising orthotist, prosthetist, orthotist-prosthetist, or pedorthist is not authorized to perform;

(B) During the initial evaluation of any patient who can reasonably be expected to require orthotic, prosthetic, or pedorthic services and during the fitting and delivery of an orthotic or pedorthic device or prosthesis, the supervising orthotist, prosthetist, orthotist-prosthetist, or pedorthist is physically present;

(C) At times other than those described in division (B) of this section, the supervising orthotist, prosthetist, orthotist-prosthetist, or pedorthist is either physically present at the location where the individual is practicing or is readily available to the individual through some means of telecommunication and is in a location that under normal circumstances is not more than sixty minutes travel time away from the location where the individual is practicing. No individual licensed under this chapter may supervise more than four individuals not licensed to practice orthotics, prosthetics, or pedorthics who are practicing orthotic, prosthetic, or pedorthic services.

Effective Date: 10-27-2000 .

4779.08 Administrative rules.

(A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall adopt rules in accordance with Chapter 119. of the Revised Code to carry out the purposes of this chapter, including rules prescribing all of the following:

(1) The form and manner of filing of applications to be admitted to examinations and for licensure and license renewal;

(2) Standards and procedures for formulating, evaluating, approving, and administering licensing examinations or recognizing other entities that conduct examinations;

(3) The form, scoring, and scheduling of licensing examinations;

(4) Fees for examinations and applications for licensure and license renewal;

(5) Fees for approval of continuing education courses;

(6) Procedures for issuance, renewal, suspension, and revocation of licenses and the conduct of disciplinary hearings;

(7) The schedule to be used for biennial renewal of licenses;

- (8) Standards of ethical and professional conduct in the practice of orthotics, prosthetics, and pedorthics;
 - (9) Standards for approving national certification organizations in orthotics, prosthetics, and pedorthics;
 - (10) Fines for violations of this chapter;
 - (11) Standards for the recognition and approval of educational programs required for licensure, including standards for approving foreign educational credentials;
 - (12) Standards for continuing education programs required for license renewal;
 - (13) The amount, scope, and nature of continuing education activities required for license renewal, including waivers of the continuing education requirements;
 - (14) Provisions for making available the information described in section [4779.22](#) of the Revised Code;
 - (15) Requirements for criminal records checks of applicants under section [4776.03](#) of the Revised Code;
 - (16) Requirements for an individual who is not licensed under this chapter to practice prosthetics or orthotics and prosthetics to engage in the 3-D printing of open-source prosthetic kits.
- (B) The board may adopt any other rules necessary for the administration of this chapter.
- (C) All fees received by the board under this section shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund established in section [4743.05](#) of the Revised Code.

Amended by 133rd General Assembly File No. TBD, HB 166, §101.01, eff. 10/17/2019.

Amended by 132nd General Assembly File No. TBD, HB 111, §1, eff. 9/28/2018.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 09-26-2003; 2007 HB104 03-24-2008 .

[4779.09 Applying for license.](#)

An applicant for a license to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics shall apply to the Ohio occupational therapy, physical therapy, and athletic trainers board in accordance with rules adopted under section [4779.08](#) of the Revised Code and pay the application fee specified in the rules. The board shall issue a license to an applicant who is eighteen years of age or older, of good moral character, and meets either the requirements of divisions (A) and (B) of this section or the requirements of section [4779.17](#) of the Revised Code.

(A) The applicant must pass an examination conducted pursuant to section [4779.15](#) of the Revised Code;

(B) The applicant must meet the requirements of one of the following:

(1) In the case of an applicant for a license to practice orthotics, the requirements of section [4779.10](#) of the Revised Code;

(2) In the case of an applicant for a license to practice prosthetics, the requirements of section [4779.11](#) of the Revised Code;

(3) In the case of an applicant for a license to practice orthotics and prosthetics, the requirements of section [4779.12](#) of the Revised Code;

(4) In the case of an applicant for a license to practice pedorthics, the requirements of section [4779.13](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.091 License applicant to comply with RC Chapter 4776.

(A) As used in this section, "license" and "applicant for an initial license" have the same meanings as in section [4776.01](#) of the Revised Code, except that "license" as used in both of those terms refers to the types of authorizations otherwise issued or conferred under this chapter.

(B) In addition to any other eligibility requirement set forth in this chapter, each applicant for an initial license shall comply with sections [4776.01](#) to [4776.04](#) of the Revised Code. The Ohio occupational therapy, physical therapy, and athletic trainers board shall not grant a license to an applicant for an initial license unless the applicant complies with sections [4776.01](#) to [4776.04](#) of the Revised Code and the board, in its discretion, decides that the results of the criminal records check do not make the applicant ineligible for a license issued pursuant to section [4779.09](#), [4779.17](#), or [4779.18](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 2007 HB104 03-24-2008 .

4779.10 Eligibility for license - orthotics.

To be eligible for a license to practice orthotics, an applicant must meet the following requirements:

(A) On the date of application, the applicant has practiced orthotics for not less than eight months under the supervision of an individual licensed under this chapter to practice orthotics.

(B) The applicant has completed an orthotics residency program approved by the Ohio occupational therapy, physical therapy, and athletic trainers board under section [4779.27](#) of the Revised Code.

(C) One of the following is the case:

(1) The applicant holds a bachelor's degree in orthotics and prosthetics from an accredited college or university whose orthotics and prosthetics program is recognized by the board under section [4779.25](#) of the Revised Code or an equivalent educational credential from a foreign educational institution recognized by the board.

(2) The applicant holds a bachelor's degree in a subject other than orthotics and prosthetics or an equivalent educational credential from a foreign educational institution recognized by the board and has completed a certificate program in orthotics recognized by the board under section [4779.26](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.11 Eligibility for license - prosthetics.

To be eligible for a license to practice prosthetics, an applicant must meet the following requirements :

(A) On the date of application, the applicant has practiced prosthetics for not less than eight months under the supervision of an individual licensed under this chapter to practice prosthetics.

(B) The applicant has completed a prosthetics residency program approved by the Ohio occupational therapy, physical therapy, and athletic trainers board under section [4779.27](#) of the Revised Code.

(C) One of the following is the case:

(1) The applicant holds a bachelor's degree in orthotics and prosthetics from an accredited college or university whose orthotics and prosthetics program is recognized by the board under section [4779.25](#) of the Revised Code or an equivalent educational credential from a foreign educational institution recognized by the board.

(2) The applicant holds a bachelor's degree in a subject other than orthotics and prosthetics or an equivalent educational credential from a foreign educational institution recognized by the board and has completed a certificate program in prosthetics recognized by the board under section [4779.26](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.12 Eligibility for license - orthotics and prosthetics.

To be eligible for a license to practice orthotics and prosthetics, an applicant must meet the following requirements :

(A) On the date of application, the applicant has practiced orthotics and prosthetics for not less than eight months under the supervision of an individual licensed under this chapter to practice orthotics and prosthetics.

(B) The applicant has completed an orthotics and prosthetics residency program approved by the Ohio occupational therapy, physical therapy, and athletic trainers board under section [4779.27](#) of the Revised Code.

(C) One of the following is the case:

(1) The applicant holds a bachelor's degree in orthotics and prosthetics from an accredited college or university whose orthotics and prosthetics program is recognized by the board under section [4779.25](#) of the Revised Code or an equivalent educational credential from a foreign educational institution recognized by the board.

(2) The applicant holds a bachelor's degree in a subject other than orthotics and prosthetics or an equivalent educational credential from a foreign educational institution recognized by the board and has completed a certificate program in orthotics and prosthetics recognized by the board under section [4779.26](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

[4779.13 Eligibility for license - pedorthics.](#)

To be eligible for a license to practice pedorthics, an applicant must meet all of the following requirements:

(A) On the date of application, has practiced pedorthics for not less than eight months under the supervision of an individual licensed under this chapter to practice pedorthics;

(B) Holds a high school diploma or certificate of high school equivalence issued by the department of education, or a primary-secondary education or higher education agency of another state;

(C) Has completed the education, training, and experience required to take the certification examination developed by the Ohio occupational therapy, physical therapy, and athletic trainers board for certification in pedorthics or an equivalent successor organization recognized by the board.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Amended by 131st General Assembly File No. TBD, HB 113, §1, eff. 9/14/2016.

Effective Date: 10-27-2000 .

[4779.15 Conducting examinations.](#)

Except as provided in section [4779.17](#) of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers board shall examine or cause to be examined each individual who seeks to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics in this state.

To be eligible to take an examination conducted by the board or an entity recognized by the board for the purpose of this section, an individual must file an application and pay an examination fee as specified in rules adopted by the board under section [4779.08](#) of the Revised Code and meet all the requirements of section [4779.09](#) of the Revised Code other than the requirement of having passed the examination.

Examinations shall be conducted at least once a year in accordance with rules adopted by the board under section [4779.08](#) of the Revised Code. Each applicant shall be examined in such subjects as the board requires.

The board may use as its examination all or part of a standard orthotics, prosthetics, orthotics and prosthetics, or pedorthics licensing examination established for the purpose of determining the competence of individuals to practice orthotics, prosthetics, or pedorthics in the United States. In lieu of conducting examinations, the board may accept the results of examinations conducted by entities recognized by the board.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

[4779.17 Issuing license without examination - nonresidents.](#)

The Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license under section [4779.09](#) of the Revised Code to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics without examination to an applicant who meets all of the following requirements:

- (A) Applies to the board in accordance with section [4779.09](#) of the Revised Code;
- (B) Holds a license to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics issued by the appropriate authority of another state;
- (C) One of the following applies:
 - (1) In the case of an applicant for a license to practice orthotics, the applicant meets the requirements in divisions (B) and (C) of section [4779.10](#) of the Revised Code.
 - (2) In the case of an applicant for a license to practice prosthetics, the applicant meets the requirements in divisions (B) and (C) of section [4779.11](#) of the Revised Code.
 - (3) In the case of an applicant for a license to practice orthotics and prosthetics, the applicant meets the requirements in divisions (B) and (C) of section [4779.12](#) of the Revised Code.
 - (4) In the case of an applicant for a license to practice pedorthics, the applicant meets the requirements in divisions (B) and (C) of section [4779.13](#) of the Revised Code.
- (D) All fees received by the board under this section shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund established in section [4743.05](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 09-26-2003 .

4779.18 Issuing temporary license.

(A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a temporary license to an individual who meets all of the following requirements:

(1) Applies to the board in accordance with rules adopted under section [4779.08](#) of the Revised Code and pays the application fee specified in the rules;

(2) Is eighteen years of age or older;

(3) Is of good moral character;

(4) One of the following applies:

(a) In the case of an applicant for a license to practice orthotics, the applicant meets the requirements in divisions (B) and (C) of section [4779.10](#) of the Revised Code.

(b) In the case of an applicant for a license to practice prosthetics, the applicant meets the requirements in divisions (B) and (C) of section [4779.11](#) of the Revised Code.

(c) In the case of an applicant for a license to practice orthotics and prosthetics, the applicant meets the requirements in divisions (B) and (C) of section [4779.12](#) of the Revised Code.

(d) In the case of an applicant for a license to practice pedorthics, the applicant meets the requirements in divisions (B) and (C) of section [4779.13](#) of the Revised Code.

(B) A temporary license issued under this section is valid for one year and may be renewed once in accordance with rules adopted by the board under section [4779.08](#) of the Revised Code.

An individual who holds a temporary license may practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics only under the supervision of an individual who holds a license issued under section [4779.09](#) of the Revised Code in the same area of practice.

(C) All fees received by the board under this section shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund established in section [4743.05](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 09-26-2003 .

4779.19 Term of license.

A license issued under section [4779.09](#) of the Revised Code or renewed under section [4779.20](#) of the Revised Code is valid from the date of issuance until the date it expires, unless earlier suspended or revoked. An initial license and each renewed license expires biennially in accordance with the schedule established in rules adopted under section [4779.08](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 111, §1, eff. 9/28/2018.

Effective Date: 06-06-2001 .

4779.20 Renewing license.

An individual seeking to renew a license issued under section [4779.09](#) of the Revised Code shall, on or before the day the license expires pursuant to section [4779.19](#) of the Revised Code, apply for renewal. The Ohio occupational therapy, physical therapy, and athletic trainers board shall send renewal notices at least one month prior to the expiration date.

Applications shall be submitted to the board electronically. Each application shall be accompanied by a renewal fee specified in rules adopted by the board under section [4779.08](#) of the Revised Code, except that the board may waive part of the renewal fee for the first renewal of an initial license that expires one hundred days or less after it is issued.

To be eligible for renewal, an applicant must have completed the continuing education requirements prescribed by the board in rules adopted under section [4779.08](#) of the Revised Code. On the board's request, an applicant shall submit evidence satisfactory to the board that the requirements were completed.

