4734-6-06 Jurisprudence Examination. Proposed for Amendment
The board shall require all applicants for licensure to successfully complete a jurisprudence examination administered by the board with a minimum score of seventy-five per cent. The board may contract with a third party entity to design and administer the examination, so long as this rule is adhered to.

4734-7-03 Continuing Education Credit for Providing Health Care to Indigent and Uninsured Persons as a Volunteer. Proposed as New
(A) Licensees may satisfy up to 12 hours of CE credit by providing health care services as a volunteer to an indigent and uninsured person(s) in accordance with section 4745.04 of the Revised Code.

(B) Providing health care to indigent and uninsured persons as a volunteer means providing diagnosis, care, or treatment without the expectation of receiving and without receipt of any compensation or other form of remuneration from an indigent and uninsured person, another person on behalf of an indigent and uninsured person, any health care facility or location, any nonprofit health care referral organization, or any other person or government entity.

(C) Licensees must satisfy the requirements of section 2305.234 of the Revised Code to qualify for the immunity from liability granted under that section. Continuing education credit received in accordance with section 4745.04 of the Revised Code for providing health care services is not compensation or any other form of remuneration for purposes of section 2305.234 of the Revised Code and does not make the licensee ineligible for the immunity from liability granted under that section.

(D) As defined in section 2305.234 of the Revised Code, an indigent and uninsured shall meet both of the following requirements:

   (1) Relative to being indigent, the person's income is not greater than two hundred per cent of the federal poverty line, as defined by the United States office of management and budget and revised in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, except in any case in which paragraph (D)(2)(c) of this rule includes a person whose income is greater than two hundred per cent of the federal poverty line, and:

   (2) Relative to being uninsured, one of the following must apply:

   a. The person is not a policyholder, certificate holder, insured, contract holder, subscriber, enrollee, member, beneficiary, or other covered individual under a health insurance or health care policy, contract, or plan.

   b. The person is a policyholder, certificate holder, insured, contract holder, subscriber, enrollee, member, beneficiary, or other covered individual under a health insurance or health care policy, contract, or plan denies coverage or is the subject of insolvency or bankruptcy proceedings in any jurisdiction.
c. Until June 30, 2019, the person is eligible for the medicaid program or is a medicaid recipient.

d. Except as provided in paragraph (D)(2)(c) of this rule, the person is not eligible for or a recipient, enrollee, or beneficiary of any governmental health care program.

(E) Documentation of CE credit for providing health care to indigent and uninsured persons as a volunteer shall include the date(s) the activity occurred, the time devoted toward the activity, the name of the organization on whose behalf the services were provided, and an attestation that the individuals for which services were provided meet the requirements of paragraph (D)(1) and (2) of this rule. One credit hour equals sixty minutes spent providing health care services as a volunteer.

(F) CE hours earned providing health care services as a volunteer to an indigent and uninsured person(s) shall not be claimed as board mandated CE credit.

4734-7-04 Restoration of Inactive Chiropractic License. Proposed for Amendment

(A) A chiropractic physician holding an inactive license may apply to have the license restored in the manner prescribed by the board and shall complete the application and supply all information necessary to process the application for restoration.

(1) If an application for restoration is received before the first day of the second year of the CE period, the applicant shall submit a non-refundable payment of five hundred dollars made payable to the treasurer, state of Ohio and submit evidence of thirty-six hours of CE earned in accordance with the provisions of rule 4734-7-01 of the Administrative Code within the twenty-four months immediately preceding the date of the application for restoration.

(2) If an application for restoration is received on or after the first day of the second year of the CE period, the applicant shall submit a non-refundable payment of two hundred fifty dollars made payable to the treasurer, state of Ohio and submit evidence of eighteen hours of CE earned in accordance with the provisions of rule 4734-7-01 of the Administrative Code within the twenty-four months immediately preceding the date of the application for restoration. The eighteen CE hours submitted shall include two hours of board mandated CE.

(B) The board shall consider the length of inactivity and the moral character and activities of the applicant during the inactive license period and may impose any of the terms and conditions for restoration outlined in division (B) of section 4734.26 of the Revised Code. Said terms and conditions may include requiring the applicant to take and pass the "Special Purposes Examination for Chiropractic" offered by the national board of chiropractic examiners.

(C) The board may refuse or deny an applicant for restoration of his or her inactive license if the applicant does not meet the requirements as outlined in this chapter or section 4734.26 of the Revised Code or has committed any act which indicates that the applicant does not possess the character and fitness to practice chiropractic, including any act that would be grounds for disciplinary action as outlined in section 4734.31 of the Revised Code. The burden of proof is on
the applicant to prove by clear and convincing evidence to the board that he or she meets the conditions for license restoration.

(D) Any applicant that the board proposes to refuse or deny licensure restoration shall be entitled to a hearing on the question of such proposed refusal or denial. Notice and hearing requirements incident to such proposed refusal or denial shall be in compliance with the provisions of Chapter 119. of the Revised Code and Chapter 4734-4 of the Administrative Code.

