

4734-8-07

Notice of leaving, selling or retiring from practice.

(A) Except as provided for in paragraph (D) of this rule, a chiropractic physician who is an independent contractor or who has an ownership interest in a chiropractic practice shall provide notice when leaving, selling, or retiring from the chiropractic office where the chiropractic physician has provided chiropractic services. Notification shall be sent to all patients who received services from the chiropractic physician within the two years immediately preceding the chiropractic physician's last date for seeing patients and shall be sent no later than thirty days prior to the last date the chiropractic physician will see patients.

(1) The notice shall include all of the following:

(a) A statement that the chiropractic physician will no longer be practicing chiropractic at the practice;

(b) The date on which the chiropractic physician will cease to provide services;

(c) Contact information that enables the patient to obtain the patient's records.

(2) The notice shall be sent in one of the following ways:

(a) A letter sent via regular mail to the last address on record for the patient with the date of the mailing of the letter documented;

(b) An electronic message sent via a HIPPA compliant electronic medical record system or HIPPA compliant electronic health record system that provides a means of electronic communication to the patient and is capable of sending the patient a notification that a message is in the patient's portal.

(B) A chiropractic physician who because of acute illness or unforeseen emergency is unable to provide notice thirty days prior to the last date of seeing patients shall provide the notice required by paragraph (A) of this rule no later than thirty days after it is determined that the physician will not be returning to practice.

(C) Chiropractic physicians employed by non-Ohio licensed chiropractic physicians shall comply with the notice required by paragraph (A) of this rule.

(D) If a chiropractic physician is the employee of another Ohio licensed chiropractic physician, the patient records belong to the employer and the employee chiropractic physician is not required to comply with this rule. It is the licensed Ohio chiropractic physician employer's responsibility to maintain continuity of care, or to comply with this rule if patient care will be terminated upon a chiropractic physician employee's leaving employment or retiring.

(E) In the event a chiropractic physician dies and there is no other chiropractic physician

in the practice, the deceased chiropractic physician's executor, guardian, administrator, conservator, next of kin, or other legal representative shall endeavor to comply with the notice required by paragraph (A) of this rule. The chiropractic physician, executor, guardian, administrator, conservator, next of kin, other legal representative, or probate court shall notify the board of the location of the patient files.

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Certification

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