Amended by 132nd General Assembly File No. TBD, HB 111, §1, eff. 9/28/2018.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 06-06-2001 .

4779.21 Maintaining board records.

The Ohio occupational therapy, physical therapy, and athletic trainers board shall maintain records regarding the practice of orthotics, prosthetics, and pedorthics under this chapter, including records of the board's proceedings, a registry of all applicants for licensure that indicates whether the applicant was granted a license, and any other records necessary to carry out the provisions of this chapter.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.22 Publishing and making available to the public written information.

(A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall publish and make available to the public written information regarding both of the following:

(1) The board's regulatory functions over the practice of orthotics, prosthetics, and pedorthics and the provisions of this chapter;

(2) The procedures by which complaints are filed with the board, which shall include a description of the complaint procedures and the name, mailing address, and telephone number of the board.

(B) The board shall make the information described in division (A) of this section available to all of the following:

- (1) Consumers of orthotic, prosthetic, and pedorthic goods and services;
- (2) Individuals licensed by the board under this chapter;
- (3) Nationally recognized orthotic, prosthetic, and pedorthic certifying and accrediting organizations;
- (4) Nationally recognized orthotic, prosthetic, and pedorthic educational organizations;
- (5) Any other entity that may reasonably require the information.

(C) The board may make available any of the information described in division (A) of this section by adopting a rule under section [4779.08](#) of the Revised Code requiring the information to be displayed in any of the following ways:

- (1) On each registration form or application prepared by the board;
- (2) On a sign prominently displayed in the place of business of each individual licensed under this chapter;
- (3) In each bill or written contract for services provided by an individual licensed under this chapter.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.23 Continuing education.

(A) To be eligible for approval by the Ohio occupational therapy, physical therapy, and athletic trainers board , a continuing education course must satisfy all of the following requirements:

- (1) Include significant intellectual or practical content and be designed to improve the professional competence of participants;
- (2) Deal with matters directly related to the practice of orthotics, prosthetics, or pedorthics, including professional responsibility, ethical obligations, or similar subjects that the board considers necessary to maintain and improve the quality of orthotic and prosthetic services in this state;
- (3) Involve in-person instruction, except that a course may use self-study materials if the materials are prepared and presented by a group with appropriate practical experience;
- (4) Be presented in a setting that is physically suited to the course;
- (5) Include thorough, high-quality written material;
- (6) Meet any other requirements the board considers appropriate.

(B) The board shall, in accordance with the standards in division (A) of this section, review and approve continuing education courses. If the board does not approve a course, it shall provide a written explanation of the reason for the denial to the person that requested approval. The board may approve continuing education courses approved by boards of other states that regulate orthotics, prosthetics, and pedorthics if the other board's standards for approving continuing education courses are equivalent to the standards established pursuant to division (A) of this section.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.24 Continuing education units.

The Ohio occupational therapy, physical therapy, and athletic trainers board shall grant continuing education units to individuals licensed under this chapter on the following basis:

(A) For completing a continuing education course approved by the board under section 4779.23 of the Revised Code, one unit for each hour of instruction received;

(B) For teaching as a faculty member a course in orthotics, prosthetics, or pedorthics that is part of the curriculum of an institution of higher education, one-half unit for each semester hour of the course, or an equivalent unit for each quarter or trimester hour of the course;

(C) For teaching other than as a faculty member a course that is part of an institution of higher education's orthotics, prosthetics, or pedorthics curriculum, one unit for each hour teaching the course;

(D) For teaching a continuing education course that is approved by the board under section 4779.23 of the Revised Code that is not part of an institution of higher education's orthotics, prosthetics, or pedorthics curriculum, three units for each hour teaching the course for the first time and one-half unit for each hour teaching the course each time thereafter.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.25 Recognizing bachelor's degree program.

The Ohio occupational therapy, physical therapy, and athletic trainers board shall recognize an institution of higher education's bachelor's degree program in orthotics and prosthetics if the program satisfies all of the following requirements:

(A) Provides not less than two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics;

(B) Requires as a condition of entry a high school diploma or certificate of high school equivalence;

(C) Includes a written description of the program that includes learning goals, course objectives, and competencies for graduation;

(D) Requires frequent, documented evaluation of students to assess their acquisition of knowledge, problem identification and solving skills, and psychomotor, behavioral, and clinical competencies;

(E) Requires as a condition of entry successful completion of courses in biology, chemistry, physics, psychology, computer science, algebra or higher math, human anatomy with a laboratory section, and physiology with a laboratory section;

(F) Requires formal instruction in biomechanics, gait analysis and pathometrics, kinesiology, pathology, materials science, research methods, and diagnostic imaging techniques;

(G) Requires students as a condition of graduation to demonstrate orthotics skills, including measurement, impression-taking, model rectification, and fitting and alignment of orthoses for the lower limbs, upper limbs, and spines;

(H) Requires students as a condition of graduation to complete training in orthotic systems, including foot orthosis, ankle-foot orthosis, knee orthosis, knee-ankle-foot orthosis, hip-knee-ankle orthosis, hip orthosis, wrist-hand orthosis, cervical-thoracic-lumbo-sacral orthosis, thoracolumbo-sacral orthosis, lumbo-sacral orthosis, HALO, fracture management, RGO, standing frames, and seating;

(I) Requires students as a condition of graduation to demonstrate prosthetic skills that include measurement, impression-taking, model rectification, diagnostic fitting, definitive fitting, postoperative management, external power, and static and dynamic alignment of sockets related to various amputation levels, including partial foot, Syme's below knee, above knee, below elbow, above elbow, and the various joint disarticulations;

(J) Requires as a condition of graduation students to complete not less than five hundred hours of supervised clinical experience that focus on patient-related activities, including recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of orthotics and prosthetics;

(K) Provides for the evaluation of the program's compliance with the requirements of this section through regular, on-site visits conducted by a team of qualified individuals from a nationally recognized orthotic, prosthetic, or orthotic and prosthetic certifying body;

(L) Meets any other standards adopted by the board under section [4779.08](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Amended by 131st General Assembly File No. TBD, HB 113, §1, eff. 9/14/2016.

Effective Date: 10-27-2000 .

4779.26 Recognizing certificate program.

The Ohio occupational therapy, physical therapy, and athletic trainers board shall recognize a certificate program in orthotics, prosthetics, or orthotics and prosthetics if the program satisfies all of the following requirements:

(A) Meets the requirements in divisions (B), (C), (D), (E), (F), (K), and (L) of section [4779.25](#) of the Revised Code;

(B) In the case of a certificate program in orthotics, the program does all of the following:

- (1) Provides not less than two semesters or three quarters of instruction in orthotics;
- (2) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of orthotics;
- (3) Meets the requirements in divisions (G) and (H) of section [4779.25](#) of the Revised Code.

(C) In the case of a certificate program in prosthetics, the program does all of the following:

- (1) Provides not less than two semesters or three quarters of instruction in prosthetics;
- (2) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of prosthetics;
- (3) Meets the requirements in divisions (F) and (I) of section [4779.25](#) of the Revised Code.

(D) In the case of a certificate program in orthotics and prosthetics, the program does both of the following:

- (1) Provides not less than two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics;
- (2) Meets the requirements in divisions (H) and (I) of section [4779.25](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 06-06-2001 .

4779.27 Residency programs approval.

The Ohio occupational therapy, physical therapy, and athletic trainers board shall approve a residency program in orthotics, prosthetics, or orthotics and prosthetics if the program does all of the following:

- (A) Requires a bachelor's degree as a condition of entry;
- (B) Does one of the following:
 - (1) In the case of a residency program in orthotics, provides two semesters or three quarters of instruction in orthotics;
 - (2) In the case of a residency program in prosthetics, provides two semesters or three quarters of instruction in prosthetics;

(3) In the case of a residency program in orthotics and prosthetics, provides two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics.

(C) Meets the requirements in divisions (K) and (L) of section [4779.25](#) of the Revised Code;

(D) Provides residents with a sufficient variety and volume of clinical experiences to give them adequate educational experience in the acute, rehabilitative, and chronic aspects of orthotics and prosthetics, including recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of orthotics and prosthetics;

(E) Provides residents with sufficient training in clinical assessment, patient management, technical implementation, practice management, and professional responsibility.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.28 Disciplinary actions.

(A) The Ohio occupational therapy, physical therapy, and athletic trainers board may, pursuant to an adjudication under Chapter 119. of the Revised Code , limit, revoke, or suspend a license issued under this chapter, refuse to issue a license to an applicant, or reprimand or place on probation a license holder for any of the following reasons:

(1) Conviction of, or a plea of guilty to, a misdemeanor or felony involving moral turpitude;

(2) Any violation of this chapter;

(3) Committing fraud, misrepresentation, or deception in applying for or securing a license issued under this chapter;

(4) Habitual use of drugs or intoxicants to the extent that it renders the person unfit to practice;

(5) Violation of any rule adopted by the board under section [4779.08](#) of the Revised Code;

(6) A departure from, or failure to conform to, minimal standards of care of similar orthotists, prosthetists, orthotists-prosthetists, or pedorthists under the same or similar circumstances, regardless of whether actual injury to a patient is established;

(7) Obtaining or attempting to obtain money or anything of value by fraudulent misrepresentation in the course of practice;

(8) Publishing a false, fraudulent, deceptive, or misleading statement;

(9) Waiving the payment of all or part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan, would otherwise be required to pay, if the waiver is used as an enticement to a patient or group of patients to receive health care services from a person who holds a license issued under this chapter;

(10) Advertising that a person who holds a license issued under this chapter will waive the payment of all or part of a deductible or copayment that a patient, pursuant to a health

insurance or health care policy, contract, or plan, that covers the person's services, would otherwise be required to pay.

(B) For the purpose of investigating whether a person is engaging or has engaged in conduct described in division (A) of this section, the board may administer oaths, order the taking of depositions, issue subpoenas, examine witnesses, and compel the attendance of witnesses and production of books, accounts, papers, records, documents, and testimony.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.29 Suspension of license without adjudicatory hearing.

If the Ohio occupational therapy, physical therapy, and athletic trainers board determines that there is clear and convincing evidence that an individual licensed under this chapter is engaging or has engaged in conduct described in division (A) of section 4779.28 of the Revised Code and that the license holder's continued practice presents a danger of immediate and serious harm to the public, the board may suspend the individual's license without an adjudicatory hearing. A telephone conference call may be used for reviewing the matter and taking the vote.

If the board votes to suspend an individual's license, the board shall issue a written order of suspension by certified mail or in person in accordance with section 119.07 of the Revised Code. The order is not subject to suspension by a court during pendency of any appeal filed under section 119.12 of the Revised Code. If the license holder requests an adjudicatory hearing by the board, the date set for the hearing shall be not later than fifteen days, but not earlier than seven days, after the request, unless otherwise agreed to by the board and the license holder.

Any suspension imposed under this section shall remain in effect, unless reversed on appeal, until a final adjudicative order issued by the board pursuant to section 119.12 of the Revised Code becomes effective. The board shall issue its final adjudicative order within sixty days after completion of its hearing. A failure to issue an order within sixty days shall result in the dissolution of the summary suspension order, but shall not invalidate any subsequent, final adjudicative order.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.30 Allegation of mental incompetence or illness.

If the Ohio occupational therapy, physical therapy, and athletic trainers board has reason to believe that a person who holds a license issued under this chapter is mentally ill or mentally incompetent, it may file in the probate court of the county in which the person has a legal residence an affidavit in the form prescribed in section 5122.11 of the Revised Code and signed by the secretary of the board, whereupon the same proceeding shall be had as provided in Chapter 5122. of the Revised Code. The attorney general may represent the board in any proceeding commenced under this section.

If an individual who has been granted a license under this chapter is adjudicated by a probate court to be mentally ill or mentally incompetent, the individual's license shall be automatically suspended until the individual has filed with the board a certified copy of an adjudication by a

probate court of the individual's subsequent restoration to competency or has submitted to the board proof, satisfactory to the board, of having been restored to competency in the manner and form provided in section [5122.38](#) of the Revised Code. The judge of the court shall immediately notify the board of an adjudication of incompetence and note any suspension of a license in the margin of the court's record of the certificate. In the absence of fraud or bad faith, neither the board nor any agent, representative, or employee of the board shall be held liable in damages by any person by reason of the filing of the affidavit referred to in this section.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.31 Reinstating licenses.

Before reinstating a license issued under this chapter that has been suspended for more than two years, the Ohio occupational therapy, physical therapy, and athletic trainers board may require an individual to pass the appropriate licensing examination.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.32 Allegations to be written and verified.

