

As Passed by the House

134th General Assembly

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Sub. H. B. No. 81

Representatives Plummer, Manchester

Cosponsors: Representatives Riedel, LaRe, Miller, J., Young, T., Cross, Lanese, White, Carfagna, Richardson, Cutrona, Abrams, Baldrige, Blackshear, Boyd, Brent, Brown, Carruthers, Click, Crawley, Crossman, Denson, Edwards, Fraizer, Galonski, Ghanbari, Ginter, Grendell, Gross, Hall, Holmes, Hoops, Howse, Ingram, Jarrells, John, Johnson, Jones, Kick, Koehler, Lampton, Lepore-Hagan, Lightbody, Lipps, Loychik, Manning, Miller, A., Miranda, O'Brien, Patton, Pavliga, Roemer, Russo, Schmidt, Sheehy, Smith, K., Sobacki, Stein, Upchurch, Weinstein, Zeltwanger

A BILL

To amend sections 503.40, 503.41, 503.42, 503.43,	1
503.44, 503.47, 503.48, 503.49, 503.50, 715.61,	2
2927.17, 4731.04, 4731.15, and 4731.41; to enact	3
section 503.411; and to repeal sections 503.45	4
and 503.46 of the Revised Code to make changes	5
to the laws governing massage establishments and	6
massage therapy.	7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 503.40, 503.41, 503.42, 503.43,	8
503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17,	9
4731.04, 4731.15, and 4731.41 be amended and section 503.411 of	10
the Revised Code be enacted to read as follows:	11

Sec. 503.40. As used in sections 503.40 to 503.49 of the	12
Revised Code:	13

(A) ~~"Massage therapy" means any method of exerting pressure on, stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating the external soft tissue of the body with the hands, or with the aid of any mechanical or electrical apparatus or appliance~~ has the same meaning as in section 4731.04 of the Revised Code.

(B) "Massage establishment" means any fixed place of business where ~~a person offers massages~~ massage therapy is provided:

(1) In exchange for anything of value; or

(2) In connection with the provision of another legitimate service.

(C) ~~"Masseur" or "masseuse"~~ "Massage therapist" means any individual ~~person who performs massages at a massage establishment~~ massage therapy.

(D) ~~"Sexual or genital area" includes the genitalia, pubic area, anus, perineum of any person, and the breasts of a female~~ "Registration" means to provide information to the board of township trustees to indicate the location of the establishment, the names of individuals employed there, and evidence of current state licensure or student status of anyone providing massage therapy at the establishment as provided in division (A) of section 503.411 of the Revised Code.

Sec. 503.41. (A) A board of township trustees, by resolution, may regulate ~~and require the registration of~~ massage establishments ~~and their employees~~ within the unincorporated territory of the township and may require the registration of persons performing massage therapy at the massage establishments. In accordance with sections 503.40 to 503.49 of

the Revised Code, for ~~that purpose~~ those purposes, the board, by 43
a majority vote of all members, may adopt, amend, administer, 44
and enforce such establishment regulations and registration 45
requirements within the unincorporated territory of the 46
township. 47

(B) A board may adopt establishment regulations, 48
registration requirements, and amendments under this section 49
only after public hearing at not fewer than two regular sessions 50
of the board. The board shall cause to be published in a 51
newspaper of general circulation in the township, or as provided 52
in section 7.16 of the Revised Code, notice of the public 53
hearings, including the time, date, and place, once a week for 54
two weeks immediately preceding the hearings. The board shall 55
make available proposed establishment regulations, registration 56
requirements, or amendments to the public at the office of the 57
board. 58

(C) ~~Regulations~~ Establishment regulations, registration 59
requirements, or amendments adopted by the board are effective 60
thirty days after the date of adoption unless, within thirty 61
days after the adoption of the regulations, requirements, or 62
amendments, the township fiscal officer receives a petition, 63
signed by a number of qualified electors residing in the 64
unincorporated area of the township equal to not less than ten 65
per cent of the total vote cast for all candidates for governor 66
in the area at the most recent general election at which a 67
governor was elected, requesting the board to submit the 68
regulations, requirements, or amendments to the electors of the 69
area for approval or rejection at the next primary or general 70
election occurring at least ninety days after the board receives 71
the petition. 72

