



# OHIO LEGISLATIVE SERVICE COMMISSION

## Final Analysis

Emily E. Wendel

### Am. H.B. 338

132nd General Assembly  
(As Passed by the General Assembly)

**Reps.** Ginter, Brenner, Hambley, Anielski, Antonio, Ashford, Brown, Carfagna, Galonski, Hagan, Hill, Hughes, T. Johnson, Leland, Lepore-Hagan, Patterson, Patton, Perales, Reineke, Riedel, Ryan, Schaffer, Schuring, R. Smith, Sprague, Stein, M. Sweeney, Thompson, Young

**Sens.** Coley, Hackett, Hoagland, Kunze, Lehner, O'Brien, Oelslager, Schiavoni, Tavares, Thomas, Uecker

**Effective date:** March 20, 2019

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## ACT SUMMARY

- Permits chiropractors and medical professionals listed on the National Registry of Certified Medical Examiners to perform the annual physical examination required for school bus drivers under State Highway Patrol rules.

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## CONTENT AND OPERATION

The act expands the types of medical professionals who may perform required annual physical examinations for school bus drivers who are subject to rules adopted by the State Highway Patrol. Under continuing law, drivers of school buses or motor vans must have an annual physical examination. If a driver's bus or van is owned or operated by a school district or educational service center or privately owned and operated under contract with a district or service center, the examination must comply with rules adopted by the State Board of Education. Otherwise, the examination must comply with rules adopted by the State Highway Patrol.<sup>1</sup> Previously, both the State

Board<sup>2</sup> and the State Highway Patrol<sup>3</sup> required those examinations to be performed by a person licensed to practice medicine or osteopathic medicine in Ohio or another state or

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\* This version updates the effective date.

<sup>1</sup> R.C. 3327.10(A) and (B).

<sup>2</sup> Ohio Administrative Code 3301-83-07(B).

by a physician assistant, certified nurse practitioner, clinical nurse specialist, or certified nurse-midwife.

The act permits additional individuals to perform an examination under State Highway Patrol rules, but does not change the individuals who may perform an examination under State Board of Education rules. The act adds to the persons who may perform examinations under State Highway Patrol rules (1) persons licensed as chiropractors in Ohio or another state and (2) medical professionals listed on the National Registry of Certified Medical Examiners established by the Federal Motor Carrier Safety Administration.<sup>4</sup>

The National Registry is a list of professionals who have satisfied the requirements for conducting physical examinations for interstate commercial motor vehicle drivers.<sup>5</sup> These requirements include licensure by any state as a doctor of medicine, doctor of osteopathy, doctor of chiropractic, physician assistant, advanced practice nurse, or other medical professional authorized to perform physical examinations. The Registry also requires completion of a training program and passage of a certification test.<sup>6</sup>

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## HISTORY

ACTION	DATE
Introduced	09-11-17
Reported, H. Education & Career Readiness	12-07-17
Passed House (93-0)	12-13-17
Reported, S. Gov't Oversight & Reform	05-16-18
Re-reported, S. Rules & Reference	12-05-18
Passed Senate (31-0)	12-05-18
House concurred in Senate amendments (79-1)	12-06-18

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<sup>3</sup> R.C. 3327.10(B).

<sup>4</sup> R.C. 3327.10(B)(1) and (6).

<sup>5</sup> 77 Federal Register 24104 (April 20, 2012).

<sup>6</sup> 49 Code of Federal Regulations 390.103.