If any person makes an allegation against an individual who holds a license issued under this chapter, the allegation shall be reduced to writing and verified by a person who is familiar with the facts underlying the allegation. The person making the allegation shall file the allegation with the Ohio occupational therapy, physical therapy, and athletic trainers board . If a person alleges that a license holder is engaging or has engaged in conduct described in division (A) of section [4779.28](#) of the Revised Code, the board may proceed with an adjudication hearing under Chapter 119. of the Revised Code. The board shall retain the information filed under this section in accordance with rules adopted by the board under section [4779.08](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.33 Enforcement.

The Ohio occupational therapy, physical therapy, and athletic trainers board shall enforce the laws relating to the practice of orthotics, prosthetics, and pedorthics. If the secretary of the board has knowledge of a violation, the secretary shall investigate the violation and notify the prosecuting attorney of the proper county.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Effective Date: 10-27-2000 .

4779.34 Compliance with law regarding sanctions for human trafficking.

The Ohio occupational therapy, physical therapy, and athletic trainers board shall comply with section [4776.20](#) of the Revised Code.

Amended by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

Added by 129th General Assembly File No. 169, HB 247, §1, eff. 3/22/2013.

4779.35 Orthotics, prosthetics, and pedorthics advisory council.

(A) The Ohio occupational therapy, physical therapy, and athletic trainers board shall appoint an orthotics, prosthetics, and pedorthics advisory council for the purpose of advising the board on issues relating to the practice of orthotics, prosthetics, and pedorthics and the investigation of complaints regarding the practice of orthotics, prosthetics, and pedorthics.

The advisory council shall consist of not more than five individuals knowledgeable in the area of orthotics, prosthetics, and pedorthics. A majority of the council members shall be individuals actively engaged in the practice of orthotics, prosthetics, and pedorthics who meet the requirements for licensure under Chapter 4779. of the Revised Code.

The Ohio orthotics and prosthetics association, or its successor organization, may nominate the names of up to three qualified individuals for consideration by the board in making appointments for each vacancy on the council.

(B) Not later than ninety days after the effective date of this section, the board shall make initial appointments to the council. Members shall serve three-year staggered terms of office in accordance with rules adopted by the board. Thereafter, terms of office shall be for three years, with each term ending on the same day of the same month as did the term that it succeeds. A council member shall continue in office subsequent to the expiration date of the member's term until a successor is appointed and takes office, or until a period of sixty days has elapsed, whichever occurs first. Each council member shall hold office from the date of appointment until the end of the term for which the member was appointed.

(C) With approval from the director of administrative services, members may receive an amount fixed under division (J) of section [124.15](#) of the Revised Code for each day the member is performing the member's official duties and be reimbursed for actual and necessary expenses incurred in performing those duties.

(D) The council shall meet at least four times per year and at such other times as may be necessary to carry out its responsibilities.

(E) The council shall submit to the board recommendations concerning all of the following:

(1) Requirements for issuing a license to practice orthotics, prosthetics, and pedorthics, including the educational and experience requirements that must be met to receive a license;

(2) Existing and proposed rules pertaining to the practice of orthotics, prosthetics, and pedorthics and the administration and enforcement of this chapter;

- (3) Standards for the approval of educational programs required to qualify for licensure and continuing education programs for licensure renewal;
- (4) Procedures for the issuance and renewal of licenses;
- (5) Fees for the issuance and renewal of a license to practice orthotics, prosthetics, and pedorthics;
- (6) Standards of practice and ethical conduct in the practice of orthotics, prosthetics, and pedorthics;
- (7) Complaints concerning alleged violation of Chapter 4779. of the Revised Code or grounds for the suspension, revocation, refusal to issue, or issuance of probationary licenses;
- (8) The safe and effective practice of orthotics, prosthetics, and pedorthics.

Added by 132nd General Assembly File No. TBD, HB 49, §130.11, eff. 1/21/2018.

4779.40 Authority to engage in 3-D printing of open-source prosthetic kits.

An individual who is not licensed to practice prosthetics or orthotics and prosthetics under section [4779.09](#) of the Revised Code may apply to the Ohio occupational therapy, physical therapy, and athletic trainers board for the authority to engage in the 3-D printing of open-source prosthetic kits. The board shall prescribe an application form for this purpose.

The board shall grant the authority described in this section if the individual meets the requirements specified in rules adopted under section [4779.08](#) of the Revised Code.

Added by 133rd General Assembly File No. TBD, HB 166, §101.01, eff. 10/17/2019.

4779.99 Penalty.

Whoever violates section [4779.02](#), [4779.03](#), or [4779.04](#) of the Revised Code is guilty of a minor misdemeanor on the first offense; on each subsequent offense, the individual is guilty of a misdemeanor of the fourth degree.

Effective Date: 10-27-2000 .

Ohio Administrative Code Chapter 4755: ORTHOTISTS, PROSTHETISTS, PEDORTHISTS

Chapter 4755-61

4755-61-01 Notice of meetings.

(A) The orthotics, prosthetics, and pedorthics advisory council and joint occupational therapy, physical therapy, and athletic trainers board must comply with the public meeting requirements outlined in section [121.22](#) of the Revised Code.

(B) Any person may obtain the time, place, and purpose of all meetings by:

(1) Visiting the board's website at <http://otptat.ohio.gov>;

(2) E-mailing the board at board@otptat.ohio.gov;

(3) Writing the board at: "Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, 77 South High Street, Sixteenth floor, Columbus, Ohio 43215-6108";

(4) Calling the board at 614-466-3774 during normal business hours; or

(5) Appearing in person at the board office during normal business hours.

(C) Any person may obtain advance notice of all meetings at which any specific type of public business is to be discussed by identifying the type of public business for which the person desires to be notified and by contacting the Ohio occupational therapy, physical therapy, and athletic trainers board. The board will mail or email to such person a notice of the time and place of the meeting, and the type of business to be discussed, at least four calendar days before the meeting is scheduled unless the meeting is an emergency meeting.

(D) The board will maintain a list of representatives of the news media who requested notice of special or emergency meetings. The board must mail or email to such representatives notice at least four days before special meetings or must telephone or email notice at least twenty-four hours before special meetings. In the event of an emergency meeting, the representatives of the news media who requested notification must be notified immediately of the time, place, and purpose of the meeting. News media who requested meeting notification must supply the board with the name, mailing address, email address, and telephone number of the representative to be contacted.

Replaces: 4779-1-02

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [121.22](#)

Prior Effective Dates: 08/09/2002, 04/09/2007, 11/01/2008, 12/27/2012, 10/01/2017

4755-61-02 Method of public notice in adopting, amending, or rescinding.

(A) The Ohio occupational therapy, physical therapy, and athletic trainers board must comply with the provisions of section [119.03](#) of the Revised Code for the purposes of adoption, amendment, or rescission of rules. Compliance must include giving proper and reasonable public notice of rule changes.

(B) The Ohio occupational therapy, physical therapy, and athletic trainers board must comply with the provisions of section [106.03](#) of the Revised Code when reviewing existing rules.

(C) Pursuant to section [119.0311](#) of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers board must publish a guide to public participation in rule-making.

(D) Any person may receive notice of a proposed rule, amendment, or rescission by visiting the board website or by contacting the board to receive notice via e-mail.

Replaces: 4779-1-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: 106,03, [119.03](#), [119.0311](#), [4779.08](#)

Prior Effective Dates: 06/29/2001 (Emer.), 09/23/2002, 11/01/2008, 12/27/2012, 10/01/2017

4755-61-03 Definitions governing access to confidential personal information.

For the purposes of administrative rules promulgated in accordance with section [1347.15](#) of the Revised Code, the following definitions apply:

(A) "Access" as a noun means an instance of copying, viewing, or otherwise perceiving whereas "access" as a verb means to copy, view, or otherwise perceive.

(B) "Acquisition of a new computer system" means the purchase of a "computer system," as defined in this rule, that is not a computer system currently in place nor one for which the acquisition process has been initiated as of the effective date of the agency rule addressing requirements in section [1347.15](#) of the Revised Code.

(C) "Agency" means the Ohio occupational therapy, physical therapy, and athletic trainers board.

(D) "Computer system" means a "system," as defined by section [1347.01](#) of the Revised Code, that stores, maintains, or retrieves personal information using electronic data processing equipment.

(E) "Confidential personal information" (CPI) has the meaning as defined by division (A)(1) of section [1347.15](#) of the Revised Code and identified by rules promulgated by the Ohio occupational therapy, physical therapy, and athletic trainers board in accordance with division (B)(3) of section [1347.15](#) of the Revised Code that references the federal or state statutes or administrative rules that make personal information maintained by the agency confidential.

(F) "Employee of the state agency" means each employee of a state agency regardless of whether he/she holds an elected or appointed office or position within the state agency. "Employee of the state agency" is limited to personnel employed by or appointed to the Ohio occupational therapy, physical therapy, and athletic trainers board.

(G) "Incidental contact" means contact with the information that is secondary or tangential to the primary purpose of the activity that resulted in the contact.

(H) "Individual" means a natural person or the natural person's authorized representative, legal counsel, legal custodian, or legal guardian.

(I) "Information owner" means the individual appointed in accordance with division (A) of section [1347.05](#) of the Revised Code to be directly responsible for a system.

(J) "Person" means a natural person.

(K) "Personal information" has the same meaning as defined in division (E) of section [1347.01](#) of the Revised Code.

(L) "Personal information system" means a "system" that "maintains" "personal information" as those terms are defined in section [1347.01](#) of the Revised Code. "System" has the same meaning as defined by division (F) of section [1347.01](#) of the Revised Code.

(M) "Research" means a methodical investigation into a subject.

(N) "Routine" means commonplace, regular, habitual, or ordinary.

(O) "Routine information that is maintained for the purpose of internal office administration, the use of which would not adversely affect a person" as that phrase is used in division (F) of section [1347.01](#) of the Revised Code means personal information relating the employees and maintained by the agency for internal administrative and human resource purposes.

(P) "System" has the same meaning as defined by division (F) of section [1347.01](#) of the Revised Code.

(Q) "Upgrade" means a substantial redesign of an existing computer system for the purpose of providing a substantial amount of new application functionality, or application modifications that would involve substantial administrative or fiscal resources to implement, but would not include maintenance, minor updates and patches, or modification that entail a limited addition of functionality due to changes in business or legal requirements.

Replaces: 4779-13-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [1347.15](#), [4779.08](#)

Rule Amplifies: [1347.15](#),

Prior Effective Dates: 10/01/2010, 05/05/2015

[4755-61-04 Procedures for accessing confidential personal information.](#)

For personal information systems, whether manual or computer systems, that contain confidential personal information, the board must do the following:

(A) Criteria for accessing confidential personal information.

Personal information systems of the agency are managed on a "need-to-know" basis whereby the information owner determines the level of access required for an employee of the agency to fulfill his/her job duties. The determination of access to confidential personal information must be agency policy developed pursuant to these rules prior to providing an employee with access to confidential personal information within a personal information system. The agency must establish procedures for determining a revision to an employee's access to confidential personal information upon a change to that employee's job duties including, but not limited to, transfer or termination. Whenever an employee's job duties no longer require access to confidential personal

information in a personal information system, the employee's access to confidential personal information must be removed.

(B) Individual's request for a list of confidential personal information.

Upon the signed written request of any individual for a list of confidential personal information about the individual maintained by the agency, the agency must do all of the following:

(1) Verify the identity of the individual by a method that provides safeguards commensurate with the risk associated with the confidential personal information;

(2) Provide to the individual the list of confidential personal information that does not relate to an investigation about the individual or is otherwise not excluded from the scope of Chapter 1347. of the Revised Code; and

(3) If all information relates to an investigation about that individual, inform the individual that the agency has no confidential personal information about the individual that is responsive to the individual's request.

(C) Notice of invalid access.

(1) Upon discovery or notification that confidential personal information of a person has been accessed by an employee for an invalid reason, the agency must notify the person whose information was invalidly accessed as soon as practical and to the extent known at the time. However, the agency must delay notification for a period of time necessary to ensure that the notification would not delay or impede an investigation or jeopardize homeland or national security. Additionally, the agency may delay the notification consistent with any measures necessary to determine the scope of the invalid access, including which individuals' confidential personal information invalidly was accessed, and to restore the reasonable integrity of the system.

(2) "Investigation" as used in this rule means a review of the circumstances and involvement of an employee surrounding the invalid access of the confidential personal information. Once the agency determines that notification would not delay or impede an investigation, the agency must disclose the access to confidential personal information made for an invalid reason to the person.

(3) Notification provided by the board must inform the person of the type of confidential personal information accessed and the date(s) of the invalid access.

(4) Notification may be made by any method reasonably designed to accurately inform the person of the invalid access, including written, electronic, or telephone notice.

(D) Appointment of a data privacy point of contact.