No establishment regulation, registration requirement, or 73
amendment for which the referendum vote has been requested is 74
effective unless a majority of the votes cast on the issue is in 75
favor of the regulation, requirement, or amendment. Upon 76
certification by the board of elections that a majority of the 77
votes cast on the issue was in favor of the regulation, 78
requirement, or amendment, the regulation, requirement, or 79
amendment takes immediate effect. 80

(D) The board shall make available establishment 81
regulations and registration requirements it adopts or amends to 82
the public at the office of the board and shall cause to be 83
published once a notice of the availability of the regulations 84
and requirements in a newspaper of general circulation in the 85
township within ten days after their adoption or amendment. 86

(E) Nothing in sections 503.40 to 503.49 of the Revised 87
Code shall be construed to allow a board of township trustees to 88
license any massage therapist or otherwise regulate the practice 89
of any limited branch of medicine specified in section 4731.15 90
of the Revised Code or the practice of providing therapeutic 91
massage by a licensed physician, a licensed podiatrist, a 92
licensed chiropractor, ~~a licensed podiatrist,~~ a licensed nurse, 93
or any other licensed health professional. ~~As~~ 94

As used in this division, "licensed" means licensed, 95
certified, or registered to practice in this state. 96

Sec. 503.411. If a board of township trustees has adopted 97
a resolution under section 503.41 of the Revised Code to 98
regulate massage establishments, all of the following apply: 99

(A) The massage establishment regulations shall include a 100
requirement that all massage therapy performed in a massage 101

establishment be performed by a person who meets one or more of 102
the following conditions and that does not exclude any such 103
person: 104

(1) Is licensed by the state cosmetology and barber board, 105
or its predecessors or successors, and provides massage therapy 106
as a portion of, and incidental to, barber services in 107
accordance with Chapter 4709. of the Revised Code or cosmetology 108
services in accordance with Chapter 4713. of the Revised Code; 109

(2) Is licensed by the board of nursing, or its 110
predecessors or successors, and provides massage therapy as a 111
portion of, and incidental to, nursing services in accordance 112
with Chapter 4723. of the Revised Code; 113

(3) Is licensed by the state medical board, or its 114
predecessors or successors, and provides massage therapy as a 115
portion of, and incidental to, medical services in accordance 116
with Chapter 4730. or 4731. of the Revised Code or acupuncture 117
or oriental medicine in accordance with Chapter 4762. of the 118
Revised Code; 119

(4) Is licensed by the state chiropractic board, or its 120
predecessors or successors, and provides massage therapy as a 121
portion of, and incidental to, chiropractic services in 122
accordance with Chapter 4734. of the Revised Code; 123

(5) Is licensed by the state medical board, or its 124
predecessors or successors, as a massage therapist in accordance 125
with Chapter 4731. of the Revised Code; 126

(6) Is licensed by the Ohio occupational therapy, physical 127
therapy, and athletic trainers board, or its predecessors or 128
successors, and provides massage therapy as a portion of, and 129
incidental to, services provided as an occupational therapist, 130

physical therapist, or athletic trainer in accordance with 131
Chapter 4755. of the Revised Code; 132

(7) Is enrolled and regularly and actively participating 133
in a program of study to achieve the training necessary to 134
obtain the massage therapist license specified in division (A) 135
(5) of this section and the program of study is in good standing 136
as determined by the state medical board. 137

(B) No person shall knowingly act as a massage therapist 138
for a massage establishment located in the unincorporated area 139
of the township without first having obtained a license from a 140
board specified in division (A) of this section or without being 141
a student as provided in division (A) (7) of this section. 142

(C) The massage establishment regulations may include any 143
of the following: 144

(1) A requirement that the massage establishment fully 145
comply with any applicable zoning resolution and amendments to 146
the resolution that are adopted by the board under Chapter 519. 147
of the Revised Code; 148

(2) Designated hours as prohibited hours of operation; 149

(3) The prohibitions set forth in division (B) of section 150
503.42 of the Revised Code; 151

