

Sub. H.B. 33  
As Passed by the Senate  
CSW003  
CSWCD2, MEDCD3

\_\_\_\_\_ moved to amend as follows:

In line 52 of the title, after "1551.35," insert "1701.03," 1

In line 54 of the title, after "1761.16," insert "1785.01,  
1785.02, 1785.03," 2  
3

In line 147 of the title, after "4723.063," insert "4723.16," 4

In line 148 of the title, after "4725.24," insert "4725.33,  
4729.161," 5  
6

In line 151 of the title, after "4731.22," insert 7  
"4731.226, "; after "4731.481," insert "4731.65," 8

In line 152 of the title, after "4732.17," insert "4732.28, "; 9  
after "4734.161," insert "4734.17," 10

In line 156 of the title, after "4741.22," insert "4743.09, "; 11  
after "4755.11," insert "4755.111," 12

In line 157 of the title, after "4755.47," insert "4755.471," 13

In line 158 of the title, after "4755.64," insert "4757.01,  
4757.02, "; after "4757.03," insert "4757.04, 4757.05, 4757.11,  
4757.15, 4757.16, 4757.31, 4757.34, 4757.36, "; after "4757.361," 14  
15  
16  
insert "4757.37, 4757.38, 4757.41, 4757.43, 4757.50," 17

In line 265 of the title, after "4731.37," insert "4757.24," 18

In line 800, after "1551.35," insert "1701.03," 19

In line 802, after "1761.16," insert "1785.01, 1785.02,  
1785.03," 20  
21

In line 870, after "4723.063," insert "4723.16,"; after 22  
"4725.24," insert "4725.33, 4729.161," 23

In line 873, after "4731.22," insert "4731.226,"; after 24  
"4731.481," insert "4731.65,"; after "4732.17," insert "4732.28,"; 25  
after "4734.161," insert "4734.17," 26

In line 876, after "4741.22," insert "4743.09,"; after 27  
"4755.11," insert "4755.111," 28

In line 877, after "4755.47," insert "4755.471,"; after 29  
"4755.64," insert "4757.01, 4757.02,"; after "4757.03," insert 30  
"4757.04, 4757.05, 4757.11, 4757.15, 4757.16, 4757.31, 4757.34,  
4757.36,"; after "4757.361," insert "4757.37, 4757.38, 4757.41,  
4757.43, 4757.50," 31  
32  
33

In line 955, after "4731.37," insert "4757.24," 34

After line 32246, insert: 35

"**Sec. 1701.03.** (A)(1) A corporation may be formed under this 36  
chapter for any purpose or combination of purposes for which 37  
individuals lawfully may associate themselves, except that, if the 38  
Revised Code contains special provisions pertaining to the 39  
formation of any designated type of corporation other than a 40  
professional association, as defined in section 1785.01 of the 41  
Revised Code, a corporation of that type shall be formed in 42  
accordance with the special provisions. 43

(2) The purpose for which a corporation is formed may include 44

a beneficial purpose. Except to the extent that the articles  
otherwise provide, both of the following apply:

(a) Having a beneficial purpose does not prevent a  
corporation from seeking any of the other purposes for which the  
corporation is formed, including operation of the corporation for  
pecuniary gain or profit and distribution of net earnings.

(b) No particular purpose of a corporation has priority over  
any other purpose of the corporation.

(3) A corporation that does not have a beneficial purpose is  
not required to operate exclusively for profit or distribution of  
net earnings of the corporation in all instances.

(4) To be effective, a beneficial purpose shall be expressly  
provided in the articles. A statement of purpose in the articles  
that includes any purpose or combination of purposes for which  
individuals lawfully may associate themselves, without the express  
provision of a beneficial purpose, does not establish a beneficial  
purpose as a purpose of the corporation.

(5) A corporation that meets both of the following shall not  
amend its articles of incorporation to include a beneficial  
purpose:

(a) The corporation has issued and has outstanding shares  
listed on a national securities exchange or regularly quoted in an  
over-the-counter market by one or more members of a national or  
affiliated securities association.

(b) The initial articles of the corporation did not include a  
beneficial purpose.

(B) On and after July 1, 1994, a corporation may be formed  
under this chapter for the purpose of carrying on the practice of  
any profession, including, but not limited to, a corporation for

the purpose of providing public accounting or certified public  
 accounting services, a corporation for the erection, owning, and  
 conducting of a sanitarium for receiving and caring for patients,  
 medical and hygienic treatment of patients, and instruction of  
 nurses in the treatment of disease and in hygiene, a corporation  
 for the purpose of providing architectural, landscape  
 architectural, professional engineering, or surveying services or  
 any combination of those types of services, and a corporation for  
 the purpose of providing a combination of the professional  
 services, as defined in section 1785.01 of the Revised Code, of  
 optometrists authorized under Chapter 4725. of the Revised Code,  
 chiropractors authorized under Chapter 4734. of the Revised Code  
 to practice chiropractic or acupuncture, psychologists authorized  
 under Chapter 4732. of the Revised Code, registered or licensed  
 practical nurses authorized under Chapter 4723. of the Revised  
 Code, pharmacists authorized under Chapter 4729. of the Revised  
 Code, physical therapists authorized under sections 4755.40 to  
 4755.56 of the Revised Code, occupational therapists authorized  
 under sections 4755.04 to 4755.13 of the Revised Code,  
 mechanotherapists authorized under section 4731.151 of the Revised  
 Code, doctors of medicine and surgery, osteopathic medicine and  
 surgery, or podiatric medicine and surgery authorized under  
 Chapter 4731. of the Revised Code, and licensed professional  
 clinical counselors, licensed professional counselors, independent  
 social workers, social workers, independent marriage and family  
 therapists, ~~or~~ marriage and family therapists, art therapists, or  
music therapists authorized under Chapter 4757. of the Revised  
 Code.

This chapter does not restrict, limit, or otherwise affect  
 the authority or responsibilities of any agency, board,  
 commission, department, office, or other entity to license,

register, and otherwise regulate the professional conduct of  
 individuals or organizations of any kind rendering professional  
 services, as defined in section 1785.01 of the Revised Code, in  
 this state or to regulate the practice of any profession that is  
 within the jurisdiction of the agency, board, commission,  
 department, office, or other entity, notwithstanding that an  
 individual is a director, officer, employee, or other agent of a  
 corporation formed under this chapter and is rendering  
 professional services or engaging in the practice of a profession  
 through a corporation formed under this chapter or that the  
 organization is a corporation formed under this chapter.

(C) Nothing in division (A) or (B) of this section precludes  
 the organization of a professional association in accordance with  
 this chapter and Chapter 1785. of the Revised Code or the  
 formation of a limited liability company under Chapter ~~1705.~~ or  
 1706. of the Revised Code with respect to a trade, occupation, or  
 profession.

(D) No corporation formed for the purpose of providing a  
 combination of the professional services, as defined in section  
 1785.01 of the Revised Code, of optometrists authorized under  
 Chapter 4725. of the Revised Code, chiropractors authorized under  
 Chapter 4734. of the Revised Code to practice chiropractic or  
 acupuncture, psychologists authorized under Chapter 4732. of the  
 Revised Code, registered or licensed practical nurses authorized  
 under Chapter 4723. of the Revised Code, pharmacists authorized  
 under Chapter 4729. of the Revised Code, physical therapists  
 authorized under sections 4755.40 to 4755.56 of the Revised Code,  
 occupational therapists authorized under sections 4755.04 to  
 4755.13 of the Revised Code, mechanotherapists authorized under  
 section 4731.151 of the Revised Code, doctors of medicine and  
 surgery, osteopathic medicine and surgery, or podiatric medicine

and surgery authorized under Chapter 4731. of the Revised Code, 136  
 and licensed professional clinical counselors, licensed 137  
 professional counselors, independent social workers, social 138  
 workers, independent marriage and family therapists, ~~or~~ marriage 139  
 and family therapists, art therapists, or music therapists 140  
 authorized under Chapter 4757. of the Revised Code shall control 141  
 the professional clinical judgment exercised within accepted and 142  
 prevailing standards of practice of a licensed, certificated, or 143  
 otherwise legally authorized optometrist, chiropractor, 144  
 chiropractor practicing acupuncture through the state chiropractic 145  
 board, psychologist, nurse, pharmacist, physical therapist, 146  
 occupational therapist, mechanotherapist, doctor of medicine and 147  
 surgery, osteopathic medicine and surgery, or podiatric medicine 148  
 and surgery, licensed professional clinical counselor, licensed 149  
 professional counselor, independent social worker, social worker, 150  
 independent marriage and family therapist, ~~or~~ marriage and family 151  
 therapist, art therapist, or music therapist in rendering care, 152  
 treatment, or professional advice to an individual patient. 153

This division does not prevent a hospital, as defined in 154  
 section 3727.01 of the Revised Code, insurer, as defined in 155  
 section 3999.36 of the Revised Code, or intermediary organization, 156  
 as defined in section 1751.01 of the Revised Code, from entering 157  
 into a contract with a corporation described in this division that 158  
 includes a provision requiring utilization review, quality 159  
 assurance, peer review, or other performance or quality standards. 160  
 Those activities shall not be construed as controlling the 161  
 professional clinical judgment of an individual practitioner 162  
 listed in this division." 163

After line 34249, insert: 164

"Sec. 1785.01. As used in this chapter: 165

(A) "Professional service" means any type of professional service that may be performed only pursuant to a license, certificate, or other legal authorization issued pursuant to Chapter 4701., 4703., 4705., 4715., 4723., 4725., 4729., 4730., 4731., 4732., 4733., 4734., 4741., 4755., or 4757. of the Revised Code to certified public accountants, licensed public accountants, architects, attorneys, dentists, nurses, optometrists, pharmacists, physician assistants, doctors of medicine and surgery, doctors of osteopathic medicine and surgery, doctors of podiatric medicine and surgery, practitioners of the limited branches of medicine specified in section 4731.15 of the Revised Code, mechanotherapists, psychologists, professional engineers, chiropractors, chiropractors practicing acupuncture through the state chiropractic board, veterinarians, physical therapists, occupational therapists, licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~and~~ marriage and family therapists, art therapists, and music therapists.

(B) "Professional association" means an association organized under this chapter for the sole purpose of rendering one of the professional services authorized under Chapter 4701., 4703., 4705., 4715., 4723., 4725., 4729., 4730., 4731., 4732., 4733., 4734., 4741., 4755., or 4757. of the Revised Code, a combination of the professional services authorized under Chapters 4703. and 4733. of the Revised Code, or a combination of the professional services of optometrists authorized under Chapter 4725. of the Revised Code, chiropractors authorized under Chapter 4734. of the Revised Code to practice chiropractic or acupuncture, psychologists authorized under Chapter 4732. of the Revised Code, registered or licensed practical nurses authorized under Chapter

4723. of the Revised Code, pharmacists authorized under Chapter 197  
 4729. of the Revised Code, physical therapists authorized under 198  
 sections 4755.40 to 4755.56 of the Revised Code, occupational 199  
 therapists authorized under sections 4755.04 to 4755.13 of the 200  
 Revised Code, mechanotherapists authorized under section 4731.151 201  
 of the Revised Code, doctors of medicine and surgery, osteopathic 202  
 medicine and surgery, or podiatric medicine and surgery authorized 203  
 under Chapter 4731. of the Revised Code, and licensed professional 204  
 clinical counselors, licensed professional counselors, independent 205  
 social workers, social workers, independent marriage and family 206  
 therapists, ~~or~~ marriage and family therapists, art therapists, or 207  
music therapists authorized under Chapter 4757. of the Revised 208  
 Code. 209

**Sec. 1785.02.** An individual or group of individuals each of 210  
 whom is licensed, certificated, or otherwise legally authorized to 211  
 render within this state the same kind of professional service, a 212  
 group of individuals each of whom is licensed, certificated, or 213  
 otherwise legally authorized to render within this state the 214  
 professional service authorized under Chapter 4703. or 4733. of 215  
 the Revised Code, or a group of individuals each of whom is 216  
 licensed, certificated, or otherwise legally authorized to render 217  
 within this state the professional service of optometrists 218  
 authorized under Chapter 4725. of the Revised Code, chiropractors 219  
 authorized under Chapter 4734. of the Revised Code to practice 220  
 chiropractic or acupuncture, psychologists authorized under 221  
 Chapter 4732. of the Revised Code, registered or licensed 222  
 practical nurses authorized under Chapter 4723. of the Revised 223  
 Code, pharmacists authorized under Chapter 4729. of the Revised 224  
 Code, physical therapists authorized under sections 4755.40 to 225  
 4755.56 of the Revised Code, occupational therapists authorized 226

under sections 4755.04 to 4755.13 of the Revised Code, 227  
 mechanotherapists authorized under section 4731.151 of the Revised 228  
 Code, doctors of medicine and surgery, osteopathic medicine and 229  
 surgery, or podiatric medicine and surgery authorized under 230  
 Chapter 4731. of the Revised Code, or licensed professional 231  
 clinical counselors, licensed professional counselors, independent 232  
 social workers, social workers, independent marriage and family 233  
 therapists, ~~or~~ marriage and family therapists, art therapists, or 234  
music therapists authorized under Chapter 4757. of the Revised 235  
 Code may organize and become a shareholder or shareholders of a 236  
 professional association. Any group of individuals described in 237  
 this section who may be rendering one of the professional services 238  
 as an organization created otherwise than pursuant to this chapter 239  
 may incorporate under and pursuant to this chapter by amending the 240  
 agreement establishing the organization in a manner that the 241  
 agreement as amended constitutes articles of incorporation 242  
 prepared and filed in the manner prescribed in section 1785.08 of 243  
 the Revised Code and by otherwise complying with the applicable 244  
 requirements of this chapter. 245