The executive director must designate an employee of the agency to serve as the data privacy point of contact. The data privacy point of contact must work with the chief privacy officer within the office of information technology to assist the agency with both the implementation of privacy protections for the confidential personal information that the agency maintains and compliance with section [1347.15](#) of the Revised Code and the rules adopted pursuant to the authority provided by that chapter.

(E) Completion of a privacy impact assessment.

The agency director must designate an employee of the agency to serve as the data privacy point of contact who must timely complete the privacy impact assessment form developed by the office of information technology.

Replaces: 4779-13-02

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [1347.15](#), [4779.08](#)

Rule Amplifies: [1347.15](#)

Prior Effective Dates: 10/01/2010, 05/05/2015

4755-61-05 Valid reasons for accessing confidential personal information.

Pursuant to the requirements of division (B)(2) of section [1347.15](#) of the Revised Code, this rule contains a list of valid reasons, directly related to the board's exercise of its powers or duties, for which only employees of the agency may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

(A) Performing the following functions constitute valid reasons for authorized employees of the agency to access confidential personal information:

- (1) Responding to a public records request;
- (2) Responding to a request from an individual for the list of CPI the agency maintains on that individual;
- (3) Administering a constitutional provision or duty;
- (4) Administering a statutory provision or duty;
- (5) Administering an administrative rule provision or duty;
- (6) Complying with any state or federal program requirements;
- (7) Processing or payment of claims or otherwise administering a program with individual participants or beneficiaries;
- (8) Auditing purposes;
- (9) License application or renewal or eligibility for examination processes;
- (10) Investigation or law enforcement purposes;
- (11) Administrative hearings;
- (12) Litigation, complying with an order of the court, or subpoena;

(13) Human resource matters (e.g., hiring, promotion, demotion, discharge, salary/compensation issues, leave requests/issues, time card approvals/issues);

(14) Complying with an executive order or policy;

(15) Complying with an agency policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state agency; or

(16) Complying with a collective bargaining agreement provision.

(B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the Ohio occupational therapy, physical therapy, and athletic trainers board, authorized employees and board members would also have valid reasons for accessing CPI in these following circumstances:

(1) Authorized employees and board members may review CPI of individuals who are subject to investigation for alleged violations of Chapters 4755. or 4779. of the Revised Code or Chapters 4755-1 to 4755-66 of the administrative code that may result in licensure discipline or application denial. Authorized employees may review CPI of individuals who are not the subject of the investigation, but who otherwise may be witnesses with information related to the investigation. CPI may be reviewed by employees and members of the board in disciplinary matters that become the subject of administrative hearings or board action, including reporting disciplinary actions as required by state and federal law.

(2) Employees assigned to the continuing education audit may review CPI of license holders who are being audited for the purpose of carrying out that program.

(3) Authorized employees and board members may review CPI of persons who hold, are applying for, or are renewing a license issued by the board for purposes of verifying licensure, processing licensure and renewal applications, determining eligibility for licensure, performing financial transactions and reporting related to application processing, or any other activities undertaken for the purpose of carrying out that program.

(4) Employees assigned to fiscal and human resource positions may review CPI of vendors billing the board for services rendered and employees of the board for payroll and other human resource activities for the purpose of carrying out the board's daily activities.

Replaces: 4779-13-03

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [1347.15](#), [4779.08](#)

Rule Amplifies: [1347.15](#),

Prior Effective Dates: 10/01/2010, 05/05/2015

4755-61-06 Confidentiality statutes.

The following federal statutes or regulations or state statutes and administrative rules make personal information maintained by the board confidential and identify the confidential personal

information within the scope of rules promulgated by the board in accordance with section [1347.15](#) of the Revised Code:

(A) Social security numbers: 5 U.S.C. 552a., unless the individual was told that the number would be disclosed.

(B) Records of reporting required pursuant to 42 U.S.C. section 1320a-7e(b), 5 U.S.C. section 552 a, and 45 C.F.R. part 61 for compliance with the U.S. department of health and human services' healthcare integrity and protection data bank (HIPDB).

(C) "Bureau of criminal identification and investigation" criminal records check results: section [4776.04](#) of the Revised Code.

(D) Records required or allowed to be kept confidential pursuant to section [149.43](#) of the Revised Code.

(E) Information and records received or generated by the board pursuant to an investigation: division (E) of section [4755.02](#) of the Revised Code.

(F) Medical records submitted with requests for testing accommodations and/or continuing education waiver requests: 5 C.F.R. 164 (2014).

(G) College and university transcripts: 20 U.S.C. 1232 g(2013).

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Rule Amplifies: [1347.15](#)

Prior Effective Dates: 10/01/2010, 05/05/2015

[4755-61-07 Restricting and logging access to confidential personal information in computerized personal information systems.](#)

For personal information systems that are computer systems and contain confidential personal information, the board must do the following:

(A) Access restrictions. Access to confidential personal information that is kept electronically must require a password or other authentication measure.

(B) Acquisition of a new computer system. When the board acquires a new computer system that stores, manages or contains confidential personal information, the board must include a mechanism for recording specific access by employees of the board to confidential personal information in the system.

(C) Upgrading existing computer systems. When the board modifies an existing computer system that stores, manages or contains confidential personal information, the board must make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system must include a mechanism for recording specific access by employees of the board to confidential personal information in the system.

(D) Logging requirements regarding confidential personal information in existing computer systems.

(1) The board must require employees of the board who access confidential personal information within computer systems to maintain a log that records that access.

(2) Access to confidential information is not required to be entered into the log under the following circumstances:

(a) The employee of the board is accessing confidential personal information for official board purposes, including research, and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(b) The employee of the board is accessing confidential personal information for routine office procedures and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(c) The employee of the board comes into incidental contact with confidential personal information and the access of the information is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(d) The employee of the board accesses confidential personal information about an individual based upon a request made under either of the following circumstances:

(i) The individual requests confidential personal information about himself/herself.

(ii) The individual makes a request that the board takes some action on that individual's behalf and accessing the confidential personal information is required in order to consider or process that request.

(3) For purposes of this paragraph, the board may choose the form or forms of logging, whether in electronic or paper formats.

(E) Log management. The board must issue a policy that specifies the following:

(1) Who must maintain the log;

(2) What information must be captured in the log;

(3) How the log is to be stores; and

(4) How long information kept in the log is to be retained.

Nothing in this rule limits the board from requiring logging in any circumstance that it deems necessary.

Replaces: 4779-13-05

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Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [1347.15](#), [4779.08](#)

Rule Amplifies: [1347.15](#)
Prior Effective Dates: 10/01/2010, 05/05/2015

Chapter 4755-62

4755-62-01 Definition of terms.

The following definitions must apply to the language of Chapter 4779. of the Revised Code:

(A) General definitions

(1) "Board" means the Ohio occupational therapy, physical therapy, and athletic trainers board.

(2) "Temporary license" means a license issued under section [4779.18](#) of the Revised Code, which renews on its own anniversary date, and which may only be renewed one time.

(B) Licensing language and educational standards

(1) "Good moral character" as it is used in section [4779.09](#) and under division (A)(1)(3) in section [4779.18](#) of the Revised Code, means not having been convicted of a crime of moral turpitude; not having made misstatements or misrepresentation in connection with an application or examination for registration, certification or licensure; and not having willfully violated any of the sections related to conduct required of applicants or license holders and set forth in the statutes or rule.

(2) "License" as it is used under division (A) of section [4779.20](#) of the Revised Code, means the authority to practice in the noted profession pursuant to an action of the board.

(3) "License holder" means a person who holds a license issued under Chapter 4779. of the Revised Code.

(4) "Nationally accredited college or university in the U.S." means colleges and universities accredited by an accreditation body recognized by the U.S. department of education, including regional accreditation bodies.

(5) "Provides two semesters or three quarters of instruction" as it is used in divisions (B) (1), (C)(1), and (D)(1) of section [4779.26](#) of the Revised Code means that the certificate program meets those specific traditional education duration standards or meets the standards as developed and implemented by the national commission on orthotic and prosthetic education (NCOPE) in effect at the time the applicant was completing his or her formal education for entrance to the referenced professions. Such instruction may include blended learning that allows for a combination of online distance learning, classroom learning, and on-site clinical learning that meets the standards established by the commission on accreditation of allied health education professions (CAAHEP).

(6) "Provides two semesters or three quarters of instruction" as it is used in divisions (B) (1), (B)(2), and (B)(3) of section [4779.27](#) of the Revised Code means that the residency program requires as a prerequisite for admission the educational equivalent of learning required by section [4779.26](#) of the Revised Code or residency admission standards as developed and implemented by the national commission on orthotic and prosthetic education (NCOPE) that were in effect at the time the applicant was completing his or her formal education for entrance to the referenced professions and that meets or met the standards established by the commission on accreditation of allied health education professions (CAAHEP).

(7) "Residency program" approved by the board, as referenced in section [4779.10](#) of the Revised Code, section [4779.11](#) of the Revised Code, and section [4779.12](#) of the Revised Code means a residency requiring nineteen hundred hours under the direct supervision of a practitioner certified in the same discipline, and which meets the requirements of section [4779.27](#) of the Revised Code.

(8) "Suspended" as used in section [4779.31](#) of the Revised Code means a license that has lapsed or been placed on inactive or non-renewed status due to nonpayment of renewal fees, as well as a license placed under suspension as the result of an adjudication pursuant to section [4779.28](#), [4779.29](#), or [4779.30](#) of the Revised Code, or as the result of an agreement entered into between the board and the license holder in lieu of proceeding to adjudication.

(C) Supervision definitions and requirements

(1) "Physically present" as it is used under division (B) of section [4779.04](#) of the Revised Code means at the same building, location, or facility as the non-licensed practitioner and patient.

(2) "Under the direct supervision", as it is used under division (B)(5) of section [4779.02](#) of the Revised Code, means the person who provides orthotic, prosthetic, or pedorthic services under the supervision of a person authorized to practice medicine or osteopathic medicine, must perform the evaluation, measurement, design, fitting, adjusting, servicing, or training in a building, facility, or location where the physician or osteopathic physician is present at the time the service is provided and pursuant to a professional arrangement whereby the physician or osteopathic physician takes full clinical and consumer care responsibility for the orthotic, prosthetic, or pedorthic services provided.

(3) "Under the supervision" as it is used under division (B) in section [4779.18](#) of the Revised Code means the temporary license holder who practices under the supervision of a person who holds a full practitioner license issued under section [4779.09](#) of the Revised Code may conduct all activities either at a building, location, or facility where the supervising orthotist, prosthetist, or pedorthist is physically present or at a location where the supervising orthotist, prosthetist, or pedorthist is readily available to the person through some means of telecommunication and is in a location that under normal circumstances is not more than sixty minutes travel time away from the location where the temporary license holder is practicing.

Replaces: 4779-3-01

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Statutory Authority: [4779.08](#)

Rule Amplifies: 4779.

Prior Effective Dates: 08/09/2002, 04/09/2007, 11/01/2008, 11/01/2010, 07/01/2016

[4755-62-02 Device-related and scope of practice definitions.](#)

The following definitions must apply to the language of Chapter 4779. of the Revised Code:

(A) "Accommodative" as defined at division (A) of section [4779.01](#) of the Revised Code means in addition that the item is designed to conform to the anatomy of the particular person who purchases and wears the item., . "Accommodative" may describe an item sold on a strictly retail basis, but may also describe an item requiring custom fitting or custom fabricating as required by patient presentation and medical order.

(B) "Arch support" as used in division (G) of section [4779.01](#) of the Revised Code means an item sold off-the-shelf on a retail basis to be accommodative to the anatomy of the foot for the person who uses it; and which is not custom fitted or custom fabricated, and is not provided to fill a doctor's order or healthcare prescription.

(C) "Nontherapeutic" as used in divisions (D) and (G) of section [4779.01](#) of the Revised Code means an item sold off-the-shelf on a retail basis, which is not custom fitted or custom fabricated, and is not delivered to fill a doctor's order or healthcare prescription.

(D) "Therapeutic" as used in division (A) of section [4779.01](#) of the Revised Code refers to an item delivered to fill a patient-specific doctor's order or healthcare prescription.

(E) "Custom fabricated or fitted medical device" as referenced in divisions (E), (G), or (I) of section [4779.01](#) of the Revised Code means an orthotic, prosthetic or pedorthic device that is individually made (custom fabricated) or fitted (custom fitted) for a specific patient. Further, it is a device the provision of which requires access to a facility with the equipment necessary to fulfill the ongoing consumer-care responsibility to provide follow-up treatment, including modification, adjustment, maintenance and repair of the item(s).

(1) A custom fabricated item is defined as a device which is individually made for a specific patient. No other patient would be able to use this item. A custom fabricated item is a device which is fabricated based on clinically derived and rectified castings, tracings, measurements, and/or other images (such as x-rays or digital scans) of the body part. The fabrication may involve using calculations, templates and components. This process requires the use of basic materials including, but not limited to plastic, metal, leather or cloth in the form of uncut or unshaped sheets, bars, or other basic forms and involves substantial work such as vacuum forming, cutting, bending, molding, sewing, drilling and finishing prior to fitting on the patient.