(4) Any other regulation considered by the board to be 152
necessary for the health, safety, and welfare of the township 153
residents, subject to division (E) of section 503.41 of the 154
Revised Code. 155

Sec. 503.42. If a board of township trustees has adopted a 156
resolution under section 503.41 of the Revised Code that 157
includes a permit requirement to operate a massage 158

establishment: 159

(A) No person shall ~~engage in, conduct or carry on, or~~ 160
~~permit to be engaged in, conducted or carried on in the~~ 161
~~unincorporated areas of the township, the operation of operate a~~ 162
massage establishment in the unincorporated areas of a township 163
without first having obtained a permit from the board of 164
township trustees as provided in section 503.43 of the Revised 165
Code. 166

(B) ~~No individual shall act as a masseur or masseuse for a~~ 167
~~massage establishment located in the unincorporated areas of the~~ 168
~~township without first having obtained a license from the board~~ 169
~~of township trustees as provided in section 503.45 of the~~ 170
~~Revised Code.~~ 171

~~(C)~~ No owner or operator of a massage establishment 172
located in the unincorporated ~~areas~~ area of the township shall 173
knowingly do any of the following: 174

(1) ~~Employ an unlicensed masseur or masseuse as a massage~~ 175
~~therapist a person who does not meet one of the criteria listed~~ 176
in division (A) of section 503.411 of the Revised Code; 177

(2) Refuse to allow appropriate state or local 178
authorities, including police officers, access to the massage 179
establishment for any health or safety inspection conducted 180
pursuant to a massage establishment regulation or massage 181
therapist registration requirement adopted by the township under 182
section 503.41 of the Revised Code; 183

(3) Operate during the hours designated as prohibited 184
hours of operation by the board of township trustees; 185

(4) Employ any person under the age of eighteen. 186

~~(D) No person employed in a massage establishment located~~ 187
~~in the unincorporated area of the township shall knowingly do~~ 188
~~any of the following in the performance of duties at the massage~~ 189
~~establishment:~~ 190

~~(1) Place his or her hand upon, touch with any part of his~~ 191
~~or her body, fondle in any manner, or massage the sexual or~~ 192
~~genital area of any other person;~~ 193

~~(2) Perform, offer, or agree to perform any act which~~ 194
~~would require the touching of the sexual or genital area of any~~ 195
~~other person;~~ 196

~~(3) Touch, offer, or agree to touch the sexual or genital~~ 197
~~area of any other person with any mechanical or electrical~~ 198
~~apparatus or appliance;~~ 199

~~(4) Wear unclean clothing, no clothing, transparent~~ 200
~~clothing, or clothing that otherwise reveals the sexual or~~ 201
~~genital areas of the masseur or masseuse;~~ 202

~~(5) Uncover or allow the sexual or genital area of any~~ 203
~~other person to be uncovered while providing massages.~~ 204

~~(E) No licensed masseur or masseuse shall accept or~~ 205
~~continue employment at a massage establishment that does not~~ 206
~~have a current, valid permit issued by the board of township~~ 207
~~trustees.~~ 208

Sec. 503.43. If a board of township trustees has adopted a 209
resolution under section 503.41 of the Revised Code that 210
includes a permit requirement to operate a massage 211
establishment, the application for a permit to operate a massage 212
establishment shall be made to the board and shall include the 213
following: 214

(A) An initial, nonrefundable filing fee of two hundred 215
fifty dollars and an annual nonrefundable renewal fee of one 216
hundred twenty-five dollars; 217

(B) A health and safety report of an inspection of the 218
premises performed within thirty days of the application to 219
determine compliance with applicable health and safety codes, 220
which inspection appropriate state or local authorities acting 221
pursuant to an agreement with the board shall perform; 222

(C) The full name and address of any person applying for a 223
permit, including any partner or limited partner of a 224
partnership applicant, any officer or director of a corporate 225
applicant, and any stock holder holding more than two per cent 226
of the stock of a corporate applicant having less than a total 227
of fifty employees or any stock holder holding more than twenty- 228
five per cent of the stock of a corporate applicant having more 229
than a total of fifty employees, the date of birth ~~and social-~~ 230
~~security number~~ of each individual, and the federal 231
identification number of any partnership or corporation; 232