**Sec. 1785.03.** A professional association may render a 246  
 particular professional service only through officers, employees, 247  
 and agents who are themselves duly licensed, certificated, or 248  
 otherwise legally authorized to render the professional service 249  
 within this state. As used in this section, "employee" does not 250  
 include clerks, bookkeepers, technicians, or other individuals who 251  
 are not usually and ordinarily considered by custom and practice 252  
 to be rendering a particular professional service for which a 253  
 license, certificate, or other legal authorization is required and 254  
 does not include any other person who performs all of that 255  
 person's employment under the direct supervision and control of an 256  
 officer, agent, or employee who renders a particular professional 257

service to the public on behalf of the professional association. 258

No professional association formed for the purpose of 259  
 providing a combination of the professional services, as defined 260  
 in section 1785.01 of the Revised Code, of optometrists authorized 261  
 under Chapter 4725. of the Revised Code, chiropractors authorized 262  
 under Chapter 4734. of the Revised Code to practice chiropractic 263  
 or acupuncture, psychologists authorized under Chapter 4732. of 264  
 the Revised Code, registered or licensed practical nurses 265  
 authorized under Chapter 4723. of the Revised Code, pharmacists 266  
 authorized under Chapter 4729. of the Revised Code, physical 267  
 therapists authorized under sections 4755.40 to 4755.56 of the 268  
 Revised Code, occupational therapists authorized under sections 269  
 4755.04 to 4755.13 of the Revised Code, mechanotherapists 270  
 authorized under section 4731.151 of the Revised Code, doctors of 271  
 medicine and surgery, osteopathic medicine and surgery, or 272  
 podiatric medicine and surgery authorized under Chapter 4731. of 273  
 the Revised Code, and licensed professional clinical counselors, 274  
 licensed professional counselors, independent social workers, 275  
 social workers, independent marriage and family therapists, ~~or~~ 276  
 marriage and family therapists, art therapists, or music 277  
therapists authorized under Chapter 4757. of the Revised Code 278  
 shall control the professional clinical judgment exercised within 279  
 accepted and prevailing standards of practice of a licensed, 280  
 certificated, or otherwise legally authorized optometrist, 281  
 chiropractor, chiropractor practicing acupuncture through the 282  
 state chiropractic board, psychologist, nurse, pharmacist, 283  
 physical therapist, occupational therapist, mechanotherapist, 284  
 doctor of medicine and surgery, osteopathic medicine and surgery, 285  
 or podiatric medicine and surgery, licensed professional clinical 286  
 counselor, licensed professional counselor, independent social 287  
 worker, social worker, independent marriage and family therapist, 288

~~or~~ marriage and family therapist, art therapist, or music 289  
therapist in rendering care, treatment, or professional advice to 290  
 an individual patient. 291

This division does not prevent a hospital, as defined in 292  
 section 3727.01 of the Revised Code, insurer, as defined in 293  
 section 3999.36 of the Revised Code, or intermediary organization, 294  
 as defined in section 1751.01 of the Revised Code, from entering 295  
 into a contract with a professional association described in this 296  
 division that includes a provision requiring utilization review, 297  
 quality assurance, peer review, or other performance or quality 298  
 standards. Those activities shall not be construed as controlling 299  
 the professional clinical judgment of an individual practitioner 300  
 listed in this division. 301

After line 84075, insert: 302

"**Sec. 4723.16.** (A) An individual whom the board of nursing 303  
 licenses or otherwise legally authorizes to engage in the practice 304  
 of nursing as a registered nurse, advanced practice registered 305  
 nurse, or licensed practical nurse may render the professional 306  
 services of a registered, advanced practice registered, or 307  
 licensed practical nurse within this state through a corporation 308  
 formed under division (B) of section 1701.03 of the Revised Code, 309  
 a limited liability company formed under former Chapter 1705. of 310  
the Revised Code as that chapter existed prior to February 11, 311  
2022, or Chapter 1706. of the Revised Code, a partnership, or a 312  
 professional association formed under Chapter 1785. of the Revised 313  
 Code. This division does not preclude an individual of that nature 314  
 from rendering professional services as a registered, advanced 315  
 practice registered, or licensed practical nurse through another 316  
 form of business entity, including, but not limited to, a 317  
 nonprofit corporation or foundation, or in another manner that is 318

authorized by or in accordance with this chapter, another chapter 319  
of the Revised Code, or rules of the board of nursing adopted 320  
pursuant to this chapter. 321

(B) A corporation, limited liability company, partnership, or 322  
professional association described in division (A) of this section 323  
may be formed for the purpose of providing a combination of the 324  
professional services of the following individuals who are 325  
licensed, certificated, or otherwise legally authorized to 326  
practice their respective professions: 327

(1) Optometrists who are authorized to practice optometry 328  
under Chapter 4725. of the Revised Code; 329

(2) Chiropractors who are authorized to practice chiropractic 330  
or acupuncture under Chapter 4734. of the Revised Code; 331

(3) Psychologists who are authorized to practice psychology 332  
under Chapter 4732. of the Revised Code; 333

(4) Registered, advanced practice registered, or licensed 334  
practical nurses who are authorized to practice nursing as 335  
registered nurses, advanced practice registered nurses, or 336  
licensed practical nurses under this chapter; 337

(5) Pharmacists who are authorized to practice pharmacy under 338  
Chapter 4729. of the Revised Code; 339

(6) Physical therapists who are authorized to practice 340  
physical therapy under sections 4755.40 to 4755.56 of the Revised 341  
Code; 342

(7) Occupational therapists who are licensed to practice 343  
occupational therapy under sections 4755.04 to 4755.13 of the 344  
Revised Code; 345

(8) Mechanotherapists who are authorized to practice 346

mechanotherapy under section 4731.151 of the Revised Code; 347

(9) Doctors of medicine and surgery, osteopathic medicine and 348  
surgery, or podiatric medicine and surgery who are licensed, 349  
certificated, or otherwise legally authorized for their respective 350  
practices under Chapter 4731. of the Revised Code; 351

(10) Licensed professional clinical counselors, licensed 352  
professional counselors, independent social workers, social 353  
workers, independent marriage and family therapists, ~~or~~ marriage 354  
and family therapists, art therapists, or music therapists who are 355  
authorized for their respective practices under Chapter 4757. of 356  
the Revised Code. 357

This division shall apply notwithstanding a provision of a 358  
code of ethics applicable to a nurse that prohibits a registered, 359  
advanced practice registered, or licensed practical nurse from 360  
engaging in the practice of nursing as a registered nurse, 361  
advanced practice registered nurse, or licensed practical nurse in 362  
combination with a person who is licensed, certificated, or 363  
otherwise legally authorized to practice optometry, chiropractic, 364  
acupuncture through the state chiropractic board, psychology, 365  
pharmacy, physical therapy, occupational therapy, mechanotherapy, 366  
medicine and surgery, osteopathic medicine and surgery, podiatric 367  
medicine and surgery, professional counseling, social work, ~~or~~ 368  
marriage and family therapy, art therapy, or music therapy, but 369  
who is not also licensed, certificated, or otherwise legally 370  
authorized to engage in the practice of nursing as a registered 371  
nurse, advanced practice registered nurse, or licensed practical 372  
nurse." 373

After line 84287, insert: 374

"**Sec. 4725.33.** (A) An individual whom the state vision 375

professionals board licenses to engage in the practice of 376  
 optometry may render the professional services of an optometrist 377  
 within this state through a corporation formed under division (B) 378  
 of section 1701.03 of the Revised Code, a limited liability 379  
 company formed under former Chapter 1705. of the Revised Code as 380  
that chapter existed prior to February 11, 2022, or Chapter 1706. 381  
 of the Revised Code, a partnership, or a professional association 382  
 formed under Chapter 1785. of the Revised Code. This division does 383  
 not preclude an optometrist from rendering professional services 384  
 as an optometrist through another form of business entity, 385  
 including, but not limited to, a nonprofit corporation or 386  
 foundation, or in another manner that is authorized by or in 387  
 accordance with this chapter, another chapter of the Revised Code, 388  
 or rules of the state vision professionals board adopted pursuant 389  
 to this chapter. 390

(B) A corporation, limited liability company, partnership, or 391  
 professional association described in division (A) of this section 392  
 may be formed for the purpose of providing a combination of the 393  
 professional services of the following individuals who are 394  
 licensed, certificated, or otherwise legally authorized to 395  
 practice their respective professions: 396

(1) Optometrists who are authorized to practice optometry 397  
 under Chapter 4725. of the Revised Code; 398

(2) Chiropractors who are authorized to practice chiropractic 399  
 or acupuncture under Chapter 4734. of the Revised Code; 400

(3) Psychologists who are authorized to practice psychology 401  
 under Chapter 4732. of the Revised Code; 402

(4) Registered or licensed practical nurses who are 403  
 authorized to practice nursing as registered nurses or as licensed 404

practical nurses under Chapter 4723. of the Revised Code;	405
(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;	406 407
(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;	408 409 410
(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;	411 412 413
(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;	414 415
(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;	416 417 418 419
(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, <del>or</del> marriage and family therapists, <u>art therapists, or music therapists</u> who are authorized for their respective practices under Chapter 4757. of the Revised Code.	420 421 422 423 424 425
This division shall apply notwithstanding a provision of a code of ethics applicable to an optometrist that prohibits an optometrist from engaging in the practice of optometry in combination with a person who is licensed, certificated, or otherwise legally authorized to practice chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, physical therapy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric	426 427 428 429 430 431 432 433

medicine and surgery, professional counseling, social work, ~~or~~ 434  
 marriage and family therapy, art therapy, or music therapy, but 435  
 who is not also licensed, certificated, or otherwise legally 436  
 authorized to engage in the practice of optometry. 437

**Sec. 4729.161.** (A) An individual registered with the state 438  
 board of pharmacy to engage in the practice of pharmacy may render 439  
 the professional services of a pharmacist within this state 440  
 through a corporation formed under division (B) of section 1701.03 441  
 of the Revised Code, a limited liability company formed under 442  
former Chapter 1705. of the Revised Code as that chapter existed 443  
prior to February 11, 2022, or Chapter 1706. of the Revised Code, 444  
 a partnership, or a professional association formed under Chapter 445  
 1785. of the Revised Code. This division does not preclude an 446  
 individual of that nature from rendering professional services as 447  
 a pharmacist through another form of business entity, including, 448  
 but not limited to, a nonprofit corporation or foundation, or in 449  
 another manner that is authorized by or in accordance with this 450  
 chapter, another chapter of the Revised Code, or rules of the 451  
 state board of pharmacy adopted pursuant to this chapter. 452

(B) A corporation, limited liability company, partnership, or 453  
 professional association described in division (A) of this section 454  
 may be formed for the purpose of providing a combination of the 455  
 professional services of the following individuals who are 456  
 licensed, certificated, or otherwise legally authorized to 457  
 practice their respective professions: 458

(1) Optometrists who are authorized to practice optometry 459  
 under Chapter 4725. of the Revised Code; 460

(2) Chiropractors who are authorized to practice chiropractic 461  
 or acupuncture under Chapter 4734. of the Revised Code; 462

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;	463 464
(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;	465 466 467
(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;	468 469
(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;	470 471 472
(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;	473 474 475
(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;	476 477
(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;	478 479 480 481
(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, <del>or</del> marriage and family therapists, <u>art therapists, or music therapists</u> who are authorized for their respective practices under Chapter 4757. of the Revised Code.	482 483 484 485 486 487
This division shall apply notwithstanding a provision of a code of ethics applicable to a pharmacist that prohibits a pharmacist from engaging in the practice of pharmacy in combination with a person who is licensed, certificated, or	488 489 490 491

otherwise legally authorized to practice optometry, chiropractic, 492  
 acupuncture through the state chiropractic board, psychology, 493  
 nursing, physical therapy, occupational therapy, mechanotherapy, 494  
 medicine and surgery, osteopathic medicine and surgery, podiatric 495  
 medicine and surgery, professional counseling, social work, ~~or~~ 496  
 marriage and family therapy, art therapy, or music therapy, but 497  
 who is not also licensed, certificated, or otherwise legally 498  
 authorized to engage in the practice of pharmacy." 499