A molded-to-patient-model item is a particular type of custom fabricated device in which either:

(a) An impression (usually by means of a plaster or fiberglass cast) of the specific body part is made directly on the patient, and this impression is then used to make a positive model of the body part from which the final product is crafted; or

(b) A digital image of the patient's body part is made using computer-aided design-computer aided manufacture (CAD-CAM) systems software. This technology includes specialized probe/digitizers and scanners that create a computerized positive model and then direct milling equipment to carve a positive model. The device is then individually fabricated and molded over the positive model of the patient. The use of CAD/CAM software or digital software packages and hardware to generate a negative model (3D printing) can be used for direct fabrication of intermediate stages of the device up to and including the final or definitive device itself.

(2) A custom fitted item is defined as a prefabricated device which is manufactured in quantity without a specific patient in mind. The device may or may not be supplied as a kit that requires some assembly and/or fitting and adjustment, or a device that may be trimmed, bent, molded (with or without heat), or otherwise modified by a person with expertise in customizing the item to fit and be used by a specific patient.

A custom fitted item/device as referenced in divisions (E), (G), or (I) of section [4779.01](#) of the Revised Code does not include:

(a) Upper extremity adaptive equipment used to facilitate the activities of daily living;

- (b) Finger splints or wrist splints;
 - (c) Prefabricated elastic or fabric abdominal supports with or without metal or plastic reinforcing stays requiring minimal fitting;
 - (d) Other prefabricated soft goods requiring minimal fitting;
 - (e) Nontherapeutic accommodative inlays;
 - (f) Nontherapeutic or therapeutic over-the-counter or off-the-shelf shoes or boots that are not manufactured or modified for a particular person;
 - (g) Prefabricated foot care products;
 - (h) Other durable medical equipment that is not categorized as an orthotic, prosthetic, or pedorthic device; dental appliances; or devices implanted into the body by a physician.
- (F) "For use from the apex of the medial malleolus and below" as used in division (G) of section [4779.01](#) of the Revised Code means that the pedorthic device does not physically extend proximal to the apex of the medial malleolus, meaning not extending higher than the middle of the ankle bone.
- (G) "Minimal fitting" as used in section [4779.01](#) of the Revised Code and this rule means the prefabricated device is classified as an off the shelf (OTS) device by the U.S. department of health and human services center for medicare/medicaid services.

Replaces: 4779-3-02

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Rule Amplifies: [4779.01](#)

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Chapter 4755-63

4755-63-01 Applications for initial licensure by examination.

(A) Applications must be:

- (1) Submitted electronically via the Ohio e-license system;
- (2) Electronically signed via the Ohio e-license system;
- (3) Accompanied by the fee prescribed by rule 4755-66-01 of the Administrative Code; and
- (4) Accompanied by such evidence, statements, or documents as specified on the application.

(B) For the purposes of filing an electronic application via the Ohio e-license system, the applicant will create a "UserID" and password. The use of the "UserID" and password is solely the responsibility of the person to whom it is issued. The "UserID" and password will constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.

(C) Any application received in accordance with this rule that remains incomplete one year after the initial application filing will be considered to be abandoned and no further processing will be undertaken with respect to that application.

(1) If the application process extends for a period longer than one year, the board may require updated information as it deems necessary.

(2) No application for licensure may be withdrawn without approval of the board. An applicant may request to withdraw an application by submitting a request through eLicense Ohio.

(3) Submitted fees are neither refundable nor transferable.

(D) The applicant seeking licensure under section [4779.09](#) of the Revised Code must:

(1) Submit an attestation that the applicant is at least eighteen years old, of good moral character, and meets the requirements of sections [4779.10](#), [4779.11](#), [4779.12](#), or [4779.13](#) of the Revised Code.

(2) Pass an examination approved by the board pursuant to section [4779.15](#) of the Revised Code.

(3) Attestation and submission of fingerprints for criminal record checks by the Ohio bureau of criminal identification and investigation (BCII) and the federal bureau of investigation (FBI), if the application is for the first issuance of a license.

(E) In addition, an application for a license to practice orthotics must document compliance with the following requirements:

(1) A post-secondary educational credential of at least a bachelors degree;

(2) A certificate of completion of a post-graduate certificate program in orthotics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in orthotics and prosthetics;

(3) Completion of a residency program in orthotics consisting of nineteen hundred hours supervised by a practitioner certified in orthotics;

(4) A letter or statement from an Ohio-licensed orthotist or prosthetist-orthotist, attesting to having conducted supervision for at least an eight-month period (required if residency not conducted under Ohio-licensed supervisor). This requirement is waived for applicants who meet the requirements of section [4779.17](#) of the Revised Code;

(5) An applicant with an educational credential from a foreign educational institution must show educational equivalence according to rule 4755-63-14 of the Administrative Code.

(F) In addition, an application for a license to practice prosthetics must document compliance with the following requirements:

(1) A post-secondary educational credential of at least a bachelors degree;

(2) A certificate of completion of a post-graduate certificate program in prosthetics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in orthotics and prosthetics;

(3) Completion of a residency program in prosthetics consisting of nineteen hundred hours supervised by a practitioner certified in prosthetics;

(4) A letter or statement from an Ohio-licensed prosthetist or prosthetist-orthotist, attesting to having conducted supervision for at least an eight-month period (required if residency not conducted under Ohio-licensed supervisor). This requirement is waived for applicants who meet the requirements of section [4779.17](#) of the Revised Code;

(5) An applicant with an educational credential from a foreign educational institution must show educational equivalence according to rule 4755-63-14 of the Administrative Code.

(G) In addition, an application for a license to practice orthotics and prosthetics must document compliance with the following requirements:

(1) A post-secondary educational credential of at least a bachelors degree;

(2) A certificate of completion of post-graduate certificate programs in prosthetics and orthotics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in orthotics and prosthetics;

(3) Completion of a residency program in prosthetics and orthotics, consisting of nineteen hundred hours supervised by a practitioner certified in prosthetics, and nineteen hundred hours supervised by a practitioner certified in orthotics;

(4) A letter or statement from an Ohio-licensed prosthetist-orthotist, attesting to having conducted supervision for at least an eight-month period (required if residency not conducted under Ohio-licensed supervision). This requirement is waived for applicants who meet the requirements of section [4779.17](#) of the Revised Code;

(5) An applicant who holds a license in orthotics and successfully completes all the requirements for a license in prosthetics will be issued a new license in prosthetics-orthotics;

(6) An applicant who holds a license in prosthetics and successfully completes all the requirements for a license in orthotics will be issued a new license in prosthetics-orthotics;

(7) An applicant with an educational credential from a foreign educational institution must show educational equivalence according to rule 4755-63-14 of the Administrative Code.

(H) In addition, an application for a license to practice pedorthics must document compliance with the following requirements:

(1) A high school diploma or a certificate of high school equivalence.

(2) A statement from the supervising pedorthist, orthotist, prosthetist, or prosthetist-orthotist, that the applicant has practiced for eight months under the supervisor's oversight and direction. The statement must be provided on a form prescribed by the state board of orthotics, prosthetics, and pedorthics which requires attestation of completion of one thousand hours of pedorthic care practice under supervision by the licensed supervisor, including at least one hundred hours devoted to each of the following five general areas of service delivery:

(a) Comprehensive assessment and evaluation of patients requiring the full spectrum of pedorthic care, including:

(i) Custom fabricated and custom fitted foot orthoses

(ii) Therapeutic/diabetic shoes, depth shoes and custom shoes

(iii) Prefabricated inserts, custom fitted, moldable and rigid

(iv) Shoe modifications

(v) Retail, non-therapeutic shoes and foot orthoses

(b) Development of a comprehensive treatment plan to provide appropriate pedorthic care.

(c) Selection of materials and components to meet the treatment plan. On-site fabrication of the device where facilities are available. Working knowledge of how various devices are fabricated if fabrication is not done at the facility.

(d) Fitting and appropriate follow-up of the pedorthic device to assure optimal fit and function of the device. This includes modifications and adjustments of the device to ensure proper and continued function and instructing patient on the use and care of the device with verbal and take-home instructions where indicated or required.

(e) Appropriate documentation of patient care and interaction, including records are accurate, current and complete, and that principles and procedures of practice management are understood.

(3) Completion of the training, education, and/or experience requirements necessary to sit for a certification in pedorthics examination in accordance with standards established by the national commission on orthotic and prosthetic education.

(I) A candidate for a full license in orthotics, prosthetics, prosthetics-orthotics, or pedorthics who has already been granted a temporary license under section [4779.18](#) of the Revised Code and is practicing under that license may advance the temporary license to full license status by documenting completion of the remaining requirements without submitting a new license application. Documentation must include:

- (1) Proof of successful passage of the examination as provided by section [4779.15](#) of the Revised Code; and
- (2) Proof that the applicant has practiced for not less than eight months under the supervision of a person licensed under chapter 4779. to practice orthotics, prosthetics, or pedorthics as required by division (A) of section [4779.10](#), division (A) of section [4779.11](#), division (A) of section [4779.12](#), or division (A) of section [4779.13](#).

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Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 07/01/2016, 11/14/2016

[4755-63-02 Licensure by endorsement.](#)

(A) In accordance with division (A)(4) of section [4779.17](#) of the Revised Code, an applicant who holds a license issued by another state may obtain a license to practice orthotics, prosthetics, or pedorthics in the state of Ohio if the out-of-state applicant:

- (1) Qualifies for licensure in the state of Ohio, except for the passage of the examination as required under sections [4779.09](#) and [4779.15](#) of the Revised Code; and
- (2) Holds a valid license issued by the appropriate licensing entity of another state and has not been issued a license in another state that has been revoked or is currently under suspension or probation or remains under the effect of any other current disciplinary action.

(B) Applications must be:

- (1) Submitted electronically via the Ohio e-license system;
- (2) Electronically signed via the Ohio e-license system;
- (3) Accompanied by the fee prescribed by rule 4755-66-01 of the Administrative Code; and
- (4) Accompanied by such evidence, statements, or documents as specified on the application, including any documentation necessary to support the qualifications mentioned in paragraph (A)(1) or (A)(2) of this rule, and pursuant to the profession-specific requirements of paragraphs (E) to (H) of rule 4775-63-01 of the Administrative Code.

(C) Out-of- state residents must update the Ohio occupational therapy, physical therapy, and athletic trainers board within thirty working days of any change in orthotics, prosthetics, or

pedorthics employment in the state of Ohio or any change in state-of-residence or state-of-employment status.

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Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.17](#)

Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 04/01/2013

4755-63-03 Educational programs.

(A) The board hereby approves orthotics and prosthetics educational programs that are accredited by or are under a letter of review from the committee on accreditation for orthotics and prosthetics under the auspices of the commission of accreditation of allied health educational programs or their successor organization(s); for pedorthic educational programs, the board hereby approves programs accredited by the national commission on orthotic and prosthetic education or its successor organization; and

(B) The board must recognize a post-secondary educational program that complies with the requirements of section [4779.25](#) of the Revised Code.

(C) The board may recognize an educational program that meets these standards upon request of an officer or official of the educational program; upon request of an applicant for licensure; or upon request of any person that has a recognized interest in the fields of orthotics, prosthetics, or pedorthics.

Replaces: Replaces 4779-4-01

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Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.25](#); [4779.26](#)

Prior Effective Dates: 08/09/2002, 11/01/2008, 04/01/2013

4755-63-04 Certificate program requirements.

"Certificate program" as referenced in section [4779.26](#) of the Revised Code, means a postgraduate certificate program that meets the following requirements, as applicable:

(A) All certificate programs must meet all of the following requirements:

(1) Admission standards require at least a high school diploma or certificate of high school equivalence issued by the state board of education;

(2) Has a written description of the program that includes learning goals, course objectives, and competencies for graduation;

(3) Requires frequent, documented evaluations of students to assess their acquisition of knowledge, problem identification and solving skills, and psychomotor, behavioral, and clinical competencies;

(4) Admits only persons who have successfully completed courses in biology, chemistry, physics, psychology, computer science, algebra or higher math, human anatomy with a laboratory section, and physiology with a laboratory section;

(5) Requires students to complete formal instruction in biomechanics, gait analysis and pathomechanics, kinesiology, pathology, material science, research methods, and diagnostic imaging techniques;

(6) Provides for the evaluation of the program through regular, on-site visits conducted by qualified people from a nationally recognized orthotic, prosthetic, or orthotic and prosthetic certifying body.

