

4734-1-04

**Agents of the board.**

- (A) Generally. The executive director, with the approval of the board, may appoint officers, agents and other representatives to represent the board in the execution of the duties of the board. Any such officer or agent shall be provided a detailed job description by the board and will confine his or her activities to that job description, except where given specific assignments by the executive director to do otherwise.
- (B) Attorney examiners. The executive director, with the approval of the board, may appoint any Ohio licensed attorney in good standing with the Ohio supreme court to conduct any investigation, inquiry or hearing which the board is empowered to conduct. Any such appointment shall be in writing and under the seal of the board. In the case of an adjudication hearing held pursuant to Revised Code Chapter 119., the procedures in that chapter and in Administrative Code Chapter 4734-4 shall govern the attorney examiner. While conducting any investigation, inquiry or hearing, the attorney examiner shall have those powers conferred by law upon the board or its members, as specified in the appointment.
- (C) Enforcement investigators.
- (1) The executive director may appoint enforcement investigators in the unclassified service to conduct investigations on the board's behalf and to function as law enforcement and peace officers as required by Chapter 4734. of the Revised Code. Prior to appointing an investigator, the executive director shall have a background investigation conducted. Only persons who have good moral character, the appropriate background, and who have no felony convictions shall be appointed as enforcement investigators. The enforcement investigator shall take an oath prior to executing his or her duties.~~The executive director shall follow the same procedures as the superintendent of the bureau of criminal investigation in section 109.511 and those procedures specified in section 2929.29 of the Revised Code, with any investigators to which those sections might apply.~~
- ~~(2) Prior to executing the duties of an enforcement investigator, he or she shall:~~
- ~~(a) Take an oath as prescribed in Revised Code section 3.23; and~~
- ~~(b) Be covered under a public employees and officials blanket bond for at least twenty five thousand dollars.~~
- ~~(3)~~(2) The executive director shall issue an identification card to all investigators which shall contain, at minimum, the name of the board, the investigator's name, photograph, other identifying data, date appointed, and the executive director's signature. When taking enforcement action or otherwise representing the board, the investigator shall show this identification card to

any interested party upon request, unless displaying the identification would endanger the safety of any person.

- (D) Special prosecutors. The executive director, with the approval of the board, may designate any Ohio licensed attorney in good standing with the Ohio Supreme Court to serve as a special prosecutor and to conduct any prosecution brought under Chapter 4734. of the Revised Code. Any such special prosecutor shall have the privileges, immunities and powers generally conferred upon prosecutors by law.
- (E) Other employees. The board may employ other persons as required to execute its duties under Chapter 4734. of the Revised Code.
- (F) The board may prescribe policies, procedures and work rules for its officers, agents and employees to follow, not inconsistent with the Revised Code and this chapter of the Administrative Code.

Effective:

R.C. 119.032 review dates: 03/11/2013

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Certification

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Date

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