After line 86861, insert: 500

"**Sec. 4731.226.** (A)(1) An individual whom the state medical 501  
 board licenses, certificates, or otherwise legally authorizes to 502  
 engage in the practice of medicine and surgery, osteopathic 503  
 medicine and surgery, or podiatric medicine and surgery may render 504  
 the professional services of a doctor of medicine and surgery, 505  
 osteopathic medicine and surgery, or podiatric medicine and 506  
 surgery within this state through a corporation formed under 507  
 division (B) of section 1701.03 of the Revised Code, a limited 508  
 liability company formed under former Chapter 1705. of the Revised 509  
Code as that chapter existed prior to February 11, 2022, or 510  
Chapter 1706. of the Revised Code, a partnership, or a 511  
 professional association formed under Chapter 1785. of the Revised 512  
 Code. Division (A)(1) of this section does not preclude an 513  
 individual of that nature from rendering professional services as 514  
 a doctor of medicine and surgery, osteopathic medicine and 515  
 surgery, or podiatric medicine and surgery through another form of 516  
 business entity, including, but not limited to, a nonprofit 517  
 corporation or foundation, or in another manner that is authorized 518  
 by or in accordance with this chapter, another chapter of the 519  
 Revised Code, or rules of the state medical board adopted pursuant 520  
 to this chapter. 521

(2) An individual whom the state medical board authorizes to engage in the practice of mechanotherapy may render the professional services of a mechanotherapist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. Division (A)(2) of this section does not preclude an individual of that nature from rendering professional services as a mechanotherapist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the state medical board adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed

practical nurses under Chapter 4723. of the Revised Code;	552
(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;	553 554
(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;	555 556 557
(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;	558 559 560
(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;	561 562
(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under this chapter;	563 564 565
(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, <del>or</del> marriage and family therapists, <u>art therapists, or music therapists</u> who are authorized for their respective practices under Chapter 4757. of the Revised Code.	566 567 568 569 570 571
(C) Division (B) of this section shall apply notwithstanding a provision of a code of ethics described in division (B)(18) of section 4731.22 of the Revised Code that prohibits either of the following:	572 573 574 575
(1) A doctor of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery from engaging in the doctor's authorized practice in combination with a person who is licensed, certificated, or otherwise legally authorized to engage in the practice of optometry, chiropractic, acupuncture	576 577 578 579 580

through the state chiropractic board, psychology, nursing, 581  
 pharmacy, physical therapy, occupational therapy, mechanotherapy, 582  
 professional counseling, social work, ~~or~~ marriage and family 583  
 therapy, art therapy, or music therapy, but who is not also 584  
 licensed, certificated, or otherwise legally authorized to 585  
 practice medicine and surgery, osteopathic medicine and surgery, 586  
 or podiatric medicine and surgery. 587

(2) A mechanotherapist from engaging in the practice of 588  
 mechanotherapy in combination with a person who is licensed, 589  
 certificated, or otherwise legally authorized to engage in the 590  
 practice of optometry, chiropractic, acupuncture through the state 591  
 chiropractic board, psychology, nursing, pharmacy, physical 592  
 therapy, occupational therapy, medicine and surgery, osteopathic 593  
 medicine and surgery, podiatric medicine and surgery, professional 594  
 counseling, social work, ~~or~~ marriage and family therapy, art 595  
therapy, or music therapy, but who is not also licensed, 596  
 certificated, or otherwise legally authorized to engage in the 597  
 practice of mechanotherapy." 598

After line 86951, insert: 599

"**Sec. 4731.65.** As used in sections 4731.65 to 4731.71 of the 600  
 Revised Code: 601

(A)(1) "Clinical laboratory services" means either of the 602  
 following: 603

(a) Any examination of materials derived from the human body 604  
 for the purpose of providing information for the diagnosis, 605  
 prevention, or treatment of any disease or impairment or for the 606  
 assessment of health; 607

(b) Procedures to determine, measure, or otherwise describe 608  
 the presence or absence of various substances or organisms in the 609

body.	610
(2) "Clinical laboratory services" does not include the mere collection or preparation of specimens.	611 612
(B) "Designated health services" means any of the following:	613
(1) Clinical laboratory services;	614
(2) Home health care services;	615
(3) Outpatient prescription drugs.	616
(C) "Fair market value" means the value in arms-length transactions, consistent with general market value and:	617 618
(1) With respect to rentals or leases, the value of rental property for general commercial purposes, not taking into account its intended use;	619 620 621
(2) With respect to a lease of space, not adjusted to reflect the additional value the prospective lessee or lessor would attribute to the proximity or convenience to the lessor if the lessor is a potential source of referrals to the lessee.	622 623 624 625
(D) "Governmental health care program" means any program providing health care benefits that is administered by the federal government, this state, or a political subdivision of this state, including the medicare program, health care coverage for public employees, health care benefits administered by the bureau of workers' compensation, and the medicaid program.	626 627 628 629 630 631
(E)(1) "Group practice" means a group of two or more holders of licenses or certificates under this chapter legally organized as a partnership, professional corporation or association, limited liability company, foundation, nonprofit corporation, faculty practice plan, or similar group practice entity, including an organization comprised of a nonprofit medical clinic that	632 633 634 635 636 637

contracts with a professional corporation or association of 638  
physicians to provide medical services exclusively to patients of 639  
the clinic in order to comply with section 1701.03 of the Revised 640  
Code and including a corporation, limited liability company, 641  
partnership, or professional association described in division (B) 642  
of section 4731.226 of the Revised Code formed for the purpose of 643  
providing a combination of the professional services of 644  
optometrists who are licensed, certificated, or otherwise legally 645  
authorized to practice optometry under Chapter 4725. of the 646  
Revised Code, chiropractors who are licensed, certificated, or 647  
otherwise legally authorized to practice chiropractic or 648  
acupuncture under Chapter 4734. of the Revised Code, psychologists 649  
who are licensed, certificated, or otherwise legally authorized to 650  
practice psychology under Chapter 4732. of the Revised Code, 651  
registered or licensed practical nurses who are licensed, 652  
certificated, or otherwise legally authorized to practice nursing 653  
under Chapter 4723. of the Revised Code, pharmacists who are 654  
licensed, certificated, or otherwise legally authorized to 655  
practice pharmacy under Chapter 4729. of the Revised Code, 656  
physical therapists who are licensed, certificated, or otherwise 657  
legally authorized to practice physical therapy under sections 658  
4755.40 to 4755.56 of the Revised Code, occupational therapists 659  
who are licensed, certificated, or otherwise legally authorized to 660  
practice occupational therapy under sections 4755.04 to 4755.13 of 661  
the Revised Code, mechanotherapists who are licensed, 662  
certificated, or otherwise legally authorized to practice 663  
mechanotherapy under section 4731.151 of the Revised Code, and 664  
doctors of medicine and surgery, osteopathic medicine and surgery, 665  
or podiatric medicine and surgery who are licensed, certificated, 666  
or otherwise legally authorized for their respective practices 667  
under this chapter, and licensed professional clinical counselors, 668

licensed professional counselors, independent social workers, 669  
social workers, independent marriage and family therapists, ~~or~~ 670  
marriage and family therapists, art therapists, or music 671  
therapists who are licensed, certificated, or otherwise legally 672  
authorized for their respective practices under Chapter 4757. of 673  
the Revised Code to which all of the following apply: 674

(a) Each physician who is a member of the group practice 675  
provides substantially the full range of services that the 676  
physician routinely provides, including medical care, 677  
consultation, diagnosis, or treatment, through the joint use of 678  
shared office space, facilities, equipment, and personnel. 679

(b) Substantially all of the services of the members of the 680  
group are provided through the group and are billed in the name of 681  
the group and amounts so received are treated as receipts of the 682  
group. 683

(c) The overhead expenses of and the income from the practice 684  
are distributed in accordance with methods previously determined 685  
by members of the group. 686

(d) The group practice meets any other requirements that the 687  
state medical board applies in rules adopted under section 4731.70 688  
of the Revised Code. 689

(2) In the case of a faculty practice plan associated with a 690  
hospital with a medical residency training program in which 691  
physician members may provide a variety of specialty services and 692  
provide professional services both within and outside the group, 693  
as well as perform other tasks such as research, the criteria in 694  
division (E)(1) of this section apply only with respect to 695  
services rendered within the faculty practice plan. 696

(F) "Home health care services" and "immediate family" have 697

the same meanings as in the rules adopted under section 4731.70 of  
the Revised Code. 698  
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(G) "Hospital" has the same meaning as in section 3727.01 of  
the Revised Code. 700  
701

(H) A "referral" includes both of the following: 702

(1) A request by a holder of a license or certificate under  
this chapter for an item or service, including a request for a  
consultation with another physician and any test or procedure  
ordered by or to be performed by or under the supervision of the  
other physician; 703  
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(2) A request for or establishment of a plan of care by a  
license or certificate holder that includes the provision of  
designated health services. 708  
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(I) "Third-party payer" has the same meaning as in section  
3901.38 of the Revised Code." 711  
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After line 87170, insert: 713

**"Sec. 4732.28.** (A) An individual whom the state board of  
psychology licenses, certificates, or otherwise legally authorizes  
to engage in the practice of psychology may render the  
professional services of a psychologist within this state through  
a corporation formed under division (B) of section 1701.03 of the  
Revised Code, a limited liability company formed under former  
Chapter 1705. of the Revised Code as that chapter existed prior to  
February 11, 2022, or Chapter 1706. of the Revised Code, a  
partnership, or a professional association formed under Chapter  
1785. of the Revised Code. This division does not preclude an  
individual of that nature from rendering professional services as  
a psychologist through another form of business entity, including, 714  
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but not limited to, a nonprofit corporation or foundation, or in 726  
 another manner that is authorized by or in accordance with this 727  
 chapter, another chapter of the Revised Code, or rules of the 728  
 state board of psychology adopted pursuant to this chapter. 729

(B) A corporation, limited liability company, partnership, or 730  
 professional association described in division (A) of this section 731  
 may be formed for the purpose of providing a combination of the 732  
 professional services of the following individuals who are 733  
 licensed, certificated, or otherwise legally authorized to 734  
 practice their respective professions: 735

(1) Optometrists who are authorized to practice optometry 736  
 under Chapter 4725. of the Revised Code; 737

(2) Chiropractors who are authorized to practice chiropractic 738  
 or acupuncture under Chapter 4734. of the Revised Code; 739

(3) Psychologists who are authorized to practice psychology 740  
 under this chapter; 741

(4) Registered or licensed practical nurses who are 742  
 authorized to practice nursing as registered nurses or as licensed 743  
 practical nurses under Chapter 4723. of the Revised Code; 744

(5) Pharmacists who are authorized to practice pharmacy under 745  
 Chapter 4729. of the Revised Code; 746

(6) Physical therapists who are authorized to practice 747  
 physical therapy under sections 4755.40 to 4755.56 of the Revised 748  
 Code; 749

(7) Occupational therapists who are authorized to practice 750  
 occupational therapy under sections 4755.04 to 4755.13 of the 751  
 Revised Code; 752

(8) Mechanotherapists who are authorized to practice 753

mechanotherapy under section 4731.151 of the Revised Code; 754

(9) Doctors of medicine and surgery, osteopathic medicine and 755  
surgery, or podiatric medicine and surgery who are authorized for 756  
their respective practices under Chapter 4731. of the Revised 757  
Code; 758

(10) Licensed professional clinical counselors, licensed 759  
professional counselors, independent social workers, social 760  
workers, independent marriage and family therapists, ~~or~~ marriage 761  
and family therapists, art therapists, or music therapists who are 762  
authorized for their respective practices under Chapter 4757. of 763  
the Revised Code. 764

This division shall apply notwithstanding a provision of a 765  
code of ethics applicable to a psychologist that prohibits a 766  
psychologist from engaging in the practice of psychology in 767  
combination with a person who is licensed, certificated, or 768  
otherwise legally authorized to practice optometry, chiropractic, 769  
acupuncture through the state chiropractic board, nursing, 770  
pharmacy, physical therapy, occupational therapy, mechanotherapy, 771  
medicine and surgery, osteopathic medicine and surgery, podiatric 772  
medicine and surgery, professional counseling, social work, ~~or~~ 773  
marriage and family therapy, art therapy, or music therapy, but 774  
who is not also licensed, certificated, or otherwise legally 775  
authorized to engage in the practice of psychology." 776

After line 87186, insert: 777

"**Sec. 4734.17.** (A) An individual whom the state chiropractic 778  
board licenses to engage in the practice of chiropractic or 779  
certifies to practice acupuncture may render the professional 780  
services of a chiropractor or chiropractor certified to practice 781  
acupuncture within this state through a corporation formed under 782

division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude a chiropractor from rendering professional services as a chiropractor or chiropractor certified to practice acupuncture through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the state chiropractic board adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry, under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under this chapter;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under