(B) In addition, a certificate program in orthotics must meet all of the following requirements:

(1) Provides two semesters or three quarters of instruction in orthotics as defined in paragraph (B)(5) of rule 4755-62-01 of the Administrative Code;

(2) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, including recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of orthotic systems;

(3) Requires as a condition of graduation that students demonstrate orthotic skills, including measurement, impression-taking, model rectification, and fitting and alignment of orthoses for the lower limbs, upper limbs, and spines;

(C) In addition, a certificate program in prosthetics must meet all of the following requirements:

(1) Provides two semesters or three quarters of instruction in prosthetics as defined in paragraph (B)(5) of rule 4755-62-01 of the Administrative Code;

(2) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of prosthetics;

(3) Requires as a condition of graduation that students demonstrate prosthetic skills that include measurement, impression taking, model rectification, diagnostic fitting, definitive fitting, postoperative management, external power, and static and dynamic alignment of prostheses related to various amputation levels, including partial foot, syme's below the knee, above knee, below elbow, above elbow, and the various joint disarticulations.

(D) In addition, a certificate program in orthotics and prosthetics must meet all of the following requirements:

(1) Provides two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics as defined in paragraph (B)(5) of rule 4755-62-01 of the Administrative Code;

(2) Requires as a condition of graduation that students complete training in orthotic systems, including foot orthoses, ankle-foot orthoses, knee orthoses, knee-ankle-foot orthoses, hip-knee orthoses, wrist-hand orthoses, cervical-thoracic-lumbo-sacral orthoses, thoracolumbar orthoses, lumbar-sacral orthoses, halo, fracture management, reciprocal gait orthoses, standing frames, and seating;

(3) Requires as a condition of graduation that students demonstrate prosthetic skills that include measurement, impression taking, model rectification, diagnostic fitting, definitive fitting, postoperative management, external power, and static and dynamic alignment of prostheses related to various amputation levels, including partial foot, syme's below the knee, above knee, below elbow, above elbows, and the various joint disarticulations.

Replaces: 4779-4-02

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.26](#)

Prior Effective Dates: 08/09/2002, 04/09/2007, 11/01/2008, 11/01/2010

4755-63-05 Examinations.

(A) The board recognizes the following practitioner-level examinations to qualify an applicant for licensure pursuant to sections [4779.09](#) and [4779.15](#) of the Revised Code.

(1) For licensure in orthotics, the orthotics written examination and the orthotics written simulation examination administered by the American board for certification in orthotics, prosthetics, and pedorthics (ABCOPP).

(2) For licensure in prosthetics, the prosthetics written examination and the prosthetics written simulation examination administered by the ABCOPP.

(3) For licensure in pedorthics, either:

(a) The certified pedorthist examination (CPED) administered by the ABCOPP, or

(b) The pedorthist certification examination (BOCPD) administered by the board of certification/accreditation international (BOC) formerly known as the board of orthotist/prosthetist certification.

(B) These examinations must be administered in accordance with the provisions of any agreement between the respective parties.

(C) The board will accept results of examinations previously administered if other qualifications required by Chapter 4779. of the Revised Code are evident in application documentation.

Replaces: 4779-5-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.10](#), [4779.11](#), [4779.12](#), [4779.13](#), [4779.15](#)

Prior Effective Dates: 08/09/2002, 11/01/2008, 07/01/2016

4755-63-06 Temporary license application procedure.

(A) Applications must be:

- (1) Submitted electronically via the Ohio e-license system;
- (2) Electronically signed via the Ohio e-license system;
- (3) Accompanied by the fee prescribed by rule 4755-66-01 of the Administrative Code; and
- (4) Accompanied by such evidence, statements, or documents as specified on the application.

(B) For the purposes of filing an electronic application via the Ohio e-license system, the applicant will create a "UserID" and password. The use of the "UserID" and password is solely the responsibility of the person to whom it is issued. The "UserID" and password will constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.

(C) Any application received in accordance with this rule that remains incomplete one year after the initial application filing will be considered to be abandoned and no further processing will be undertaken with respect to that application.

(1) If the application process extends for a period longer than one year, the board may require updated information as it deems necessary.

(2) No application for licensure may be withdrawn without approval of the board. An applicant may request to withdraw an application by submitting a request through eLicense Ohio.

(3) Submitted fees are neither refundable nor transferable.

(D) The following requirements apply to all applicants seeking licensure under section [4779.18](#) of the Revised Code.

(1) The application must contain an attestation that the applicant is at least eighteen years old, of good moral character in accordance with section [4779.09](#) of the Revised Code, and meets the requirements of section [4779.18](#) of the Revised Code.

(2) An applicant seeking a first license issued by the state board of orthotics, prosthetics, and pedorthics must comply with the criminal record check requirements of section [4779.091](#) of the Revised Code and rule 4755-63-12 of the Administrative Code.

(3) A license issued pursuant to section [4779.18](#) of the Revised Code expires one year after issuance, and may only be renewed once.

(E) In addition, an application for a temporary license to practice orthotics must document compliance with the requirements of division (A) of section [4779.18](#) of the Revised Code as follows:

- (1) A post-secondary educational credential of at least a bachelors degree;
- (2) A certificate of completion of a post-graduate certificate program in orthotics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in orthotics and prosthetics;
- (3) Completion of a residency program in orthotics consisting of nineteen hundred hours supervised by a practitioner certified in orthotics;
- (4) A statement co-signed by the applicant and the current or prospective Ohio-licensed supervisor affirming that both are aware of and will abide by the law and rules governing supervision for a temporary license;

(F) In addition, an application for a temporary license to practice prosthetics must document compliance with the requirements of division (A) of section [4779.18](#) of the Revised Code as follows:

- (1) A post-secondary educational credential of at least a bachelors degree;
- (2) A certificate of completion of a post-graduate certificate program in prosthetics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in orthotics and prosthetics;
- (3) Completion of a residency program in prosthetics consisting of nineteen hundred hours supervised by a practitioner certified in prosthetics;
- (4) A statement co-signed by the applicant and the current or prospective Ohio-licensed supervisor affirming that both are aware of and will abide by the law and rules governing supervision for a temporary license;

(G) In addition, an application for a temporary license to practice orthotics and prosthetics must document compliance with the requirements of division (A) of section [4779.18](#) of the Revised Code as follows:

- (1) A post-secondary educational credential of at least a bachelors degree;
- (2) A certificate of completion of post-graduate certificate programs in prosthetics and orthotics, unless the applicant's post-secondary educational credential is a bachelors or masters degree specifically in orthotics and prosthetics;
- (3) Completion of a residency program in prosthetics and orthotics, consisting of nineteen hundred hours supervised by a practitioner certified in prosthetics, and nineteen hundred hours supervised by a practitioner certified in orthotics;
- (4) A statement co-signed by the applicant and the current or prospective Ohio-licensed supervisor affirming that both are aware of and will abide by the law and rules governing supervision for a temporary license;

(H) In addition, an application for a temporary license to practice pedorthics must document compliance with the requirements of division (A) of section [4779.18](#) of the Revised Code as follows:

- (1) A high school diploma or a certificate of high school equivalence;
- (2) A statement co-signed by the applicant and the current or prospective Ohio-licensed supervisor affirming that both are aware of and will abide by the law and rules governing supervision for a temporary license;
- (3) Completion of the training, education, and/or experience requirements necessary to sit for the certification in pedorthics examination in accordance with standards established by the national commission on orthotic and prosthetic education (NCOPE).

Replaces: 4779-6-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.18](#)

Prior Effective Dates: 08/09/2002, 11/01/2008, 07/01/2013, 11/14/2016

[4755-63-07 Certificate of license; display.](#)

(A) Each applicant who is approved for full licensure in orthotics, prosthetics, prosthetics-orthotics, or pedorthics will electronically receive a certificate of full licensure for office display upon initial approval.

(B) The license orthotist, licensed prosthetist, licensed prosthetist-orthotist, and licensed pedorthist must display the original license certificate at their principal place of business and all locations of service delivery. Display of the original license certificate includes the ability to show the copy that is available through Ohio eLicense. (<http://elicense.ohio.gov>).

(C) Verification of current licensure can be obtained from the Ohio eLicense center verification page (<http://elicense.ohio.gov>).

(D) Additional copies of the certificate may be request by orthotics, prosthetics, prosthetics-orthotics, and pedorthics license holders by logging into Ohio eLicense (<http://elicense.ohio.gov>) and paying the fee prescribed by rule 4755-66-08.

Replaces: 4779-7-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.10](#), [4779.11](#), [4779.12](#), [4779.13](#), [4779.16](#), [4779.17](#), [4779.18](#)

Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 07/01/2016

4755-63-08 Biennial renewal of license.

(A) Renewal of an orthotics, prosthetics, orthotics-prosthetics, and pedorthics license must be in accordance with section [4779.20](#) of the Revised Code.

(1) The renewal notice will be sent to the e-mail address on file with the board.

(2) The entire licensure renewal application, including any required forms, compliance with the continuing education requirement specified in rule 4755-65-01 of the Administrative Code, and payment of the renewal fee prescribed by rule 4755-66-04 of the Administrative Code, must be completed to satisfy the requirements of the renewal procedure.

(B) All persons licensed as an orthotist, prosthetist, prosthetist-orthotist, and pedorthist must renew their license by the thirty-first day of January in each odd-numbered year. When a license to practice as an orthotist, prosthetist, prosthetist-orthotist, or pedorthist is issued by the board on or after June first of an even-numbered year, that license will be valid through the thirty-first day of January of the next odd-numbered year.

(C) Persons who fail to submit the renewal fee, completed application, any other required forms, and/or comply with the continuing education requirement specified in rule 4755-65-01 of the Administrative Code by the thirty-first day of January of the odd-numbered year will have their license automatically expire.

(1) A license holder whose license expires for failure to renew must submit a reinstatement application in accordance with rule 4755-63-09 of the Administrative Code. The occupational therapy, physical therapy, and athletic trainers joint board must approve the reinstatement application before the person may legally practice as an orthotist, prosthetist, prosthetist-orthotist, or pedorthist in Ohio.

(2) A license holder who continues to practice as an orthotist, prosthetist, prosthetist-orthotist, or pedorthist with an expired license will be subject to disciplinary action pursuant to section [4779.28](#) or [4779.99](#) of the Revised Code.

(D) For the purposes of filing an electronic renewal application via the Ohio eLicense system, the applicant must create a "UserID" and password. The use of the "UserID" and password is solely the responsibility of the license holder who created it. The "UserID" and password must constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.

Replaces: 4779-8-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.15](#), [4779.20](#), [4779.23](#), [4779.24](#), [4779.99](#)

Prior Effective Dates: 08/09/2002, 11/01/2008, 11/01/2010, 06/27/2014, 11/14/2016

4755-63-09 Reinstatement of licensure.

(A) Reinstatement is mandatory for any person wishing to practice who held a license to practice as an orthotist, prosthetist, prosthetist-orthotist, or pedorthist in the state of Ohio according to chapter 4779 of the Revised Code.

(B) All applicants for reinstatement must submit a completed application on the forms specified by the section. All applications must be:

(1) Submitted electronically via the elicense system;

(2) Electronically signed via the elicense system;

(3) Contain the fee prescribed by rule 4755-66-03 of the Administrative Code;

(4) Be accompanied by such evidence, statements, or documents as specified on the application; and

(5) Contain proof that the applicant met the appropriate continuing education requirement:

(a) For reinstatement applications submitted before March first of the year in which the applicant's license expired, the applicant must complete the number of contact hours of continuing education that were required to renew the expired license. All contact hours used to reinstate the license must be in accordance with rule 4755-65-01 of the Administrative Code. Contact hours used to meet the requirement of this paragraph must not be used to renew the reinstated license.

(b) For reinstatement applications submitted on or after March first of the year in which the applicant's license expired, the applicant must complete the number of contact hours specified in paragraph (A) of rule 4755-65-01 of the Administrative Code within the two year period immediately preceding the date the board receives the application for reinstatement. All contact hours used to reinstate the license must be in accordance with rule 4755-65-01 of the Administrative Code. Contact hours used to meet the requirement of this paragraph must not be used to renew the reinstated license.

(C) The board may require persons filing reinstatement applications to appear in person before the board.

(D) For the purposes of filing an electronic application via the elicense system, the applicant will create a "UserID" and password. The use of the "UserID" and password is solely the responsibility of the person to whom it is issued. The "UserID" and password will constitute the legally recognized signature for the purposes of this rule and may not be transferred, distributed, or shared with any other person.

(E) Any application received in accordance with this rule that remains incomplete one year after the initial application filing will be considered to be abandoned and no further processing will be undertaken with respect to that application.

(1) If the application process extends for a period longer than one year, the board may require updated information as it deems necessary.

(2) No application for licensure may be withdrawn without approval of the board.

(3) Submitted fees are neither refundable nor transferable.