(D) Authorization for an investigation into the criminal 233
record of any person applying for a permit; 234

(E) Proof that the massage establishment fully complies 235
with any applicable zoning resolution and amendments to the 236
resolution adopted by the board under Chapter 519. of the 237
Revised Code; 238

(F) Any other information determined by the board to be 239
necessary for the health, safety, and welfare of the township 240
residents, subject to division (E) of section 503.41 of the 241
Revised Code. 242

A permit issued under this section to a massage 243

establishment shall expire one year after the date of issuance, 244
except that no massage establishment shall be required to 245
discontinue business because of the failure of the board to act 246
on a renewal application filed in a timely manner and pending 247
before the board on the expiration date of the establishment's 248
permit. Each permit shall contain the name of the applicant, the 249
address of the massage establishment, and the expiration date of 250
the permit. 251

Sec. 503.44. If a board of township trustees has adopted a 252
resolution under section 503.41 of the Revised Code that 253
includes a permit requirement to operate a massage 254
establishment, it shall deny any application for a permit to 255
operate a massage establishment or revoke, at any time, a 256
previously issued permit, for any of the following reasons: 257

(A) Falsification of any of the information required for 258
the application or failure to fully complete the application; 259

(B) Failure to cooperate with any required health or 260
safety inspection; 261

(C) Any one of the persons named on the application is 262
under the age of eighteen; 263

(D) Any one of the persons named on the application has 264
been convicted of or pleaded guilty to any violation of Chapter 265
2907. of the Revised Code, or any violation of any municipal 266
ordinance that is substantially equivalent to any offense 267
contained in Chapter 2907. of the Revised Code, within five 268
years preceding the application; 269

~~(E) Any masseur or masseuse employed at the licensed 270~~
~~massage establishment has been convicted of or pleaded guilty to 271~~
~~a violation of division (D) of section 503.42 of the Revised 272~~

Code. 273

Sec. 503.47. If a board of township trustees has adopted a 274
resolution under section 503.41 of the Revised Code that 275
includes a permit requirement to operate a massage 276
establishment, the regulations adopted for that purpose may 277
require any of the following: 278

(A) A massage establishment to display its current permit 279
in an area open to the public; 280

(B) ~~Each massager~~ A massage establishment to display the 281
~~massager's license~~ massage therapists' licenses to practice at 282
all times in the areas of the massage establishment where the 283
~~licensee is providing massages~~ massage therapy is provided; 284

(C) Massage establishments to undergo periodic health and 285
safety inspections to determine continual compliance with 286
applicable health and safety codes; 287

(D) ~~Massagers to undergo periodic physical examinations~~ 288
~~performed by a licensed physician, a physician assistant, a~~ 289
~~clinical nurse specialist, a certified nurse practitioner, or a~~ 290
~~certified nurse-midwife certifying that the massager continues~~ 291
~~to be free from communicable diseases;~~ 292

~~(E)~~ Any other requirement reasonably thought necessary by 293
the board for the health, safety, and welfare of township 294
residents, subject to division (E) of section 503.41 of the 295
Revised Code. 296

Sec. 503.48. A board of township trustees acting under 297
sections 503.40 to 503.49 of the Revised Code that has adopted a 298
resolution under section 503.41 of the Revised Code need not 299
hold any hearing in connection with an order denying or revoking 300
a permit to operate a massage establishment ~~or masseur or~~ 301

~~masseuse license~~. The board shall maintain a complete record of
each proceeding and shall notify the applicant in writing of its
order. Any person adversely affected by an order of the board
denying or revoking a permit to operate a massage establishment
~~or masseur or masseuse license~~ may appeal from the order of the
board to the court of common pleas of the county in which the
township is located, ~~the place of business of the permit holder~~
~~is located, or the person is a resident~~. The appeal shall be in
accordance with Chapter 2506. of the Revised Code.