Chapter 4729. of the Revised Code;	812
(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;	813 814 815
(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;	816 817 818
(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;	819 820
(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;	821 822 823 824
(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, <del>or</del> marriage and family therapists, <u>art therapists, or music therapists</u> who are authorized for their respective practices under Chapter 4757. of the Revised Code.	825 826 827 828 829 830
This division shall apply notwithstanding a provision of any code of ethics established or adopted under section 4734.16 of the Revised Code that prohibits an individual from engaging in the practice of chiropractic or acupuncture in combination with an individual who is licensed, certificated, or otherwise authorized for the practice of optometry, psychology, nursing, pharmacy, physical therapy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, <del>or</del> marriage and family therapy, <u>art therapy, or music therapy</u> , but who is not also	831 832 833 834 835 836 837 838 839 840

licensed under this chapter to engage in the practice of 841  
chiropractic." 842

After line 89778, insert: 843

"**Sec. 4743.09.** (A) As used in this section: 844

(1) "Durable medical equipment" means a type of equipment, 845  
such as a remote monitoring device utilized by a physician, 846  
physician assistant, or advanced practice registered nurse in 847  
accordance with this section, that can withstand repeated use, is 848  
primarily and customarily used to serve a medical purpose, and 849  
generally is not useful to a person in the absence of illness or 850  
injury and, in addition, includes repair and replacement parts for 851  
the equipment. 852

(2) "Facility fee" means any fee charged or billed for 853  
telehealth services provided in a facility that is intended to 854  
compensate the facility for its operational expenses and is 855  
separate and distinct from a professional fee. 856

(3) "Health care professional" means: 857

(a) An advanced practice registered nurse, as defined in 858  
section 4723.01 of the Revised Code; 859

(b) An optometrist licensed under Chapter 4725. of the 860  
Revised Code to practice optometry; 861

(c) A pharmacist licensed under Chapter 4729. of the Revised 862  
Code; 863

(d) A physician assistant licensed under Chapter 4730. of the 864  
Revised Code; 865

(e) A physician licensed under Chapter 4731. of the Revised 866  
Code to practice medicine and surgery, osteopathic medicine and 867  
surgery, or podiatric medicine and surgery; 868

(f) A psychologist, independent school psychologist, or school psychologist licensed under Chapter 4732. of the Revised Code;	869 870 871
(g) A chiropractor licensed under Chapter 4734. of the Revised Code;	872 873
(h) An audiologist or speech-language pathologist licensed under Chapter 4753. of the Revised Code;	874 875
(i) An occupational therapist or physical therapist licensed under Chapter 4755. of the Revised Code;	876 877
(j) An occupational therapy assistant or physical therapist assistant licensed under Chapter 4755. of the Revised Code;	878 879
(k) A professional clinical counselor, independent social worker, <del>or</del> independent marriage and family therapist, <u>art therapist, or music therapist</u> licensed under Chapter 4757. of the Revised Code;	880 881 882 883
(l) An independent chemical dependency counselor licensed under Chapter 4758. of the Revised Code;	884 885
(m) A dietitian licensed under Chapter 4759. of the Revised Code;	886 887
(n) A respiratory care professional licensed under Chapter 4761. of the Revised Code;	888 889
(o) A genetic counselor licensed under Chapter 4778. of the Revised Code;	890 891
(p) A certified Ohio behavior analyst certified under Chapter 4783. of the Revised Code.	892 893
(4) "Health care professional licensing board" means any of the following:	894 895

(a) The board of nursing;	896
(b) The state vision professionals board;	897
(c) The state board of pharmacy;	898
(d) The state medical board;	899
(e) The state board of psychology;	900
(f) The state chiropractic board;	901
(g) The state speech and hearing professionals board;	902
(h) The Ohio occupational therapy, physical therapy, and athletic trainers board;	903 904
(i) The counselor, social worker, and marriage and family therapist board;	905 906
(j) The chemical dependency professionals board.	907
(5) "Health plan issuer" has the same meaning as in section 3922.01 of the Revised Code.	908 909
(6) "Telehealth services" means health care services provided through the use of information and communication technology by a health care professional, within the professional's scope of practice, who is located at a site other than the site where either of the following is located:	910 911 912 913 914
(a) The patient receiving the services;	915
(b) Another health care professional with whom the provider of the services is consulting regarding the patient.	916 917
(B)(1) Each health care professional licensing board shall permit a health care professional under its jurisdiction to provide the professional's services as telehealth services in accordance with this section. Subject to division (B)(2) of this section, a board may adopt any rules it considers necessary to	918 919 920 921 922

implement this section. All rules adopted under this section shall 923  
be adopted in accordance with Chapter 119. of the Revised Code. 924  
Any such rules adopted by a board are not subject to the 925  
requirements of division (F) of section 121.95 of the Revised 926  
Code. 927

(2)(a) Except as provided in division (B)(2)(b) of this 928  
section, the rules adopted by a health care professional licensing 929  
board under this section shall establish a standard of care for 930  
telehealth services that is equal to the standard of care for 931  
in-person services. 932

(b) Subject to division (B)(2)(c) of this section, a board 933  
may require an initial in-person visit prior to prescribing a 934  
schedule II controlled substance to a new patient, equivalent to 935  
applicable state and federal requirements. 936

(c)(i) A board shall not require an initial in-person visit 937  
for a new patient whose medical record indicates that the patient 938  
is receiving hospice or palliative care, who is receiving 939  
medication-assisted treatment or any other medication for 940  
opioid-use disorder, who is a patient with a mental health 941  
condition, or who, as determined by the clinical judgment of a 942  
health care professional, is in an emergency situation. 943

(ii) Notwithstanding division (B) of section 3796.01 of the 944  
Revised Code, medical marijuana shall not be considered a schedule 945  
II controlled substance. 946

(C) With respect to the provision of telehealth services, all 947  
of the following apply: 948

(1) A health care professional may use synchronous or 949  
asynchronous technology to provide telehealth services to a 950  
patient during an initial visit if the appropriate standard of 951

care for an initial visit is satisfied. 952

(2) A health care professional may deny a patient telehealth 953  
services and, instead, require the patient to undergo an in-person 954  
visit. 955

(3) When providing telehealth services in accordance with 956  
this section, a health care professional shall comply with all 957  
requirements under state and federal law regarding the protection 958  
of patient information. A health care professional shall ensure 959  
that any username or password information and any electronic 960  
communications between the professional and a patient are securely 961  
transmitted and stored. 962

(4) A health care professional may use synchronous or 963  
asynchronous technology to provide telehealth services to a 964  
patient during an annual visit if the appropriate standard of care 965  
for an annual visit is satisfied. 966

(5) In the case of a health care professional who is a 967  
physician, physician assistant, or advanced practice registered 968  
nurse, both of the following apply: 969

(a) The professional may provide telehealth services to a 970  
patient located outside of this state if permitted by the laws of 971  
the state in which the patient is located. 972

(b) The professional may provide telehealth services through 973  
the use of medical devices that enable remote monitoring, 974  
including such activities as monitoring a patient's blood 975  
pressure, heart rate, or glucose level. 976

(D) When a patient has consented to receiving telehealth 977  
services, the health care professional who provides those services 978  
is not liable in damages under any claim made on the basis that 979  
the services do not meet the same standard of care that would 980

apply if the services were provided in-person. 981

(E)(1) A health care professional providing telehealth 982  
services shall not charge a patient or a health plan issuer 983  
covering telehealth services under section 3902.30 of the Revised 984  
Code any of the following: a facility fee, an origination fee, or 985  
any fee associated with the cost of the equipment used at the 986  
provider site to provide telehealth services. 987

A health care professional providing telehealth services may 988  
charge a health plan issuer for durable medical equipment used at 989  
a patient or client site. 990

(2) A health care professional may negotiate with a health 991  
plan issuer to establish a reimbursement rate for fees associated 992  
with the administrative costs incurred in providing telehealth 993  
services as long as a patient is not responsible for any portion 994  
of the fee. 995

(3) A health care professional providing telehealth services 996  
shall obtain a patient's consent before billing for the cost of 997  
providing the services, but the requirement to do so applies only 998  
once. 999

(F) Nothing in this section limits or otherwise affects any 1000  
other provision of the Revised Code that requires a health care 1001  
professional who is not a physician to practice under the 1002  
supervision of, in collaboration with, in consultation with, or 1003  
pursuant to the referral of another health care professional. 1004

(G) It is the intent of the general assembly, through the 1005  
amendments to this section, to expand access to and investment in 1006  
telehealth services in this state in congruence with the expansion 1007  
and investment in telehealth services made during the COVID-19 1008  
pandemic." 1009

After line 90052, insert: 1010

"**Sec. 4755.111.** (A) An individual whom the occupational 1011  
therapy section of the Ohio occupational therapy, physical 1012  
therapy, and athletic trainers board licenses, certificates, or 1013  
otherwise legally authorizes to engage in the practice of 1014  
occupational therapy may render the professional services of an 1015  
occupational therapist within this state through a corporation 1016  
formed under division (B) of section 1701.03 of the Revised Code, 1017  
a limited liability company formed under former Chapter 1705. of 1018  
the Revised Code as that chapter existed prior to February 11, 1019  
2022, or Chapter 1706. of the Revised Code, a partnership, or a 1020  
professional association formed under Chapter 1785. of the Revised 1021  
Code. This division does not preclude an individual of that nature 1022  
from rendering professional services as an occupational therapist 1023  
through another form of business entity, including, but not 1024  
limited to, a nonprofit corporation or foundation, or in another 1025  
manner that is authorized by or in accordance with sections 1026  
4755.04 to 4755.13 of the Revised Code, another chapter of the 1027  
Revised Code, or rules of the Ohio occupational therapy, physical 1028  
therapy, and athletic trainers board adopted pursuant to sections 1029  
4755.04 to 4755.13 of the Revised Code. 1030

(B) A corporation, limited liability company, partnership, or 1031  
professional association described in division (A) of this section 1032  
may be formed for the purpose of providing a combination of the 1033  
professional services of the following individuals who are 1034  
licensed, certificated, or otherwise legally authorized to 1035  
practice their respective professions: 1036

(1) Optometrists who are authorized to practice optometry 1037  
under Chapter 4725. of the Revised Code; 1038

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;	1039 1040
(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;	1041 1042
(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;	1043 1044 1045
(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;	1046 1047
(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;	1048 1049 1050
(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;	1051 1052 1053
(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;	1054 1055
(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;	1056 1057 1058 1059
(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, <del>or</del> marriage and family therapists, <u>art therapists, or music therapists</u> who are authorized for their respective practices under Chapter 4757. of the Revised Code.	1060 1061 1062 1063 1064 1065
This division shall apply notwithstanding a provision of a	1066

code of ethics applicable to an occupational therapist that 1067  
 prohibits an occupational therapist from engaging in the practice 1068  
 of occupational therapy in combination with a person who is 1069  
 licensed, certificated, or otherwise legally authorized to 1070  
 practice optometry, chiropractic, acupuncture through the state 1071  
 chiropractic board, psychology, nursing, pharmacy, physical 1072  
 therapy, mechanotherapy, medicine and surgery, osteopathic 1073  
 medicine and surgery, podiatric medicine and surgery, professional 1074  
 counseling, social work, ~~or~~ marriage and family therapy, art 1075  
therapy, or music therapy, but who is not also licensed, 1076  
 certificated, or otherwise legally authorized to engage in the 1077  
 practice of occupational therapy." 1078

After line 90417, insert: 1079

"**Sec. 4755.471.** (A) An individual whom the physical therapy 1080  
 section of the Ohio occupational therapy, physical therapy, and 1081  
 athletic trainers board licenses, certificates, or otherwise 1082  
 legally authorizes to engage in the practice of physical therapy 1083  
 may render the professional services of a physical therapist 1084  
 within this state through a corporation formed under division (B) 1085  
 of section 1701.03 of the Revised Code, a limited liability 1086  
 company formed under former Chapter 1705. of the Revised Code as 1087  
that chapter existed prior to February 11, 2022, or Chapter 1706. 1088  
 of the Revised Code, a partnership, or a professional association 1089  
 formed under Chapter 1785. of the Revised Code. This division does 1090  
 not preclude an individual of that nature from rendering 1091  
 professional services as a physical therapist through another form 1092  
 of business entity, including, but not limited to, a nonprofit 1093  
 corporation or foundation, or in another manner that is authorized 1094  
 by or in accordance with sections 4755.40 to 4755.53 of the 1095  
 Revised Code, another chapter of the Revised Code, or rules of the 1096

Ohio occupational therapy, physical therapy, and athletic trainers board adopted pursuant to sections 4755.40 to 4755.53 of the Revised Code.	1097 1098 1099
(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:	1100 1101 1102 1103 1104 1105
(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;	1106 1107
(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;	1108 1109
(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;	1110 1111
(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;	1112 1113 1114
(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;	1115 1116
(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;	1117 1118 1119
(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;	1120 1121 1122
(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;	1123 1124

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or~~ marriage and family therapists, art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of a code of ethics applicable to a physical therapist that prohibits a physical therapist from engaging in the practice of physical therapy in combination with a person who is licensed, certificated, or otherwise legally authorized to practice optometry, chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or~~ marriage and family therapy, art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of physical therapy."