**4734-7-05 Reinstatement of Forfeited Chiropractic License.** Proposed for Amendment

(A) A chiropractic physician holding a forfeited license may apply to have the license reinstated in the manner prescribed by the board and shall complete the application and supply all information necessary to process the application for reinstatement.

(1) If an application for reinstatement is received before the first day of the second year of the CE period, the applicant shall submit a non-refundable payment of five hundred dollars and a one hundred fifty dollar penalty fee made payable to the treasurer, state of Ohio and submit evidence of thirty-six hours of CE earned in accordance with the provisions of rule 4734-7-01 of the Administrative Code within the twenty-four months immediately preceding the date of the application for reinstatement.

(2) If an application for reinstatement is received on or after the first day of the second year of the CE period, the applicant shall submit a non-refundable payment of two hundred fifty dollars and a one hundred fifty dollar penalty fee made payable to the treasurer, state of Ohio and submit evidence of eighteen hours of CE earned in accordance with the provisions of rule 4734-7-01 of the Administrative Code within the twenty-four months immediately preceding the date of the application for reinstatement. The eighteen CE hours submitted shall include two hours of board mandated CE.

(B) If an individual's license has been forfeited for two years or more, the board may require as a condition for reinstatement that the applicant complete training or testing which may include passage of the "Special Purposes Examination for Chiropractic" offered by the national board of chiropractic examiners.

(C) The board may refuse or deny an applicant for reinstatement of his or her forfeited license if the applicant does not meet the requirements as outlined in this chapter or section 4734.25 of the Revised Code or has committed any act which indicates that the applicant does not possess the character and fitness to practice chiropractic, including any act that would be grounds for disciplinary action as outlined in section 4734.31 of the Revised Code. The burden of proof is on the applicant to prove by clear and convincing evidence to the board that he or she meets the conditions for license restoration reinstatement.

(D) Any applicant that the board proposes to refuse or deny licensure reinstatement shall be entitled to a hearing on the question of such proposed refusal or denial. Notice and hearing requirements incident to such proposed refusal or denial shall be in compliance with the provisions of Chapter 119. of the Revised Code and Chapter 4734-4 of the Administrative Code.
4734-10-01 Maintaining a Certificate to Practice Acupuncture.  
(A) Each chiropractic physician issued a certificate to practice acupuncture by the board shall maintain a current license to practice chiropractic in the state of Ohio.

(B) If at any time a chiropractic physician's license to practice chiropractic in Ohio is suspended, revoked, placed inactive, or forfeited, the certificate to practice acupuncture issued by the state chiropractic board shall likewise be suspended, revoked, placed inactive, or forfeited without further administrative action.

(C) At no time shall a chiropractic physician hold an active certificate to practice acupuncture without simultaneously holding a valid, current license to practice chiropractic in the state of Ohio.

4734-10-02 Acupuncture Course of Study Approval.  
(A) It shall be the objective of each board-approved acupuncture educational provider to prepare each chiropractic physician to demonstrate professional competence to become an acupuncture provider.

(B) Each educational provider that seeks board approval of an acupuncture course of study shall file an application a request for approval with the board. The application request shall include:

1. Evidence that the program consists of a minimum of three hundred hours of instruction, of which at least two hundred hours must be administered in accordance with division (B) of meets the requirements outlined in section 4734.211 of the Revised Code;

2. Evidence that the program is administered by an entity outlined in division (C) of section 4734.211 of the Revised Code;

3. An outline for the entire course of study;

4. Accreditation held by the educational provider, to include programs that are accredited;

5. Information pertaining to any denials or revocations of accredited status of the educational provider or of any program of the provider by another accrediting body;

6. Evidence that the course of study will prepare students to become a competent acupuncture provider;

7. A vitae of each instructor, to include the instructors' faculty status with the educational provider seeking approval;

8. Verification of the instructors' faculty status with the educational provider seeking approval;

9. Faculty data on earned degrees, types of experience, scholarly attainment, practice experience, and teaching experience.
(H)(6) Evidence that the course of study is accepted by the national board of chiropractic examiners to allow students to sit for the acupuncture examination;

(II)(7) Other information as deemed appropriate by the board.

(C) The board may review the application request and supporting documentation and/or appoint a committee to review the application materials.

(D) Board-approved acupuncture educational providers may accept transfer hours towards the required three hundred hours of acupuncture education for those chiropractic physicians who have previously earned acupuncture education. The educational provider shall ensure that any accepted transferred hours are appropriate and acceptable to utilize towards the three hundred hour course requirement as outlined in section 4734.211 of the Revised Code. The board-approved acupuncture educational provider shall reflect all transferred coursework on the chiropractic physician's final transcript.

(E) The educational institution shall ensure appropriate attendance and monitoring procedures for the course of study.

(F) The board may withdraw approval of an acupuncture course of study at any time if such program is not in compliance with the provisions of this rule. If, in the opinion of the board, there is evidence that an entity having status of board-approved acupuncture educational provider is not in compliance with this rule, the board shall issue a warning letter to the program stating that board-approved status may be withdrawn and the reasons for the action. Such letter shall be sent at least thirty days prior to such contemplated action by the board. Reinstatement of board-approved status may be granted by the board if the educational provider furnishes proof of compliance with this rule.