Sec. 503.49. If a board of township trustees has adopted a
resolution under section 503.41 of the Revised Code that
includes a permit requirement to operate a massage
establishment, the board shall deposit the fees collected by the
township for massage establishment permits ~~and masseur and~~
~~masseuse licenses~~ in the township general fund and first use the
fees for the cost of administering and enforcing massage
establishment regulations and massage therapist registration
requirements adopted under section 503.41 of the Revised Code.

Sec. 503.50. (A) Whoever violates division (A) ~~or (B)~~ of
section 503.42 of the Revised Code is guilty of a misdemeanor of
the first degree.

(B) Whoever violates division (B) of section 503.411 or
division ~~(C), (D), or (E)~~ (B) of section 503.42 of the Revised
Code is guilty of a misdemeanor of the third degree.

Sec. 715.61. (A) As used in this section:

(1) "Massage establishment" has the same meaning as in
section 503.40 of the Revised Code.

(2) "Massage therapy" has the same meaning as in section
4731.04 of the Revised Code.

(B) Any municipal corporation may regulate and license 331
manufacturers and dealers in explosives, chattel mortgage and 332
salary loan brokers, peddlers, public ballrooms, scavengers, 333
intelligence officers, billiard rooms, bowling alleys, livery, 334
sale, and boarding stables, dancing or riding academies or 335
schools, race courses, ball grounds, street musicians, 336
secondhand dealers, junk shops, and all persons engaged in the 337
trade, business, or profession of manicuring, ~~massaging~~, or 338
chiropraxy. In the granting of any license a municipal 339
corporation may charge such fees as the legislative authority 340
deems proper and expedient. 341

(C) (1) A municipal corporation may regulate and license 342
massage establishments within its jurisdiction and may require 343
the registration of persons performing massage therapy at the 344
massage establishment. 345

(2) If a municipal corporation regulates massage 346
establishments under this section, the regulations shall include 347
a requirement that all massage therapy performed in the massage 348
establishment be performed by a person described in division (A) 349
of section 503.411 of the Revised Code. 350

Sec. 2927.17. (A) No person, by means of a statement, 351
solicitation, or offer in a print or electronic publication, 352
sign, placard, storefront display, or other medium, shall 353
advertise massage therapy, relaxation massage, any other massage 354
technique or method, or any related service, with the suggestion 355
or promise of sexual activity. 356

(B) Whoever violates this section is guilty of unlawful 357
advertising of massage, a misdemeanor of the first degree. 358

(C) Nothing in this section prevents the legislative 359

authority of a municipal corporation or township from enacting 360
any regulation of the advertising of massage further than and in 361
addition to the provisions of divisions (A) and (B) of this 362
section. 363

(D) As used in this section, ~~"sexual:~~ 364

(1) "Massage therapy" has the same meaning as in section 365
4731.04 of the Revised Code. 366

(2) "Sexual activity" has the same meaning as in section 367
2907.01 of the Revised Code. 368

Sec. 4731.04. As used in this chapter: 369

(A) "Fifth pathway training" means supervised clinical 370
training obtained in the United States as a substitute for the 371
internship or social service requirements of a foreign medical 372
school. 373

(B) "Graduate medical education" means education received 374
through any of the following: 375

(1) An internship, residency, or clinical fellowship 376
program conducted in the United States and accredited by either 377
the accreditation council for graduate medical education of the 378
American medical association or the American osteopathic 379
association; 380

(2) A clinical fellowship program that is not accredited 381
as described in division (B)(1) of this section, but is 382
conducted in the United States at an institution with a 383
residency program that is accredited as described in that 384
division and is in a clinical field the same as or related to 385
the clinical field of the fellowship program; 386

(3) An internship program conducted in Canada and 387

accredited by the committee on accreditation of preregistration 388
physician training programs of the federation of provincial 389
medical licensing authorities of Canada; 390

(4) A residency program conducted in Canada and accredited 391
by either the royal college of physicians and surgeons of Canada 392
or the college of family physicians of Canada. 393