After line 90573, insert:

"**Sec. 4757.01.** As used in this chapter:

(A) "Practice of professional counseling" means rendering or offering to render to individuals, groups, organizations, or the general public a counseling service involving the application of clinical counseling principles, methods, or procedures to assist

individuals in achieving more effective personal, social, 1154  
educational, or career development and adjustment, including the 1155  
diagnosis and treatment of mental and emotional disorders. 1156

(B) "Clinical counseling principles, methods, or procedures" 1157  
means an approach to counseling that emphasizes the counselor's 1158  
role in systematically assisting clients through all of the 1159  
following: assessing and analyzing background and current 1160  
information, diagnosing mental and emotional disorders, exploring 1161  
possible solutions, and developing and providing a treatment plan 1162  
for mental and emotional adjustment or development. "Clinical 1163  
counseling principles, methods, or procedures" includes at least 1164  
counseling, appraisal, consulting, and referral. 1165

(C) "Practice of social work" means the application of social 1166  
work theory and specialized knowledge of human development and 1167  
behavior and social, economic, and cultural systems in directly 1168  
assisting individuals, families, and groups in a clinical setting 1169  
to improve or restore their capacity for social functioning, 1170  
including counseling, the use of psychosocial interventions, and 1171  
the use of social psychotherapy, which includes the diagnosis and 1172  
treatment of mental and emotional disorders. 1173

(D) "Accredited educational institution" means an institution 1174  
accredited by a national or regional accrediting agency accepted 1175  
by the board of regents. 1176

(E) "Scope of practice" means the services, methods, and 1177  
techniques in which and the areas for which a person licensed or 1178  
registered under this chapter is trained and qualified. 1179

(F) "Mental and emotional disorders" means those disorders 1180  
that are classified in accepted nosologies such as the 1181  
international classification of diseases and the diagnostic and 1182  
statistical manual of mental disorders and in future editions of 1183

those nosologies. 1184

(G) "Marriage and family therapy" means the diagnosis, 1185  
 evaluation, assessment, counseling, management and treatment of 1186  
 mental and emotional disorders, whether cognitive, affective, or 1187  
 behavioral, within the context of marriage and family systems, 1188  
 through the professional application of marriage and family 1189  
 therapies and techniques. 1190

(H) "Practice of marriage and family therapy" means the 1191  
 diagnosis, treatment, evaluation, assessment, counseling, and 1192  
 management, of mental and emotional disorders, whether cognitive, 1193  
 affective or behavioral, within the context of marriage and family 1194  
 systems, to individuals, couples, and families, singly or in 1195  
 groups, whether those services are offered directly to the general 1196  
 public or through public or private organizations, for a fee, 1197  
 salary or other consideration through the professional application 1198  
 of marriage and family theories, therapies, and techniques, 1199  
 including, but not limited to psychotherapeutic theories, 1200  
 therapies and techniques that marriage and family therapists are 1201  
 educated and trained to perform. 1202

(I) "Social functioning" means living up to the expectations 1203  
 that are made of an individual by the individual's own self, the 1204  
 immediate social environment, and by society at large. "Social 1205  
 functioning" includes meeting basic needs of the individual and 1206  
 the individual's dependents, including physical aspects, personal 1207  
 fulfillment, emotional needs, and an adequate self-concept. 1208

(J)(1) "Art therapy" means the integrated use of 1209  
psychotherapeutic principles and methods with art media and the 1210  
creative process to assist individuals, families, or groups in 1211  
doing any of the following: 1212

(a) Improving cognitive and sensory-motor function; 1213

<u>(b) Increasing self-awareness and self-esteem;</u>	1214
<u>(c) Coping with grief and traumatic experiences;</u>	1215
<u>(d) Enhancing cognitive abilities;</u>	1216
<u>(e) Resolving conflicts and distress;</u>	1217
<u>(f) Enhancing social functioning;</u>	1218
<u>(g) Identifying and assessing clients' needs to implement</u>	1219
<u>therapeutic intervention to meet developmental, behavioral,</u>	1220
<u>mental, and emotional needs.</u>	1221
<u>(2) "Art therapy" includes therapeutic intervention to</u>	1222
<u>facilitate alternative modes of receptive and expressive</u>	1223
<u>communication and evaluation and assessment to define and</u>	1224
<u>implement art-based treatment plans to address cognitive,</u>	1225
<u>behavioral, developmental, and emotional needs.</u>	1226
<u>(K) "Practice of art therapy" means the rendering or offering</u>	1227
<u>to render art therapy in the prevention or treatment of cognitive,</u>	1228
<u>developmental, emotional, or behavioral disabilities or</u>	1229
<u>conditions.</u>	1230
<u>(L) "Music therapy" means the clinical use of music</u>	1231
<u>interventions by an individual to accomplish individualized goals</u>	1232
<u>within a therapeutic relationship through an individualized music</u>	1233
<u>therapy treatment plan developed for a client.</u>	1234
<u>(M) "Music therapy services" means the services a licensee is</u>	1235
<u>authorized to provide to achieve the goals of music therapy."</u>	1236
<b>Sec. 4757.02.</b> (A) Except as provided in division (C) of this	1237
section and section 4757.41 of the Revised Code:	1238
(1) No person shall engage in or claim to the public to be	1239
engaging in the practice of professional counseling for a fee,	1240

salary, or other consideration unless the person is currently  
 licensed under this chapter as a licensed professional clinical  
 counselor or licensed professional counselor.

(2) No person shall practice or claim to the public to be  
 practicing social work for a fee, salary, or other consideration  
 unless the person is currently licensed under this chapter as an  
 independent social worker or a social worker.

(3) No person shall claim to the public to be a social work  
 assistant unless the person is currently registered under this  
 chapter as a social work assistant.

(4) No person shall engage in the practice of marriage and  
 family therapy or claim to the public to be engaging in the  
 practice of marriage and family therapy unless the person is  
 currently licensed under this chapter as a marriage and family  
 therapist.

(B)(1) No person shall use the title "licensed professional  
 clinical counselor," "licensed professional counselor," or any  
 other title or description incorporating the word "counselor" or  
 any initials used to identify persons acting in those capacities  
 unless currently authorized under this chapter by licensure to act  
 in the capacity indicated by the title or initials.

(2) No person shall use the title "social worker,"  
 "independent social worker," "social work assistant," or any other  
 title or description incorporating the words "social worker" or  
 any initials used to identify persons acting in those capacities  
 unless the person is currently authorized by licensure or  
 registration under this chapter to act in the capacity indicated  
 by the title or initials.

(3) No person shall use the title "marriage and family

therapist" or any initials used to identify persons acting in that capacity unless the person is currently authorized by licensure under this chapter to act in the capacity indicated by the title or initials.

(C)(1) Divisions (A)(1) to (3) of this section do not apply to the practice of marriage and family therapy by a person holding a valid license or temporary license as a marriage and family therapist under this chapter or holding a valid license as an independent marriage and family therapist under this chapter.

(2) Division (A)(4) of this section does not apply to the following persons licensed or registered under this chapter: licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, and social work assistants.

(D) Beginning one year after the effective date of this amendment, no person shall knowingly engage in the practice of art therapy or provide music therapy services or use the title "art therapist" or "music therapist" or a similar title unless the person holds a valid license issued under this chapter that is in good standing.

In line 90576, strike through "fifteen" and insert "twenty-one"

In line 90604, strike through "Three" and insert "Five"

In line 90606, strike through "or"; after "work" insert ", art therapy, or music therapy"

In line 90608, strike through "or"; after "services" insert ", art therapy, or music therapy"

In line 90611, strike through "or"

In line 90612, after "work" insert " <u>, art therapy, or music</u>	1298
<u>therapy"</u>	1299
In line 90613, strike through "or"; after "services" insert	1300
" <u>, art therapy, or music therapy.</u>	1301
<u>(5) Two members shall be individuals licensed under this</u>	1302
<u>chapter as art therapists.</u>	1303
<u>(6) Two members shall be individuals licensed under this</u>	1304
<u>chapter as music therapists"</u>	1305
In line 90615, strike through "and"; after "(3)" insert " <u>,</u>	1306
<u>(5), and (6)"</u>	1307
In line 90627, strike through "three" and insert " <u>five</u> "	1308
In line 90634, strike through "eight" and insert " <u>eleven</u> "	1309
In line 90641, strike through "four, five, or"; after "six"	1310
insert " <u>, seven, or eight"</u>	1311
After line 90652, insert:	1312
" <b>Sec. 4757.04.</b> Within the counselor, social worker, and	1313
marriage and family therapist board, there is hereby created the	1314
counselors professional standards committee, the social workers	1315
professional standards committee, <del>and</del> the marriage and family	1316
therapist professional standards committee, <u>the art therapist</u>	1317
<u>professional standards committee, and the music therapist</u>	1318
<u>professional standards committee.</u>	1319
The counselors professional standards committee consists of	1320
the board's licensed professional clinical counselor and licensed	1321
professional counselor members and one of the members representing	1322
the public who is not the member representing the public on the	1323
marriage and family therapist professional standards committee <del>or,</del>	1324

the social workers professional standards committee, the art 1325  
therapist professional standards committee, or the music therapist 1326  
professional standards committee. The committee has full authority 1327  
to act on behalf of the board on all matters concerning 1328  
professional clinical counselors and professional counselors. 1329

The social workers professional standards committee consists 1330  
of the board's independent social worker and social worker members 1331  
and one of the members representing the public who is not the 1332  
member representing the public on the counselors professional 1333  
standards committee ~~or~~, the marriage and family therapist 1334  
professional standards committee, the art therapist professional 1335  
standards committee, or the music therapist professional standards 1336  
committee. The committee has full authority to act on behalf of 1337  
the board on all matters concerning independent social workers, 1338  
social workers, and social work assistants. 1339

The marriage and family therapist professional standards 1340  
committee consists of the board's marriage and family therapists 1341  
and one of the members representing the public who is not the 1342  
member representing the public on the counselors professional 1343  
standards committee ~~or~~, the social workers professional standards 1344  
committee, the art therapist professional standards committee, or 1345  
the music therapist professional standards committee. The 1346  
committee has full authority to act on behalf of the board on all 1347  
matters concerning independent marriage and family therapists and 1348  
marriage and family therapists. 1349

The art therapist professional standards committee consists 1350  
of the board's licensed art therapist members and one of the 1351  
members representing the public who is not the member representing 1352  
the public on the marriage and family therapist professional 1353  
standards committee, the social workers professional standards 1354  
committee, the counselor professional standards committee, or the 1355

music therapist professional standards committee. The committee 1356  
has full authority to act on behalf of the board on all matters 1357  
concerning art therapy and art therapists. 1358

The music therapist professional standards committee consists 1359  
of the board's licensed music therapist members and one of the 1360  
members representing the public who is not the member representing 1361  
the public on the marriage and family therapist professional 1362  
standards committee, the social workers professional standards 1363  
committee, the counselor professional standards committee, or the 1364  
art therapist professional standards committee. The committee has 1365  
full authority to act on behalf of the board on all matters 1366  
concerning music therapy and music therapists. 1367

**Sec. 4757.05.** ~~(A)~~(A)(1) The counselor, social worker, and 1368  
marriage and family therapist board shall meet as a whole to 1369  
discuss and review issues regarding personnel, budgetary matters, 1370  
administration, and any other matter pertaining to the operation 1371  
of the entire board. The board shall hold at least one regular 1372  
meeting every three months. Additional meetings may be held at 1373  
such times as the board determines, upon call of the chairperson, 1374  
or upon the written request of four or more members of the board 1375  
to the executive director. If four or more members so request a 1376  
meeting, the executive director shall call a meeting to commence 1377  
in not more than seven days. ~~Eight~~ Eleven members of the board 1378  
constitute a quorum to conduct business. Except as provided in 1379  
section 4757.39 of the Revised Code, no action shall be taken 1380  
without the concurrence of at least a quorum. 1381

(2) The counselors professional standards committee, the 1382  
social workers professional standards committee, ~~and~~ the marriage 1383  
and family therapist professional standards committee, the art 1384  
therapist professional standards committee, and the music 1385

therapist professional standards committee shall meet as necessary 1386  
 to fulfill their duties established by this chapter and the rules 1387  
 adopted under it. Three members of a committee constitute a quorum 1388  
 for ~~that~~ the counselors professional standards committee, the 1389  
social workers professional standards committee, and the marriage 1390  
and family therapist professional standards committee to conduct 1391  
business, and two members of a committee constitute a quorum for 1392  
the art therapist professional standards committee and the music 1393  
therapist professional standards committee to conduct business. No 1394  
 action shall be taken without the concurrence of at least a 1395  
 quorum. 1396