Replaces: 4779-8-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.15](#), [4779.20](#), [4779.23](#), [4779.24](#), [4779.99](#)

Prior Effective Dates: 08/09/2002, 11/01/2008, 11/01/2010, 06/27/2014, 11/14/2016

4755-63-10 Reinstatement or reconsideration of denied/revoked license.

(A) In evaluating an application for reinstatement of a license or reconsideration of denial of a license, the joint board must consider the following:

- (1) The nature and severity of the acts that resulted in revocation or denial of license;
- (2) The time elapsed since the commission of the acts;
- (3) Possible additional violations occurring after the revocation or denial;
- (4) Compliance with previous orders of the board; and
- (5) Any evidence of rehabilitation that the applicant may submit to the board.

(B) Before reinstating a license issued under this chapter that has been suspended for more than two years, the Ohio occupational therapy, physical therapy, and athletic trainers board may require an individual to pass the appropriate licensing examination.

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.28](#), [4779.31](#)

4755-63-11 Verification of licensure.

(A) The occupational therapy, physical therapy, and athletic trainers board will officially verify to another regulatory entity the status of a person's license to practice orthotics, prosthetics, and pedorthics in the state of Ohio upon both of the following:

- (1) Receipt of an official verification request submitted electronically via the Ohio elicense system; and
- (2) Payment of the verification of license charge specified in rule 4755-66-07 of the Administrative Code.

(B) Official verification issued by the board must include, but not be limited to:

- (1) The license number and status of the license;
- (2) Any disciplinary action taken against the license; and
- (3) The initial issue date and expiration date of the license.

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.08](#)

4755-63-12 Criminal records check.

(A) In addition to the requirements established in rules 4755-63-01, 4755-63-02, and 4755-63-06 of the Administrative Code, all applicants for initial licensure as an orthotist, prosthetist, prosthetist-orthotist, and pedorthist must submit to a criminal records check completed by the bureau of criminal identification and investigation in accordance with section [4779.091](#) of the Revised Code. The results of the criminal records check must be received by the board prior to the issuance of a license to practice as an orthotist, prosthetist, prosthetist-orthotist, and pedorthist.

(B) An applicant requesting a criminal records check must provide the bureau of criminal identification and investigation with the applicant's name, and address, and any other information required by the bureau of criminal identification and investigation for the purpose of completing the criminal records checks. The applicant must cause the results of the criminal records checks to be forwarded to the Ohio occupational therapy, physical therapy, and athletic trainers board at "77 South High Street, 16th Floor, Columbus, Ohio 43215-6108."

(C) In the request, the applicant must ask the superintendent of the bureau of criminal identification and investigation to obtain from the federal bureau of investigation any information it has pertaining to the applicant.

(D) The occupational therapy, physical therapy, and athletic trainers board will only accept the results of a criminal records check that is submitted to the board directly by the bureau of criminal identification and investigation in compliance with this rule.

(E) A criminal records check will not be required if the applicant has caused the results of a criminal records check to be filed with the board in accordance with the requirements of this rule within six months of the date that the board received the results of the criminal records check. A new criminal records check will be required if the applicant's criminal records check on file with the board is greater than six months old based on the date the board received the report.

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4776.03](#), [4779.091](#)

4755-63-14 Foreign education licensure.

(A) The occupational therapy, physical therapy, and athletic trainers board may consider acceptance of foreign educational credentials for licensure as an orthotist, prosthetist, or prosthetist-orthotist as follows:

(1) The applicant must complete an education credentials review from an entity approved by the board to be used by the board to determine if the applicant's foreign education was substantially equivalent pursuant to Ohio Revised Code section [4779.10](#), [4779.11](#), or [4779.12](#).

(2) The applicant must demonstrate that the person met the requirements to practice orthotics or prosthetics in the country of education and evidence of eligible licensure and/or certification credentialing in that country.

(B) Educational evaluations reflect only the findings and conclusions of the evaluating service and must not be binding upon the board.

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.10](#), [4779.11](#), [4779.12](#)

Chapter 4755-64

4755-64-01 Ethical and professional conduct.

A license holder must provide professional services with objectivity and with respect for the unique needs and values of the health care recipient, as follows:

- (A) A license holder must not discriminate on the basis of factors that are irrelevant to the provision of professional services including, but not limited to, race, creed, sex, national origin, age, or medical condition.
- (B) Prior to a license holder entering into a contractual relationship with a health care recipient, the license holder must provide sufficient information to enable the health care recipient to make an informed decision to enter into a contractual relationship. Sufficient information must include any fees and arrangements for payment which might affect the decision.
- (C) A license holder must not mislead the public and/or colleagues about services and must not advertise in a misleading manner.
- (D) A license holder must not engage in any activities that seek to meet his or her personal needs at the expense or detriment of the health care recipient.
- (E) A license holder must not receive or give a commission, rebate, or any other form of direct or indirect remuneration or benefit for the referral of patients/clients for professional services.
- (F) A license holder must disclose to health care recipients any financial interest in commercial orthotics, prosthetics, or pedorthics device which the license holder promotes for the purpose of direct or indirect personal gain or profit.
- (G) A license holder must not accept gratuities for any reason including, but not limited to, preferential consideration of the health care recipient.
- (H) A license holder must report to the board any unprofessional, incompetent, unethical, or illegal behavior of an orthotist, prosthetist, prosthetist-orthotist, or pedorthist of which the person has knowledge. An obligation to report is inherent in the professions.
- (I) A license holder must practice orthotics, prosthetics, or pedorthics in accordance with prevailing professional standards or guidelines and must not endeavor to extend his/ her practice beyond his/her competence and the authority vested in him/her under division (B) of section [4779.02](#) of the Revised Code.
- (J) A license holder must not carry out a prescribed service that he knows to be harmful to a patient.
- (K) A license holder must only access health care recipient information which is necessary and relevant to his/her function and authority as a orthotics, prosthetics, or pedorthics provider.
- (L) When responding to a consumer's, prescriber's or provider's request for orthotic, prosthetic, or pedorthic services, if it is evident from the initial evaluation and a review of patient history and/or chart information that another licensed orthotic, prosthetic, or pedorthic service provider is currently providing services based on the same or similar medical orders, the second provider

has a professional duty of care to the consumer and the prescriber to contact the first provider and offer the opportunity to complete or clarify the appropriate provision of services.

(M) Maintenance of consumer care information

(1) A license holder must maintain consumer care documentation which includes, at minimum:

(a) Medical presentation/history data appropriate to the service provided;

(b) Evaluation and measurement data supporting device choice and recommendation;

(c) All dates of service with narrative progress notes describing presenting problem and service/procedure performed;

(d) Medical orders and therapist notes supporting services provided;

(e) Documentation required by third party payers including assignment of benefits, privacy notices, delivery receipts, financial arrangements, and records reflecting contacts for and provision of follow-up care;

(2) Consumer care data must be maintained with privacy and security safeguards appropriate to the data retained in file.

(3) The license holder responsible for provision of care should take steps to assure the consumer file data is maintained a minimum of five years from last date of service unless a longer period is required by federal or state law or conditions imposed by any third-party payer.

(N) A license holder, or an applicant for licensure, must provide a written response within a reasonable period of time not to exceed thirty days to any written inquiry regarding compliance with law or rule received from the board. A license holder or an applicant for licensure may not withhold or refuse to provide copies of any records requested by the board or its representative unless otherwise ordered by a court.

(O) A license holder must self report to the occupational therapy section, within thirty days, any of the items outlined in paragraphs (O)(1) to (O)(7) of this rule. Failure to comply with paragraphs (O)(1) to (O)(7) of this rule may be grounds for disciplinary action pursuant to section [4779.28](#) of the Revised Code and in accordance with Chapter 119. of the Revised Code.

(1) Impairment by physical or mental illness, chemical use, or chemical dependency, that affects the applicant's or license holder's ability to practice with reasonable skill and safety.

(2) Conviction of a felony.

(3) Conviction of a misdemeanor when the act that constituted the misdemeanor occurred during the practice of orthotics, prosthetics, or pedorthics.

(4) The termination, revocation, or suspension of membership by a state or national orthotics, prosthetics, or pedorthics professional association.

(5) The termination, revocation, suspension, or sanctioning of a credential issued by a state or national orthotics, prosthetics, or pedorthics credentialing organization.

(6) A positive drug and/or alcohol screening.

(7) A finding of malpractice by a court of competent jurisdiction.

Replaces: 4779-10-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.28](#), [4779.29](#), [4779.30](#), [4779.99](#)

Prior Effective Dates: 08/09/2002, 11/01/2008, 11/01/2010, 07/01/2016

4755-64-02 Proper use of credentials.

(A) A license holder must not misrepresent any professional qualifications or credentials or provide any information that is false, deceptive or misleading in connection with his/ her own application for employment or work as an orthotics, prosthetics, or pedorthics practitioner.

(B) A license holder must not delegate the use of his/her name or signature on documentation for services unless he/she actually provided these services and has given permission to another person for such documentation, or unless he/she appropriately supervised those services.

(C) A license holder must not use any title, initials or acronym indicating ownership or possession of an advanced educational credential or degree unless such educational credential or degree was earned through the auspices of an institution recognized by an appropriate national or regional accrediting agency.

Replaces: 4779-10-02

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Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.09](#), [4779.28](#)

Prior Effective Dates: 08/09/2002, 11/01/2008

4755-64-03 Investigations.

(A) Pursuant to sections [4779.28](#) and [4779.33](#) of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers board must investigate compliance with chapter 4779 of the Revised Code or any rule or order adopted by the board. The board must also investigate alleged grounds for the suspension, revocation, or refusal to issue or renew licenses, or reprimand, fine, or place a license holder on probation.

(B) Board investigators may conduct routine inspections at the work site of license holders to determine compliance with the laws and rules governing the practice of orthotics, prosthetics, and pedorthics. Investigators will carry proper identification to be shown upon request.

(C) Routine inspections include, but are not limited to, checking the display of wall certificates, verifying proper delegation of tasks performed by unlicensed personnel supervised by orthotics,

prosthetics, and pedorthics staff, documentation, and/or medical records relating to orthotics, prosthetics, and pedorthics.

(D) Investigations of complaints must include search for specific evidence regarding the case. In accordance with division (B) of section [4779.28](#) of the Revised Code, the section may issue subpoenas to obtain copies of patient records and personnel files of license holders.

(E) All investigations/inspections must be conducted pursuant to the laws and rules of the state of Ohio.

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.28](#)

[4755-64-04 Denial and disciplinary action procedures.](#)

(A) Denial of an application for licensure or examination or any proposed action against a license must be in accordance with Chapter 119. of the Revised Code.

(1) Pursuant to section [119.07](#) of the Revised Code, a request for an administrative hearing on the proposed action must be received by the board within thirty days of the mailing of the notice of opportunity for a hearing.

(2) If a request for an administrative hearing is not received by the board within thirty days of the mailing of the notice of opportunity for a hearing, the board, upon consideration of the charges cited, may take appropriate action in the absence of the applicant or license holder.

(B) The board may deny, limit, suspend, or revoke the license of any person or reprimand, fine, or place a license holder on probation for violation of any provision of Chapter 4779. of the Revised Code or any lawful order or rule of the board.

(C) If the physical or mental condition of a license holder is at issue in a disciplinary proceeding, the board may order the license holder to submit to reasonable examinations by a health care practitioner designated or approved by the board at the cost of the license holder.

(D) In accordance with section [4779.29](#) of the Revised Code, if the board determines that a license holder poses an immediate threat to the public, the board must immediately suspend the license of the orthotist, prosthetist, prosthetist-orthotist, or pedorthist prior to holding a hearing in accordance with Chapter 119. of the Revised Code. The board must notify the license holder of the suspension in accordance with board [119.07](#) of the Revised Code. If the license holder fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the board must enter a final order permanently revoking the person's license.

(E) The hearings and investigations related to chapter 4779. of the Revised Code must be considered civil actions for the purposes of section [3123.43](#) of the Revised Code. Notwithstanding section [121.22](#) of the Revised Code, proceedings of the board relative to the investigation of a complaint or the determination whether there are reasonable grounds to believe that a violation of Chapter 4779. of the Revised Code occurred are confidential and are not subject to discovery in any civil action.

(F) If requested by the board, the prosecuting attorney of a county, the village solicitor, or the city director of law of a municipal corporation, whenever a violation of Chapter 4779. of the Revised Code allegedly occurs, must take charge of and conduct the prosecution.

(G) In addition to any other remedy provided in Chapter 4779. of the Revised Code, the board may request the attorney general or an appropriate prosecuting attorney to apply to an appropriate court for an order enjoining the violation of Chapter 4779. of the Revised Code. On a showing that a person has violated or is about to violate Chapter 4779. of the Revised Code, the court must grant an injunction, restraining order, or other order as appropriate. The injunction proceedings are in addition to all penalties and other remedies provided in Chapter 4779. of the Revised Code.

