

\*\*\* DRAFT - NOT YET FILED \*\*\*

4734-9-01

**Fine schedules.**

The board shall consider the factors in rule 4734-8-06 of the Administrative Code when imposing a civil fine in accordance with the following schedule of fines:

(A) Patient safety offenses: For a violation of Chapter 4734. of the Revised Code or of any board rule involving conduct which directly threatens the health, welfare or safety of a patient, the board may impose a fine as follows:

- (1) For a first offense, a minimum fine of \$250.00 and a maximum fine of \$5,000.00;
- (2) For a second offense, a minimum fine of \$1,000.00 and a maximum fine of \$5,000.00.
- (3) For a third or subsequent offense, a minimum fine of \$2,000.00 and maximum fine of \$5,000.00.

(B) Financial misconduct offenses: For a violation of Chapter 4734. of the Revised Code or of any board rule which involves fraud, false statements, improper billing, or other financial misconduct, the board may impose a fine as follows:

- (1) For a first offense, a minimum fine of double the amount of the money involved or \$500.00, whichever amount is lesser, to a maximum of \$5,000.00;
- (2) For a second offense, a minimum fine of triple the amount of the money involved or \$1,000.00, whichever amount is lesser, to a maximum of \$5,000.00.
- (3) For a third or subsequent offense, a minimum fine of \$2,000.00 and maximum fine of \$5,000.00.

(C) Advertising / soliciting offenses: For a violation of Chapter 4734. of the Revised Code or of any board rule which involves advertising or soliciting for patients, the board may impose a fine as follows:

- (1) For a first offense a maximum fine of \$2,000.00;
- (2) For a second offense, a minimum fine of \$500.00 to a maximum of \$5,000.00;

(3) For a third or subsequent offense, a minimum fine of \$1000.00 to a maximum of \$5,000.00.

(D) Other offenses: For a violation of Chapter 4734. of the Revised Code or of any board rule not otherwise specified above, the board may impose a fine as follows:

(1) For a first offense a maximum of \$2,500.00;

(2) For a second offense, a minimum fine of \$500.00 to a maximum fine of \$5,000.00.

(3) For a third or subsequent offense, a minimum fine of \$1,000.00 to a maximum fine of \$5,000.00.

R.C. 119.032 review dates:

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Certification

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Date

Promulgated Under:	119.03
Statutory Authority:	4734.10, 4734.31(B)(4)
Rule Amplifies:	4734.31
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