(B) At its first meeting each year, the board shall elect a 1397  
 chairperson from among its members. At the first meeting held each 1398  
 year by the board's professional standards committees, each 1399  
 committee shall elect from among its members a chairperson. The 1400  
 chairpersons of the committees shall serve as co-vice-chairpersons 1401  
 of the board. Neither the board nor its committees shall elect a 1402  
 member to serve more than two consecutive terms in the same 1403  
 office. 1404

(C) The board shall employ an executive director. The board 1405  
 may employ and prescribe the powers and duties of such employees 1406  
 and consultants as are necessary for it and its professional 1407  
 standards committees to carry out this chapter and rules adopted 1408  
 under it. 1409

(D) The members of the board shall receive an amount fixed 1410  
 under division (J) of section 124.15 of the Revised Code for each 1411  
 day employed in the discharge of their official duties as board or 1412  
 committee members and shall be reimbursed for their necessary and 1413  
 actual expenses incurred in the performance of their official 1414  
 duties. 1415

(E) The board and each of its professional standards 1416  
 committees shall keep any records and minutes necessary to fulfill 1417  
 the duties established by this chapter and the rules adopted under 1418  
 it. 1419

**Sec. 4757.11.** The counselor, social worker, and marriage and 1420  
 family therapist board shall establish a code of ethical practice 1421  
 for persons licensed under this chapter as licensed professional 1422  
 clinical counselors or licensed professional counselors. The board 1423  
 shall establish a code of ethical practice for persons licensed 1424  
 under this chapter as independent social workers or social 1425  
 workers, persons registered under this chapter as social work 1426  
 assistants, and persons licensed as independent marriage and 1427  
 family therapists or marriage and family therapists. The board 1428  
shall establish a code of ethical practice for persons licensed 1429  
under this chapter as art therapists. The board shall establish a 1430  
code of ethical practice for persons licensed under this chapter 1431  
as music therapists. The codes of ethical practice shall be 1432  
 established by adopting rules in accordance with Chapter 119. of 1433  
 the Revised Code. The codes of ethical practice shall define 1434  
 unprofessional conduct, which shall include engaging in a dual 1435  
 relationship with a client or former client, committing an act of 1436  
 sexual abuse, misconduct, or exploitation of a client or former 1437  
 client, and, except as permitted by law, violating client 1438  
 confidentiality. The codes of ethical practice may be based on any 1439  
 codes of ethical practice developed by national organizations 1440  
 representing the interests of those involved in professional 1441  
 counseling, social work, ~~or~~ marriage and family therapy, art 1442  
therapy, or music therapy. The board may establish standards in 1443  
 its codes of ethical practice that are more stringent than those 1444  
 established by national organizations. 1445

**Sec. 4757.15.** The counselor, social worker, and marriage and family therapist board shall prepare, cause to be prepared, or procure the use of, and grade, have graded, or procure the grading of, examinations to determine the competence of applicants for licensure under this chapter. The board may administer separate examinations to reflect differences in educational degrees earned by applicants. The board may develop the examinations or use examinations prepared by state or national organizations that represent the interests of those involved in professional counseling, social work, ~~or~~ marriage and family therapy, art therapy, or music therapy. The board shall conduct examinations at least twice each year and shall determine the level of competence necessary for a passing score.

**Sec. 4757.16.** (A) A person seeking to be licensed under this chapter as a licensed professional clinical counselor or licensed professional counselor shall file with the counselors professional standards committee of the counselor, social worker, and marriage and family therapist board a written application on a form prescribed by the board. A person seeking to be licensed under this chapter as an independent social worker or social worker or registered under this chapter as a social work assistant shall file with the social workers professional standards committee of the board a written application on a form prescribed by the board. A person seeking to be licensed under this chapter as an independent marriage and family therapist or a marriage and family therapist shall file with the marriage and family therapist professional standards committee of the board a written application on a form prescribed by the board. A person seeking to be licensed under this chapter as a licensed art therapist shall file with the art therapist professional standards committee of

the board a written application on a form prescribed by the board. 1476  
A person seeking to be licensed under this chapter as a licensed 1477  
music therapist shall file with the music therapist professional 1478  
standards committee of the board a written application on a form 1479  
prescribed by the board. 1480

Each form prescribed by the board shall contain a statement 1481  
 informing the applicant that a person who knowingly makes a false 1482  
 statement on the form is guilty of falsification under section 1483  
 2921.13 of the Revised Code, a misdemeanor of the first degree. 1484

(B) The professional standards committees shall adopt rules 1485  
 under Chapter 119. of the Revised Code concerning the process for 1486  
 review of each application received to determine whether the 1487  
 applicant meets the requirements to receive the license or 1488  
 certificate of registration for which application has been made. 1489

**Sec. 4757.24.** (A) The art therapy professional standards 1490  
committee of the counselor, social worker, and marriage and family 1491  
therapist board shall issue a license as an art therapist to each 1492  
applicant who submits a properly completed application, pays the 1493  
fee established under section 4757.31 of the Revised Code, and 1494  
meets the requirements established under division (B) of this 1495  
section. 1496

The music therapy professional standards committee of the 1497  
board shall issue a license as a music therapist to each applicant 1498  
who submits a properly completed application, pays the fee 1499  
established under section 4757.31 of the Revised Code, and meets 1500  
the requirements established under division (C) of this section. 1501

(B) To be eligible for a license to practice art therapy 1502  
under this chapter, an applicant shall meet all of the following 1503  
requirements: 1504

<u>(1) Be at least eighteen years of age;</u>	1505
<u>(2) Have attained a master's degree or higher degree from a graduate program in art therapy that one of the following applies to at the time the degree was conferred:</u>	1506
	1507
	1508
<u>(a) The program is approved by the American art therapy association or its successor organization;</u>	1509
	1510
<u>(b) The program is accredited by the commission on accreditation of allied health education programs or its successor organization;</u>	1511
	1512
	1513
<u>(c) The board considers the program to be substantially equivalent to a program approved or accredited under division (B)(2)(a) or (b) of this section.</u>	1514
	1515
	1516
<u>(3) Have completed at least two years of postgraduate supervised clinical experience in the experience requirements that the art therapy credentials board, its successor organization, or an equivalent organization recognized by the counselor, social worker, and marriage and family therapist board required for an individual to become a registered art therapist at the time the experience was completed;</u>	1517
	1518
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	1523
<u>(4) Have a board certification in good standing with the art therapy credentials board, its successor organization, or an equivalent organization recognized by the counselor, social worker, and marriage and family therapist board;</u>	1524
	1525
	1526
	1527
<u>(5) Have satisfied any other requirements established by the counselor, social worker, and marriage and family therapist board.</u>	1528
	1529
<u>(C) To be eligible for a license to practice music therapy under this chapter, an applicant shall meet all of the following requirements:</u>	1530
	1531
	1532

<u>(1) Be at least eighteen years of age;</u>	1533
<u>(2) Have successfully completed an academic program with a bachelor's or higher degree in music therapy approved by the American music therapy association or its successor organization;</u>	1534 1535 1536
<u>(3) Have passed the examination for board certification by the certification board for music therapists or its successor organization or obtained certification as a music therapist by that board on January 1, 1985;</u>	1537 1538 1539 1540
<u>(4) Be currently certified as a music therapist by the certification board for music therapists or its successor organization.</u>	1541 1542 1543
<u>(5) Have successfully completed a minimum of one thousand two hundred hours of clinical training, with at least one hundred eighty hours in preinternship experience and at least nine hundred hours in internship experience, if the internship is approved by the American music therapy association or its successor organization, an academic institution, or both.</u>	1544 1545 1546 1547 1548 1549
<u>(D) Within sixty days after receiving the information described in division (B) or (C) of this section and receipt of proof of compliance with section 4757.101 of the Revised Code, the appropriate professional standards committee of the board shall issue a license to practice as an art therapist or music therapist as required under division (A) of this section.</u>	1550 1551 1552 1553 1554 1555
<u>(E) This section does not apply to members of other professions licensed, certified, or registered by this state while performing services within the recognized scope, standards, and ethics of their respective professions.</u>	1556 1557 1558 1559
<b>Sec. 4757.31.</b> (A) Subject to division (B) of this section,	1560

the counselor, social worker, and marriage and family therapist 1561  
 board shall establish, and may from time to time adjust, fees to 1562  
 be charged for the following: 1563

(1) Examination for licensure as a licensed professional 1564  
 clinical counselor, licensed professional counselor, marriage and 1565  
 family therapist, independent marriage and family therapist, 1566  
 social worker, or independent social worker; 1567

(2) Initial licenses of licensed professional clinical 1568  
 counselors, licensed professional counselors, marriage and family 1569  
 therapists, independent marriage and family therapists, social 1570  
 workers, ~~and~~ independent social workers, art therapists, and music 1571  
therapists, except that the board shall charge only one fee to a 1572  
 person who fulfills all requirements for more than one of the 1573  
 following initial licenses: an initial license as a social worker 1574  
 or independent social worker, an initial license as a licensed 1575  
 professional counselor or licensed professional clinical 1576  
 counselor, and an initial license as a marriage and family 1577  
 therapist or independent marriage and family therapist; 1578

(3) Initial certificates of registration of social work 1579  
 assistants; 1580

(4) Renewal and late renewal of licenses of licensed 1581  
 professional clinical counselors, licensed professional 1582  
 counselors, marriage and family therapists, independent marriage 1583  
 and family therapists, social workers, ~~and~~ independent social 1584  
 workers, art therapists, and music therapists and renewal and late 1585  
 renewal of certificates of registration of social work assistants; 1586

(5) Verification, to another jurisdiction, of a license or 1587  
 registration issued by the board; 1588

(6) Continuing education programs offered by the board to 1589

licensees or registrants;	1590
(7) Approval of continuing education programs;	1591
(8) Approval of continuing education providers to be authorized to offer continuing education programs without prior approval from the board for each program offered;	1592 1593 1594
(9) Issuance of a replacement copy of any wall certificate issued by the board;	1595 1596
(10) Late completion of continuing counselor, social worker, or marriage and family therapy education required under section 4757.33 of the Revised Code and the rules adopted under it.	1597 1598 1599
(B) The fees charged under division (A)(1) of this section shall be established in amounts sufficient to cover the direct expenses incurred in examining applicants for licensure. The fees charged under divisions (A)(2) to (9) of this section shall be nonrefundable and shall be established in amounts sufficient to cover the necessary expenses in administering this chapter and rules adopted under it that are not covered by fees charged under division (A)(1) or (C) of this section. The renewal fee for a license or certificate of registration shall not be less than the initial fee for that license or certificate. The fees charged for licensure and registration and the renewal of licensure and registration may differ for the various types of licensure and registration, but shall not exceed one hundred twenty-five dollars each, unless the board determines that amounts in excess of one hundred twenty-five dollars are needed to cover its necessary expenses in administering this chapter and rules adopted under it and the amounts in excess of one hundred twenty-five dollars are approved by the controlling board.	1600 1601 1602 1603 1604 1605 1606 1607 1608 1609 1610 1611 1612 1613 1614 1615 1616 1617
(C) All receipts of the board shall be deposited in the state	1618

treasury to the credit of the occupational licensing and 1619  
 regulatory fund. All vouchers of the board shall be approved by 1620  
 the chairperson or executive director of the board, or both, as 1621  
 authorized by the board. 1622

**Sec. 4757.34.** The counselor, social worker, and marriage and 1623  
 family therapist board shall approve one or more continuing 1624  
 education courses of study that assist social workers, independent 1625  
 social workers, social work assistants, independent marriage and 1626  
 family therapists, marriage and family therapists, licensed 1627  
 professional clinical counselors, ~~and~~ licensed professional 1628  
 counselors, art therapists, and music therapists in recognizing 1629  
 the signs of domestic violence and its relationship to child 1630  
 abuse. Social workers, independent social workers, social work 1631  
 assistants, independent marriage and family therapists, marriage 1632  
 and family therapists, licensed professional clinical counselors, 1633  
~~and~~ licensed professional counselors, art therapists, and music 1634  
therapists are not required to take the courses. 1635

**Sec. 4757.36.** (A) The appropriate professional standards 1636  
 committee of the counselor, social worker, and marriage and family 1637  
 therapist board may, in accordance with Chapter 119. of the 1638  
 Revised Code, take any action specified in division (B) of this 1639  
 section for any reason described in division (C) of this section 1640  
 against an individual who has applied for or holds a license 1641  
 issued under this chapter; a master's level counselor trainee, 1642  
 social worker trainee, or marriage and family therapist trainee; 1643  
 or an individual or entity that is registered, or has applied for 1644  
 registration, in accordance with rules adopted under section 1645  
 4757.33 of the Revised Code to provide continuing education 1646  
 programs approved by the board. 1647

(B) In its imposition of sanctions against an individual or entity specified in division (A) of this section, the board may do any of the following:

(1) Refuse to issue or refuse to renew a license or certificate of registration;

(2) Suspend, revoke, or otherwise restrict a license or certificate of registration;

(3) Reprimand an individual holding a license or certificate of registration;

(4) Except as otherwise provided in division (J) of this section, impose a fine in accordance with the graduated system of fines established by the board in rules adopted under section 4757.10 of the Revised Code;

(5) Require an individual holding a license or certificate of registration to take corrective action courses.