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.28](#), [4779.29](#), [4779.33](#)

4755-64-05 Notice of change of name, place of employment, e-mail, and mailing address.

(A) A license holder must notify the board of any change of name, place of business or employment, e-mail address or mailing address within thirty days after the change.

(B) Notification may be made electronically by logging into the elicense system.

Replaces: 4779-2-03

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2023

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.21](#)

Prior Effective Dates: 08/09/2002, 11/01/2010, 07/01/2016

Chapter 4755-65

4755-65-01 Continuing education requirements and reporting.

(A) Pursuant to section [4779.20](#) of the Revised Code, no person will qualify for license renewal as a orthotist, prosthetist, pedorthist, or orthotist-prosthetist unless the person completed the required continuing education units outlined in paragraph (A) of this rule.

(1) A licensed orthotist or prosthetist must achieve twenty-five continuing education units within the two-year renewal cycle.

(2) A licensed prosthetist-orthotist must achieve thirty-five continuing education units within the two-year renewal cycle.

(3) A licensed pedorthist must achieve eighteen continuing education units within the two-year renewal cycle.

(B) Accumulated CEU's may not be carried over from one renewal period to another.

(C) An orthotist, prosthetist, pedorthist, or orthotist-prosthetist license must not be renewed unless the license holder certifies that the person completed the required number of continuing education hours specified in paragraph (A) of this rule.

A license holder who falsifies a renewal application may be disciplined by the board for violating section [4779.20](#) of the Revised Code.

(D) The occupational therapy, physical therapy, and athletic trainers board must conduct an audit of the continuing education records of a number of the license holders to be determined by the board each renewal year. The board will notify license holders who are selected for the audit to determine compliance with the continuing education requirement specified in this rule.

(1) License holders chosen for the audit must submit to the board by the date specified by the board copies of all records and documentation of proof of completion of the continuing education activities used to meet the continuing education requirements of this rule.

(2) Failure to provide proof of the required number of continuing education hours for the specified time period will result in the commencement of disciplinary action.

(3) Failure to respond to or acknowledge receipt of an audit notice will result in the commencement of disciplinary action.

(E) Applicants for renewal must successfully complete the required number of continuing education hours according to section [4779.20](#) of the Revised Code and this rule. The board will accept as continuing education units all courses approved by the board for orthotist/prosthetist certification (BOC), and the American board for certification in orthotics, prosthetics, and pedorthics (ABC). The board will also accept continuing education units as specified by section [4779.24](#) of the Revised Code.

Replaces: 4779-9-01, 4779-9-02

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2020

Promulgated Under: [119.03](#)
Statutory Authority: [4779.08](#)
Rule Amplifies: [4779.20](#), [4743.07](#)
Prior Effective Dates: 08/09/2002, 01/23/2003, 04/09/2007, 11/01/2008, 04/01/2013, 09/01/2015

4755-65-02 Waivers for continuing education.

(A) The Ohio occupational therapy, physical therapy and athletic trainers board may grant a waiver of the continuing education requirements in the case of illness, disability, or undue hardship. A request for waiver form, as provided by the board, must be completed in full and submitted via eLicense. In the case of illness or disability, a physician's statement is required. All completed forms must be received by the board for consideration no later than the first day of October of the year preceding the renewal date, unless this date is waived at the board's discretion. A waiver may be granted for any period of time not to exceed one renewal cycle. In the event that the illness, disability, or hardship continues to the next renewal cycle, then a new waiver request is required.

(B) Should a waiver be granted due to disability or illness, the board may require the person to provide appropriate documentation from a physician or another qualified and appropriate practitioner to verify the person's competency and ability to orthotics, prosthetics, and pedorthics in the state of Ohio prior to the return to active practice of in Ohio.

Replaces: 4779-9-03

Effective: 10/1/2020
Five Year Review (FYR) Dates: 10/01/2020
Promulgated Under: [119.03](#)
Statutory Authority: [4779.08](#)
Rule Amplifies: [4779.20](#)
Prior Effective Dates: 11/01/2008

Chapter 4755-66

4755-66-01 Initial license fee.

The initial licensing fee for an orthotist, prosthetist, pedorthist, and orthotist-prosthetist must not exceed one hundred dollars. The prescribed fee must be submitted to the board with the application for initial licensure.

Replaces: 4779-12-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2024

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.09](#), [4779.10](#), [4779.11](#), [4779.12](#), [4779.13](#)

Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-02 Temporary license fee.

The temporary licensing fee for an orthotist, prosthetist, pedorthist, and orthotist-prosthetist must not exceed one hundred dollars. The prescribed fee must be submitted to the board with the application for temporary licensure.

Replaces: 4779-12-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2024

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.09](#), [4779.18](#)

Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-03 Reinstatement fee.

The reinstatement licensing fee for an orthotist, prosthetist, pedorthist, and orthotist-prosthetist must not exceed one hundred dollars. The prescribed fee must be submitted to the board with the application for license reinstatement.

Replaces: 4779-12-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2024

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.09](#), [4779.20](#)

Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-04 License renewal fee.

The biennial renewal fee must not exceed one hundred twenty dollars for an orthotist, prosthetist, pedorthist, or orthotist-prosthetist license. The prescribed fee must be submitted to the board with the renewal application.

Replaces: 4779-12-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2024

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.20](#)

Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-05 Fee to upgrade from temporary to full license.

The fee to upgrade a temporary license to a full license shall not exceed fifty dollars. The prescribed fee shall be submitted to the board with the application for full licensure.

Replaces: 4779-12-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2024

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.09](#), [4779.10](#), [4779.11](#), [4779.12](#), [4779.13](#)

Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-06 Fee to consolidate a license.

The fee to consolidate an orthotist or prosthetist license into a prosthetist-orthotist license must not exceed fifty dollars. The prescribed fee must be submitted to the board with the application for license consolidation.

Replaces: 4779-12-01

Effective: 10/1/2020

Five Year Review (FYR) Dates: 10/01/2024

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.09](#), [4779.12](#)

Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-07 License verification fee.

The administrative processing charge to verify a license must not exceed thirty dollars. The charge must be submitted via eLicense. Verification of licensure administrative processing charges are not refundable.

Replaces: 4779-12-01

Effective: 10/1/2020
Five Year Review (FYR) Dates: 10/01/2024
Promulgated Under: [119.03](#)
Statutory Authority: [4779.08](#)
Rule Amplifies: [4779.22](#)
Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-08 Duplicate wall certificate fee.

The fee for each additional copy of a certificate of licensure must not exceed thirty dollars and must be submitted to the board with the request via eLicense.

Replaces: 4779-12-01

Effective: 10/1/2020
Five Year Review (FYR) Dates: 10/01/2024
Promulgated Under: [119.03](#)
Statutory Authority: [4779.08](#)
Rule Amplifies: [4779.09](#), [4779.21](#)
Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-09 Fee for mailing lists.

(A) The board will maintain separate and combined listings of orthotist, prosthetist, pedorthist, or orthotist-prosthetist license holders along with the license holder's address. The fee for the list of license holders must not exceed the actual cost of duplication and mailing.

(B) Any person may obtain a copy of a licensee list by:

(1) Writing the board at: "Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board, 77 South High Street, Sixteenth Floor, Columbus, Ohio, 43215-6108," and submitting a check or money order made payable to "Ohio Treasurer of State" in the appropriate amount.

(2) E-mailing the board at Board@otptat.ohio.gov. No fee is required for a request fulfilled electronically.

Replaces: 4779-12-01

Effective: 10/1/2020
Five Year Review (FYR) Dates: 10/01/2024
Promulgated Under: [119.03](#)
Statutory Authority: [4779.08](#)
Rule Amplifies: 4779.
Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-10 Fee for continuing education review.

The fee for review of a continuing education activity must be twenty-five dollars. The fee must be submitted to the board with the application for continuing education approval.

Replaces: 4779-12-01

Effective: 10/1/2020
Five Year Review (FYR) Dates: 10/01/2024
Promulgated Under: [119.03](#)
Statutory Authority: [4779.08](#)
Rule Amplifies: [4779.23](#), [4779.24](#)
Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

4755-66-11 Waiver of fees.

The board may grant waivers of the fee requirements listed in this chapter in cases of undue hardship including, but not limited to, natural disasters and acts of terrorism.

Replaces: 4779-12-01

Effective: 10/1/2020
Five Year Review (FYR) Dates: 10/01/2024
Promulgated Under: [119.03](#)
Statutory Authority: [4779.08](#)
Rule Amplifies: [4779.09](#), [4779.10](#), [4779.11](#), [4779.12](#), [4779.13](#), [4779.17](#), [4779.18](#)
Prior Effective Dates: 08/09/2002, 01/23/2003, 11/01/2008, 11/01/2010, 11/14/2016

Chapter 4755-70

4755-70-01 3-D printing of open-source prosthetic kits.

(A) Pursuant to division (C) of section 4779.02 of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers board must grant to a person who meets the requirements listed in paragraph (C) of this rule the authority to engage in 3-D printing of open-source prosthetic kits. Such a person must not represent that the person is authorized to practice prosthetics or orthotics and prosthetics under chapter 4779 of the Revised Code and may not use the title "licensed prosthetist" or "licensed prosthetist-orthotist."

(B) "3-D printing of open-source prosthetic kits" includes the fabrication of upper limb prostheses using a 3-D printer with designs originating from open-sources. The board will not grant authority to 3-D print open-source lower limb prostheses.

(C) A person seeking authority to engage in 3-D printing of open-source prosthetic kits must submit an application that demonstrates the person meets the following requirements:

(1) The applicant demonstrates proficiency in the use of 3-D printing applications.

Examples of ways an applicant can demonstrate proficiency include:

(a) 3-D printing coursework;

(b) Relevant training or credentials that include knowledge of appropriate material use and an understanding of how a person with limb difference uses the printed device; and

(c) Examples of experience printing 3-D products for individuals in the limb-different community.

(2) The applicant must keep on file the contact information of a medical professional for each person to whom a 3-D printed prosthetic is designed or provided. The applicant must agree to cooperate with the designated medical professional upon request to provide continuity of care. The medical professional must be an individual who holds a current, valid licensed, certificate, or registration issued under Chapter 4723., 4729., 4730., 4731., 4755., or 4779. of the Revised Code and in whose scope prosthetics is included.

(3) The applicant must disclose in written form to each recipient of a 3-D printed prosthetic the following:

(a) That the applicant does not hold a license to practice prosthetics or prosthetics-orthotics under Chapter 4779. of the Revised Code; and

(b) If applicable, that the applicant does not carry liability insurance.

(D) All applications for authority to engage in 3-D printing of open-source prosthetic kits must be submitted to the occupational therapy, physical therapy, and athletic trainers board on forms provided by the board. The board will retain all applications, statements, and other documents so submitted according to public records guidelines.

(E) Applications must be:

- (1) Submitted electronically;
- (2) Signed electronically;
- (3) Accompanied by a fee of up to twenty-five dollars;
- (4) Accompanied by such evidence, statements, or documents as specified on the application.

(F) Any application received in accordance with this rule that remains incomplete one year after the initial application filing must be abandoned and no further processing must be undertaken with respect to that application.

(1) If the application process extends for a period longer than one year, the board may require updated information as it deems necessary.

(2) No application for authority to engage in 3-D printing of open-source prosthetic kits may be withdrawn without approval of the board.

(3) Submitted fees are neither refundable nor transferable.

(G) All persons with authority to engage in 3-D printing of open-source prosthetic kits must renew their authority by the thirty-first day of January in each even-numbered year. When authority to engage in 3-D printing of open-source prosthetic kits is issued by the board on or after October first of an odd-numbered year, that authority is valid through the thirty-first day of January of the second even-numbered year.

(1) There will be a renewal fee of twenty-five dollars.

(2) Persons who fail to submit the renewal fee, completed application, and any other required information by the deadline will have their authority to engage in 3-D printing of open-source prosthetic kits automatically expire.

(3) The licensure renewal notice shall be sent to the e-mail address on file with the board.

(H) The occupational therapy, physical therapy, and athletic trainers board, upon review of the application materials, may grant, deny, or revoke authority to engage in 3-D printing of open-source prosthetics kits.

(I) In accordance with Chapter 119. of the Revised Code, the Ohio occupational therapy, physical therapy, and athletic trainers board may suspend, revoke, or refuse to issue or renew the authority to engage in 3-D printing of open-source prosthetic kits, or reprimand, fine, place an authority holder on probation, or require the authority holder to take corrective action courses.

Effective: 6/29/2020

Five Year Review (FYR) Dates: 06/01/2025

Promulgated Under: [119.03](#)

Statutory Authority: [4779.08](#)

Rule Amplifies: [4779.08](#), [4779.40](#)