(C) "Massage therapy" means the ~~treatment of disorders of~~ 394
~~the human body by the~~ manipulation of soft tissue through the 395
systematic external application of massage techniques including 396
touch, stroking, friction, vibration, percussion, kneading, 397
stretching, compression, and joint movements within the normal 398
physiologic range of motion; and adjunctive thereto, the 399
external application of water, heat, cold, topical preparations, 400
and mechanical devices. 401

"Massage therapy" does not include the manipulation of the 402
reproductive organs, perineum, rectum, or anus unless the action 403
is undertaken pursuant to a prescription issued by a person who 404
is authorized under this chapter to practice medicine and 405
surgery or osteopathic medicine and surgery or the action is 406
performed under the supervision of such a physician. 407

Sec. 4731.15. (A) The state medical board also shall 408
regulate the following limited branches of medicine: massage 409
therapy, and to the extent specified in section 4731.151 of the 410
Revised Code, naprapathy and mechanotherapy. The board shall 411
adopt rules governing the limited branches of medicine under its 412
jurisdiction. The rules shall be adopted in accordance with 413
Chapter 119. of the Revised Code. 414

(B) A license to practice a limited branch of medicine 415
issued by the state medical board is valid for a two-year period 416

unless revoked or suspended and expires on the date that is two 417
years after the date of issuance. The license may be renewed for 418
additional two-year periods in accordance with division (C) of 419
this section. 420

(C) Both of the following apply with respect to the 421
renewal of licenses to practice a limited branch of medicine: 422

(1) Each person seeking to renew a license to practice a 423
limited branch of medicine shall apply for biennial renewal with 424
the state medical board in a manner prescribed by the board. An 425
applicant for renewal shall pay a biennial renewal fee of one 426
hundred dollars. 427

(2) At least one month before a license expires, the board 428
shall provide a renewal notice to the license holder. 429

(D) All persons who hold a license to practice a limited 430
branch of medicine issued by the state medical board shall 431
provide the board notice of any change of address. The notice 432
shall be submitted to the board not later than thirty days after 433
the change of address. 434

(E) A license to practice a limited branch of medicine 435
shall be automatically suspended if the license holder fails to 436
renew the license in accordance with division (C) of this 437
section. Continued practice after the suspension of the license 438
to practice shall be considered as practicing in violation of 439
sections 4731.34 and 4731.41 of the Revised Code. 440

If a license has been suspended pursuant to this division 441
for two years or less, it may be reinstated. The board shall 442
reinstate the license upon an applicant's submission of a 443
renewal application and payment of a reinstatement fee of one 444
hundred twenty-five dollars. 445

If a license has been suspended pursuant to this division 446
for more than two years, it may be restored. Subject to section 447
4731.222 of the Revised Code, the board may restore the license 448
upon an applicant's submission of a restoration application and 449
a restoration fee of one hundred fifty dollars and compliance 450
with sections 4776.01 to 4776.04 of the Revised Code. The board 451
shall not restore to an applicant a license to practice unless 452
the board, in its discretion, decides that the results of the 453
criminal records check do not make the applicant ineligible for 454
a license issued pursuant to section 4731.17 of the Revised 455
Code. 456

(F) The following persons are not required to hold a 457
license to practice massage therapy issued under this chapter: 458

(1) A person authorized to practice under Chapter 4709., 459
4713., 4723., 4730., 4734., 4755., or 4762. of the Revised Code, 460
provided that the scope of practice authorizes the person to use 461
massage techniques; 462

(2) An enrolled student practicing massage therapy as part 463
of a program of study at a school, college, or institution in 464
good standing as determined by the board in accordance with 465
division (A) of section 4731.16 of the Revised Code; 466

(3) A person holding a license to practice cosmetic 467
therapy issued under this chapter and whose practice may include 468
massage techniques; 469

(4) A person who holds a certification, based on a minimum 470
level of training, competency demonstration, and adherence to 471
ethical standards, from a professional association or other 472
credentialing body to practice movement or somatic education, 473
which includes using touch, words, and directed movement, with a 474

fully clothed client, to deepen awareness of existing patterns 475
of movement or suggest new possibilities of movement and does 476
not include massage therapy. 477