(C) The appropriate professional standards committee of the board may take an action specified in division (B) of this section for any of the following reasons:

(1) Commission of an act that violates any provision of this chapter or rules adopted under it;

(2) Knowingly making a false statement on an application for licensure or registration, or for renewal of a license or certificate of registration;

(3) Accepting a commission or rebate for referring persons to any professionals licensed, certified, or registered by any court or board, commission, department, division, or other agency of the state, including, but not limited to, individuals practicing counseling, social work, ~~or~~ marriage and family therapy, art

<u>therapy, and music therapy</u> or practicing in fields related to	1676
counseling, social work, <del>or</del> marriage and family therapy, <u>art</u>	1677
<u>therapy, and music therapy</u> ;	1678
(4) A failure to comply with section 4757.13 of the Revised	1679
Code;	1680
(5) A conviction in this or any other state of a crime that	1681
is a felony in this state;	1682
(6) A failure to perform properly as a licensed professional	1683
clinical counselor, licensed professional counselor, independent	1684
marriage and family therapist, marriage and family therapist,	1685
social work assistant, social worker, <del>or</del> independent social	1686
worker, <u>art therapist, or music therapist</u> due to the use of	1687
alcohol or other drugs or any other physical or mental condition;	1688
(7) A conviction in this state or in any other state of a	1689
misdemeanor committed in the course of practice as a licensed	1690
professional clinical counselor, licensed professional counselor,	1691
independent marriage and family therapist, marriage and family	1692
therapist, social work assistant, social worker, <del>or</del> independent	1693
social worker, <u>art therapist, or music therapist</u> ;	1694
(8) Practicing outside the scope of practice applicable to	1695
that person;	1696
(9) Practicing in violation of the supervision requirements	1697
specified under sections 4757.21 and 4757.26, and division (E) of	1698
section 4757.30, of the Revised Code;	1699
(10) A violation of the person's code of ethical practice	1700
adopted by rule of the board pursuant to section 4757.11 of the	1701
Revised Code;	1702
(11) Revocation or suspension of a license or certificate of	1703
registration, other disciplinary action against a license holder	1704

or registration, or the voluntary surrender of a license or  
certificate of registration in another state or jurisdiction for  
an offense that would be a violation of this chapter;

(12) Commission of a second or subsequent violation of  
division (B)(1) of section 959.07 or any violation of division (C)  
of section 959.09 of the Revised Code.

(D) Notwithstanding any provision of divisions (A) to (C) of  
this section to the contrary, the board shall not refuse to issue  
a license or certificate of registration to an applicant because  
of a criminal conviction unless the refusal is in accordance with  
section 9.79 of the Revised Code.

(E) A disciplinary action under division (B) of this section  
shall be taken pursuant to an adjudication under Chapter 119. of  
the Revised Code, except that in lieu of an adjudication, the  
appropriate professional standards committee may enter into a  
consent agreement with an individual or entity specified in  
division (A) of this section to resolve an allegation of a  
violation of this chapter or any rule adopted under it. A consent  
agreement, when ratified by the appropriate professional standards  
committee, constitutes the findings and order of the board with  
respect to the matter addressed in the agreement. If a committee  
refuses to ratify a consent agreement, the admissions and findings  
contained in the consent agreement are of no force or effect.

(F) In any instance in which a professional standards  
committee of the board is required by Chapter 119. of the Revised  
Code to give notice of the opportunity for a hearing and the  
individual or entity subject to the notice does not timely request  
a hearing in accordance with section 119.07 of the Revised Code,  
the committee may adopt a final order that contains the board's  
findings. In that final order, the committee may order any of the

sanctions identified in division (B) of this section. 1735

(G) One year or more after the date of suspension or 1736  
 revocation of a license or certificate of registration under this 1737  
 section, application may be made to the appropriate professional 1738  
 standards committee for reinstatement. The committee may approve 1739  
 or deny an application for reinstatement. If a license has been 1740  
 suspended or revoked, the committee may require an examination for 1741  
 reinstatement. 1742

(H) On request of the board, the attorney general shall bring 1743  
 and prosecute to judgment a civil action to collect any fine 1744  
 imposed under division (B)(4) of this section that remains unpaid. 1745

(I) All fines collected under division (B)(4) of this section 1746  
 shall be deposited into the state treasury to the credit of the 1747  
 occupational licensing and regulatory fund. 1748

(J) A board shall impose a fine under division (B)(4) of this 1749  
 section for a violation specified in division (C)(12) of this 1750  
 section as follows: 1751

(1) One hundred dollars for a second violation of division 1752  
 (B)(1) of section 959.07 of the Revised Code or a first violation 1753  
 of division (C) of section 959.09 of the Revised Code; 1754

(2) Five hundred dollars for any subsequent violation of 1755  
 division (B)(1) of section 959.07 or division (C) of section 1756  
 959.09 of the Revised Code. 1757

(K) Notwithstanding any provision of this section to the 1758  
 contrary, for a first violation of division (B)(1) of section 1759  
 959.07 of the Revised Code, the board shall issue a confidential 1760  
 written warning and shall not take any other disciplinary action 1761  
 under this section. The board shall include in the warning an 1762  
 explanation of the violation and the reporting requirement 1763

specified under section 959.07 of the Revised Code." 1764

After line 90704, insert: 1765

"**Sec. 4757.37.** (A) An individual whom the counselor, social 1766  
 worker, and marriage and family therapist board licenses, 1767  
 certificates, or otherwise legally authorizes to engage in the 1768  
 practice of professional counseling, social work, ~~or~~ marriage and 1769  
 family therapy, art therapy, or music therapy may render the 1770  
 professional services of a licensed professional clinical 1771  
 counselor, licensed professional counselor, independent social 1772  
 worker, social worker, independent marriage and family therapist, 1773  
~~or~~ marriage and family therapist, art therapist, or music 1774  
therapist within this state through a corporation formed under 1775  
 division (B) of section 1701.03 of the Revised Code, a limited 1776  
 liability company formed under Chapter 1705. or 1706. of the 1777  
 Revised Code, a partnership, or a professional association formed 1778  
 under Chapter 1785. of the Revised Code. This division does not 1779  
 preclude such an individual from rendering professional services 1780  
 as a licensed professional clinical counselor, licensed 1781  
 professional counselor, independent social worker, social worker, 1782  
 independent marriage and family therapist, ~~or~~ marriage and family 1783  
 therapist, art therapist, or music therapist through another form 1784  
 of business entity, including, but not limited to, a nonprofit 1785  
 corporation or foundation, or in another manner that is authorized 1786  
 by or in accordance with this chapter, another chapter of the 1787  
 Revised Code, or rules of the counselor, social worker, and 1788  
 marriage and family therapist board adopted pursuant to this 1789  
 chapter. 1790

(B) A corporation, limited liability company, partnership, or 1791  
 professional association described in division (A) of this section 1792  
 may be formed for the purpose of providing a combination of the 1793

professional services of the following individuals who are	1794
licensed, certificated, or otherwise legally authorized to	1795
practice their respective professions:	1796
(1) Optometrists who are authorized to practice optometry	1797
under Chapter 4725. of the Revised Code;	1798
(2) Chiropractors who are authorized to practice chiropractic	1799
or acupuncture under Chapter 4734. of the Revised Code;	1800
(3) Psychologists who are authorized to practice psychology	1801
under Chapter 4732. of the Revised Code;	1802
(4) Registered or licensed practical nurses who are	1803
authorized to practice nursing as registered nurses or as licensed	1804
practical nurses under Chapter 4723. of the Revised Code;	1805
(5) Pharmacists who are authorized to practice pharmacy under	1806
Chapter 4729. of the Revised Code;	1807
(6) Physical therapists who are authorized to practice	1808
physical therapy under sections 4755.40 to 4755.56 of the Revised	1809
Code;	1810
(7) Occupational therapists who are authorized to practice	1811
occupational therapy under sections 4755.04 to 4755.13 of the	1812
Revised Code;	1813
(8) Mechanotherapists who are authorized to practice	1814
mechanotherapy under section 4731.151 of the Revised Code;	1815
(9) Doctors of medicine and surgery, osteopathic medicine and	1816
surgery, or podiatric medicine and surgery who are authorized for	1817
their respective practices under Chapter 4731. of the Revised	1818
Code;	1819
(10) Licensed professional clinical counselors, licensed	1820
professional counselors, independent social workers, social	1821

workers, independent marriage and family therapists, ~~or~~ marriage  
1822  
and family therapists, art therapist, or music therapist who are  
1823  
authorized for their respective practices under this chapter.  
1824

This division applies notwithstanding a provision of a code  
1825  
of ethics applicable to an individual who is a licensed  
1826  
professional clinical counselor, licensed professional counselor,  
1827  
independent social worker, social worker, independent marriage and  
1828  
family therapist, ~~or~~ marriage and family therapist, art therapist,  
1829  
or music therapist that prohibits the individual from engaging in  
1830  
the individual's practice in combination with a person who is  
1831  
licensed, certificated, or otherwise legally authorized to  
1832  
practice optometry, chiropractic, acupuncture through the state  
1833  
chiropractic board, psychology, nursing, pharmacy, physical  
1834  
therapy, occupational therapy, mechanotherapy, medicine and  
1835  
surgery, osteopathic medicine and surgery, or podiatric medicine  
1836  
and surgery, but who is not also licensed, certificated, or  
1837  
otherwise legally authorized to engage in the practice of  
1838  
professional counseling, social work, ~~or~~ marriage and family  
1839  
therapy, art therapy, or music therapy.  
1840

**Sec. 4757.38.** (A) The counselor, social worker, and marriage  
1841  
and family therapist board shall investigate alleged violations of  
1842  
this chapter or the rules adopted under it and alleged  
1843  
irregularities in the delivery of services related to professional  
1844  
counseling, social work, ~~or~~ marriage and family therapy, art  
1845  
therapy, or music therapy by persons licensed or registered under  
1846  
this chapter. As part of its conduct of an investigation, the  
1847  
board may issue subpoenas, examine witnesses, and administer  
1848  
oaths.  
1849

(B) All of the following apply under this chapter with  
1850  
respect to the confidentiality of information:  
1851

(1) Information received by the board pursuant to a complaint 1852  
 or an investigation is confidential and not subject to discovery 1853  
 in any civil action, except that the board may disclose 1854  
 information to law enforcement officers and government entities 1855  
 for purposes of an investigation of either an individual who holds 1856  
 a license or certificate of registration issued under this chapter 1857  
 or an individual or entity that may have engaged in the 1858  
 unauthorized practice of professional counseling, social work, ~~or~~ 1859  
 marriage and family therapy, art therapy, or music therapy. No law 1860  
 enforcement officer or government entity with knowledge of any 1861  
 information disclosed by the board pursuant to this division shall 1862  
 divulge the information to any other person or government entity 1863  
 except for the purpose of a government investigation, a 1864  
 prosecution, or an adjudication by a court or government entity. 1865

(2) If an investigation requires a review of patient records, 1866  
 the investigation and proceeding shall be conducted in such a 1867  
 manner as to protect patient confidentiality. 1868

(3) All adjudications and investigations of the board are 1869  
 civil actions for the purposes of section 2305.252 of the Revised 1870  
 Code. 1871

(4) Any board activity that involves continued monitoring of 1872  
 an individual as part of or following any disciplinary action 1873  
 taken under section ~~4755.36~~ 4757.36 of the Revised Code shall be 1874  
 conducted in a manner that maintains the individual's 1875  
 confidentiality. Information received or maintained by the board 1876  
 with respect to the board's monitoring activities is not subject 1877  
 to discovery in any civil action and is confidential, except that 1878  
 the board may disclose information to law enforcement officers and 1879  
 government entities for purposes of an investigation of an 1880  
 individual holding a license or certificate of registration issued 1881

under this chapter. 1882

(C) The board may receive any information necessary to 1883  
 conduct an investigation under this section. If the board is 1884  
 investigating the provision of services to a couple or group, it 1885  
 is not necessary for both members of the couple or all members of 1886  
 the group to consent to the release of information relevant to the 1887  
 investigation. 1888

(D) The board shall ensure that all records it holds 1889  
 pertaining to an investigation remain confidential. The board 1890  
 shall adopt rules establishing procedures to be followed in 1891  
 maintaining the confidentiality of its investigative records. The 1892  
 rules shall be adopted in accordance with Chapter 119. of the 1893  
 Revised Code. 1894

**Sec. 4757.41.** (A) This chapter shall not apply to the 1895  
 following: 1896

(1) A person certified by the state board of education under 1897  
 Chapter 3319. of the Revised Code while performing any services 1898  
 within the person's scope of employment by a board of education or 1899  
 by a private school meeting the standards prescribed by the state 1900  
 board of education under division (D) of section 3301.07 of the 1901  
 Revised Code or in a program operated under Chapter 5126. of the 1902  
 Revised Code for training individuals with developmental 1903  
 disabilities; 1904

(2) Psychologists, independent school psychologists, or 1905  
 school psychologists licensed under Chapter 4732. of the Revised 1906  
 Code; 1907

(3) Members of other professions licensed, certified, or 1908  
 registered by this state while performing services within the 1909  
 recognized scope, standards, and ethics of their respective 1910

professions;	1911
(4) Rabbis, priests, Christian science practitioners, clergy,	1912
or members of religious orders and other individuals participating	1913
with them in pastoral counseling when the counseling activities	1914
are within the scope of the performance of their regular or	1915
specialized ministerial duties and are performed under the	1916
auspices or sponsorship of an established and legally cognizable	1917
church, denomination, or sect or an integrated auxiliary of a	1918
church as defined in federal tax regulations, paragraph (g)(5) of	1919
26 C.F.R. 1.6033-2 (1995), and when the individual rendering the	1920
service remains accountable to the established authority of that	1921
church, denomination, sect, or integrated auxiliary;	1922
(5) Any person who is not licensed under this chapter as a	1923
licensed professional clinical counselor, licensed professional	1924
counselor, independent social worker, or social worker and is	1925
employed in the civil service as defined in section 124.01 of the	1926
Revised Code while engaging in professional counseling or social	1927
work as a civil service employee, if on July 10, 2014, the person	1928
has at least two years of service in that capacity;	1929
(6) A student in an accredited educational institution while	1930
carrying out activities that are part of the student's prescribed	1931
course of study if the activities are supervised as required by	1932
the educational institution and if the student does not hold	1933
herself or himself out as a person licensed or registered under	1934
this chapter;	1935
(7) An individual who holds a license or certificate under	1936
Chapter 4758. of the Revised Code who is acting within the scope	1937
of the individual's license or certificate as a member of the	1938
profession of chemical dependency counseling or prevention	1939
services;	1940

(8) Any person employed by the American red cross while 1941  
 engaging in activities relating to services for military families 1942  
 and veterans and disaster relief, as described in the "American 1943  
 National Red Cross Act," 33 Stat. 599 (1905), 36 U.S.C.A. 1, as 1944  
 amended; 1945

(9) Members of labor organizations who hold union counselor 1946  
 certificates while performing services in their official capacity 1947  
 as union counselors; 1948

(10) Any person employed in a hospital as defined in section 1949  
 3727.01 of the Revised Code or in a nursing home as defined in 1950  
 section 3721.01 of the Revised Code while providing as a hospital 1951  
 employee or nursing home employee, respectively, social services 1952  
 other than counseling and the use of psychosocial interventions 1953  
 and social psychotherapy; 1954

(11) A vocational rehabilitation professional who is 1955  
 providing rehabilitation services to individuals under section 1956  
 3304.17 of the Revised Code, or holds certification by the 1957  
 commission on rehabilitation counselor certification and is 1958  
 providing rehabilitation counseling services consistent with the 1959  
 commission's standards; 1960

(12) A caseworker not licensed under this chapter as an 1961  
 independent social worker or social worker who is employed by a 1962  
 public children services agency under section 5153.112 of the 1963  
 Revised Code; 1964

(13) A person completing supervised experience to qualify for 1965  
a license as an art therapist or music therapist, provided that 1966  
experience is completed under the supervision of a licensed art 1967  
therapist or music therapist, as applicable. 1968

(B) Divisions (A)(5) and (10) of this section do not prevent 1969

a person described in those divisions from obtaining a license or  
certificate of registration under this chapter. 1970  
1971

(C) Except as provided in divisions (A) and (D) of this 1972  
section, no employee in the service of the state, including public 1973  
employees as defined by Chapter 4117. of the Revised Code, shall 1974  
engage in the practice of professional counseling, social work, or 1975  
marriage and family therapy without the appropriate license issued 1976  
by the board. Failure to comply with this division constitutes 1977  
nonfeasance under section 124.34 of the Revised Code or just cause 1978  
under a collective bargaining agreement. Nothing in this division 1979  
restricts the director of administrative services from developing 1980  
new classifications related to this division or from reassigning 1981  
affected employees to appropriate classifications based on the 1982  
employee's duties and qualifications. 1983

(D) Except as provided in division (A) of this section, an 1984  
employee who was engaged in the practice of professional 1985  
counseling, social work, or marriage and family therapy in the 1986  
service of the state prior to July 10, 2014, including public 1987  
employees as defined by Chapter 4117. of the Revised Code, shall 1988  
comply with division (C) of this section within two years after 1989  
July 10, 2014. Any such employee who fails to comply shall be 1990  
removed from employment. 1991

(E) Nothing in this chapter prevents a public children 1992  
services agency from employing as a caseworker a person not 1993  
licensed under this chapter as an independent social worker or 1994  
social worker who has the qualifications specified in section 1995  
5153.112 of the Revised Code. 1996

**Sec. 4757.43.** Nothing in this chapter or the rules adopted 1997  
under it shall be construed as authorizing a licensed professional 1998

clinical counselor, licensed professional counselor, independent 1999  
marriage and family therapist, marriage and family therapist, 2000  
independent social worker, social worker, ~~or~~ social work 2001  
assistant, art therapist, or music therapist to admit a patient to 2002  
a hospital or as requiring a hospital to allow any of those 2003  
individuals to admit a patient. 2004

**Sec. 4757.50.** A professional clinical counselor, independent 2005  
social worker, ~~or~~ independent marriage and family therapist, art 2006  
therapist, or music therapist may provide telehealth services in 2007  
accordance with section 4743.09 of the Revised Code." 2008

In line 124623, after "1551.35," insert "1701.03," 2009

In line 124625, after "1761.16," insert "1785.01, 1785.02, 2010  
1785.03," 2011

In line 124693, after "4723.063," insert "4723.16," 2012

In line 124694, after "4725.24," insert "4725.33, 4729.161," 2013

In line 124696, after "4731.22," insert "4731.226,"; after 2014  
"4731.481," insert "4731.65,"; after "4732.17," insert "4732.28," 2015

In line 124697, after "4734.161," insert "4734.17," 2016

In line 124699, after "4741.22," insert "4743.09," 2017

In line 124700, after "4755.11," insert "4755.111,"; after 2018  
"4755.47," insert "4755.471," 2019

In line 124701, after "4755.64," insert "4757.01, 4757.02,"; 2020  
after "4757.03," insert "4757.04, 4757.05, 4757.11, 4757.15, 2021

4757.16, 4757.31, 4757.34, 4757.36,"; after "4757.361," insert 2022  
"4757.37, 4757.38, 4757.41, 4757.43, 4757.50," 2023

In line 267482, delete "\$1,967,897 \$2,039,897" and insert 2024  
"\$2,150,000 \$2,190,000" 2025

In line 267483, add \$182,103 to fiscal year 2024 and \$150,103 2026  
to fiscal year 2025 2027

In line 267484, add \$182,103 to fiscal year 2024 and \$150,103 2028  
to fiscal year 2025 2029

After line 281184, insert: 2030

**"Section 747.20.** (A) The Governor shall appoint new members 2031  
to the Counselor, Social Worker, and Marriage and Family Therapist 2032  
Board under section 4757.03 of the Revised Code, as amended by 2033  
this act, within 90 days after the effective date of this section. 2034  
Two of the members are appointed to a term ending on October 10, 2035  
2024, two members are appointed to a term ending on October 10, 2036  
2025, and two members are appointed to a term ending on October 2037  
10, 2026. Thereafter, terms of office are for three years in 2038  
accordance with section 4757.03 of the Revised Code, as amended by 2039  
this act. 2040

(B) Notwithstanding section 4757.03 of the Revised Code, as 2041  
amended by this act, individuals appointed to the Board under 2042  
division (A) of this section need not be licensed as required 2043  
under section 4757.03 of the Revised Code. 2044

(C) For a period of one year beginning on the effective date 2045  
of this section, the Board may waive the requirements in section 2046  
4757.24 of the Revised Code, as enacted by this act, that an 2047  
applicant must satisfy to obtain a license to practice art therapy 2048  
if the applicant files an application with the Board that includes 2049  
evidence satisfactory to the Board that the applicant meets all of 2050  
the following requirements: 2051

(1) The applicant holds a credential in good standing with 2052  
the Art Therapy Credentials Board, its successor organization, or 2053  
an equivalent organization recognized by the Counselor, Social 2054

Worker, and Marriage and Family Therapist Board.	2055
(2) The applicant has practiced art therapy for at least five years.	2056 2057
(3) The applicant satisfies any additional requirements established by the Counselor, Social Worker, and Marriage and Family Therapist Board.	2058 2059 2060
(D) For a period of one year beginning on the effective date of this section, the Counselor, Social Worker, and Marriage and Family Therapist Board shall waive the examination requirement under section 4757.24 of the Revised Code, as enacted by this act, that an applicant must satisfy to obtain a license to practice as a music therapist if the applicant demonstrates to the Board that the individual is either of the following:	2061 2062 2063 2064 2065 2066 2067
(1) A board-certified music therapist who has completed the education and clinical training requirements established by the American Music Therapy Association, has passed the Certification Board for Music Therapists certification examination or obtained certification by that Board on January 1, 1985, and remains actively certified by the Certification Board for Music Therapists;	2068 2069 2070 2071 2072 2073 2074
(2) A registered music therapist, certified music therapist, or advanced certified music therapist in good standing with the National Music Therapy Registry."	2075 2076 2077
After line 281846, insert:	2078
"Section 1701.03 of the Revised Code, as amended by both S.B. 21 and S.B. 276 of the 133rd General Assembly."	2079 2080
After line 281903, insert:	2081
"Section 4757.36 of the Revised Code, as amended by both H.B.	2082

33 and H.B. 263 of the 133rd General Assembly."

2083

The motion was \_\_\_\_\_ agreed to.

### SYNOPSIS

**Art therapy and music therapy licensure** 2084

**R.C. 4757.01, 4757.02, 4757.03, 4757.04, 4757.05, 4757.11,** 2085  
**4757.15, 4757.16, 4757.24, 4757.31, 4757.34, 4757.36, 4757.37,** 2086  
**4757.38, 4757.41, 4757.43, and 4757.50; with conforming changes in** 2087  
**multiple R.C. sections; Section 747.20** 2088

Creates licensing requirements for the practice of art 2089  
 therapy and music therapy and requires the Counselor, Social 2090  
 Worker, and Marriage and Family Therapist (CSW) Board to license 2091  
 and regulate art and music therapists (the House-passed version 2092  
 placed music therapy under the State Medical Board). 2093

Prohibits, beginning one year after the provision's effective 2094  
 date, unlicensed persons from knowingly providing art therapy or 2095  
 music therapy services or using "art therapist" or "music 2096  
 therapist" or a similar title. 2097

Subjects an unlicensed person to continuing law criminal 2098  
 penalties for violating that prohibition (the House-passed version 2099  
 did not contain a prohibition or penalty for unlicensed practice 2100  
 as an art therapist). 2101

Lists the requirements an applicant must satisfy to be 2102  
 licensed as an art therapist or music therapist, which are the 2103  
 same as those proposed in the House-passed version. 2104

Subjects licensed art therapists and music therapists to the 2105

same continuing education requirements, reasons for discipline,	2106
and types of disciplinary actions to which other licensees under	2107
the Counselor, Social Worker, and Marriage and Family Therapist	2108
Law are subject.	2109
Allows a licensed art therapist or music therapist to provide	2110
telehealth services and professional services as a business	2111
entity.	2112
Requires the Board to establish fees for an initial or	2113
renewed art therapist or music therapist license and a code of	2114
ethics for art therapists and music therapists (the House-passed	2115
version specified the fee amounts for each license).	2116
Adds six new members to the Board consisting of two licensed	2117
art therapists, two licensed music therapists, and two public	2118
members, and requires the Governor to appoint these members to the	2119
Board within 90 days after the provision's effective date.	2120
Creates the Art Therapist Professional Standards Committee	2121
and Music Therapist Professional Standards Committee to act on	2122
behalf of the Board on all manners concerning art therapists and	2123
music therapists.	2124
<b>Counselor, Social Worker, and Marriage and Family Therapist</b>	2125
<b>Board</b>	2126
<b>Section 251.10</b>	2127
Increases Fund 4K90 ALI 899609, Operating Expenses, by	2128
\$182,103 in FY 2024 and \$150,103 in FY 2025.	2129