(5) Either of the following with respect to reflexology, 478
which is a protocol of manual techniques that are applied to 479
specific reflex areas on the feet, hands, and outer ears for the 480
purpose of stimulating the complex neural pathways linking body 481
systems to achieve optimal body function, including such manual 482
techniques as thumb- and finger-walking as well as hook and 483
backup and rotating-on-a-point: 484

(a) A person who holds a certification issued by the 485
American reflexology certification board or its successor and is 486
practicing reflexology; 487

(b) An enrolled student practicing reflexology as part of 488
a program of study at a school, college, or institution with a 489
certificate of registration issued by the state board of career 490
colleges and schools under section 3332.05 of the Revised Code. 491

Sec. 4731.41. (A) ~~No~~ Except as provided in division (F) of 492
section 4731.15 of the Revised Code, no person shall practice 493
medicine and surgery, or any of its branches, without the 494
appropriate license or certificate from the state medical board 495
to engage in the practice. No person shall advertise or claim to 496
the public to be a practitioner of medicine and surgery, or any 497
of its branches, without a license or certificate from the 498
board. No person shall open or conduct an office or other place 499
for such practice without a license or certificate from the 500
board. No person shall conduct an office in the name of some 501
person who has a license or certificate to practice medicine and 502
surgery, or any of its branches. No person shall practice 503
medicine and surgery, or any of its branches, after the person's 504

license or certificate has been revoked, or, if suspended, 505
during the time of such suspension. 506

A license or certificate signed by the secretary of the 507
board to which is affixed the official seal of the board to the 508
effect that it appears from the records of the board that no 509
such license or certificate to practice medicine and surgery, or 510
any of its branches, in this state has been issued to the person 511
specified therein, or that a license or certificate to practice, 512
if issued, has been revoked or suspended, shall be received as 513
prima-facie evidence of the record of the board in any court or 514
before any officer of the state. 515

(B) No license or certificate from the state medical board 516
is required by a physician who comes into this state to practice 517
medicine at a free-of-charge camp accredited by the SeriousFun 518
children's network that specializes in providing therapeutic 519
recreation, as defined in section 2305.231 of the Revised Code, 520
for individuals with chronic illnesses as long as all of the 521
following apply: 522

(1) The physician provides documentation to the medical 523
director of the camp that the physician is licensed and in good 524
standing to practice medicine in another state; 525

(2) The physician provides services only at the camp or in 526
connection with camp events or camp activities that occur off 527
the grounds of the camp; 528

(3) The physician receives no compensation for the 529
services; 530

(4) The physician provides those services within this 531
state for not more than thirty days per calendar year; 532

(5) The camp has a medical director who holds an 533

unrestricted license to practice medicine issued in accordance 534
with division (A) of this section. 535

(C) Division (A) of this section does not apply to a 536
person who meets both of the following conditions: 537

(1) The person holds in good standing a valid license to 538
practice medicine and surgery issued by another state. 539

(2) The person is practicing as a volunteer without 540
remuneration during a charitable event that lasts not more than 541
seven days. 542

When a person meets the conditions of this division, the 543
person shall be deemed authorized by the state medical board, 544
during the course of the charitable event, to practice medicine 545
and surgery and shall be subject to the provisions of this 546
chapter authorizing the board to take disciplinary action 547
against a physician. Not less than seven calendar days before 548
the first day of the charitable event, the person or the event's 549
organizer shall notify the board of the person's intent to 550
practice medicine and surgery at the event. During the course of 551
the charitable event, the person's scope of practice is limited 552
to the procedures that a physician authorized under this chapter 553
to practice medicine and surgery is authorized to perform unless 554
the person's scope of practice in the other state is more 555
restrictive than in this state. If the latter is the case, the 556
person's scope of practice is limited to the procedures that a 557
physician in the other state may perform. 558

Section 2. That existing sections 503.40, 503.41, 503.42, 559
503.43, 503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 560
4731.04, 4731.15, and 4731.41 of the Revised Code are hereby 561
repealed. 562

Section 3. That sections 503.45 and 503.46 of the Revised	563
Code are hereby repealed.	564