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# OHIO LEGISLATIVE SERVICE COMMISSION

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## Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the Senate Floor.)

### H.B. 442 of the 133<sup>rd</sup> General Assembly

#### Senate Transportation, Commerce and Workforce

Kelly Bomba, Attorney

#### **CPA examination eligibility**

Removes a provision from the House-passed version that allows a candidate who holds a master's degree in business administration to take the certified public accountant certificate examination without waiting until the candidate satisfies the education or experience requirements, provided the candidate has completed at least 15 semester hours of accounting courses and is otherwise qualified to take the examination.

Adds the following to the bill:

#### **Department of Commerce**

##### **Ski Tramway Board**

- Eliminates the Ski Tramway Board and transfers its duties to the Division of Industrial Compliance in the Department of Commerce.
- Makes issuance of the certificate of registration to a passenger tramway operator contingent on successful completion of an inspection.
- Requires ski tramways to be inspected annually by a ski tramway insurer, as opposed to inspections being at the discretion of the Board and performed by either the Board, a qualified engineer contracted by the Board, or a ski tramway insurer.
- Requires ski tramway operators to carry liability insurance in an amount determined by the Superintendent of Industrial Compliance.

##### **Historical Boilers Licensing Board**

- Eliminates the historical boiler operator's license.
- Eliminates the Historical Boilers Licensing Board and transfers its duties to the Division of Industrial Compliance in the Department of Commerce.

## Department of Health

### Environmental health specialists

- Changes the professional title of “sanitarian-in-training” and “registered sanitarian” to “environmental health specialist in training” (EHST) and “registered environmental health specialist” (REHS), respectively.
- Removes the requirement that the Director of Health create and conduct EHST and REHS registration examinations, and instead requires an REHS or EHST registration applicant to pass the credential examination conducted by the National Environmental Health Association.
- Removes the requirement that an REHS applicant be of good moral character.
- Extends the period of validity of EHST and REHS certificates of registration from one year to two years.
- Requires an REHS to complete a continuing education program every two years (instead of every year).
- Specifies that an REHS must complete 24 hours of continuing education (instead of an amount determined by the Director that is between six and 25 hours).
- Reduces specified registration application and renewal fees for REHSs and EHSTs.

### Radon licensure

- Eliminates the Department of Health’s licensure of radon testers and radon mitigation contractors.
- Specifies that a radon mitigation specialist license expires five years after issuance, in place of biennial expiration.
- Reduces the initial license and renewal fee for a mitigation specialist to \$100 every five years (from \$600 every two years).
- Reduces the number of hours of continuing education needed for renewal of a mitigation specialist license to six hours every five years (from 16 hours every two years).

### Administration of epinephrine autoinjectors

- Eliminates a requirement that an individual authorized to administer epinephrine autoinjectors on behalf of a qualified entity complete an anaphylaxis training course every two years.

## Department of Natural Resources

- Authorizes the Chief of the Division of Wildlife to adopt rules establishing an administrative penalty against any person who violates the law or any rule governing wild animal hunting preserves.

- Eliminates the clay mine foreperson certification, and specifies that the Chief of the Division of Mineral Resources Management cannot require a person to be examined or certified prior to performing the duties of a foreperson at a clay mine or clay stripping pit.

## **Environmental Protection Agency**

### **Engineer certification to conduct compliance reviews**

- Eliminates the Certified Engineer Program, which authorizes engineers to conduct reviews of permit applications, renewals, and plans for compliance with performance standards under the environmental pollution control laws (the Director has never established the program).

### **Certified water quality professional**

- Eliminates the water quality professional certification (which was never established by the Director).

## **State Board of Education**

- Eliminates the substitute teacher license.
- Eliminates the temporary educator license for superintendents and other administrators including principals that was superseded by the alternative administrator license.
- Requires pupil services personnel (includes school speech language pathologists, audiologists, school nurses, physical therapists, occupational therapists, and social workers) and a related substitute license for those positions and a temporary educator to receive a registration from the Department of Education.
- Reduces the duration of the resident educator license and the Ohio Teacher Residency Program to two years (effective two years after bill's effective date).
- Exempts a career-tech teacher with an alternative resident educator license from taking any performance-based assessment, instead of just one prescribed by the state board for resident educators.

## **State Medical Board**

### **Clinical research faculty**

- Regarding clinical research faculty certificates for physicians appointed to serve in Ohio on the academic staff of medical schools, osteopathic medical schools, and colleges of podiatric medicine:
  - Eliminates qualification requirements other than proof of appointment and licensure in another state;
  - Eliminates the fee associated with the certificate and continuing education requirements.

- Regarding visiting clinical professional development certificates for foreign-licensed physician's participating in a clinical professional development program:
  - Eliminates qualification requirements other than proof of program acceptance and holding a current, unrestricted license to practice medicine and surgery or osteopathic medicine and surgery issued in another country;
  - Eliminates the fee associated with the certificate.
- Regarding visiting podiatric faculty certificates for podiatrists appointed to serve in Ohio on the academic staff of an approved college of podiatric medicine and surgery, eliminates the fee associated with the certificate.

## **Physicians**

- Authorizes a physician to satisfy up to ten hours of the physician's continuing education requirement by providing volunteer health care services (up from three hours under current law).
- Sets the conversion rate for volunteer hours as one credit hour of continuing education for every five hours spent volunteering (as opposed to the 1:1 ratio under current law).

## **Other provisions**

- Eliminates the State Medical Board's authority to regulate cosmetic therapists and the practice of cosmetic therapy, as well as oriental medicine practitioners and the practice of oriental medicine.
- Codifies in Ohio law a 600-hour education requirement to qualify for a license to practice massage therapy (the current requirement of 750 hours is in administrative rule).
- Gives the Medical Board the authority to recognize accrediting organizations for purposes of physician assistant education programs, as opposed to current law specifying that programs must be accredited by the Accreditation Review Commission on Education for the Physician Assistant.

## **Renewal of certain occupational licensing boards**

- Renews for six years the State Board of Education, Ohio Athletic Commission, Environmental Protection Agency, Department of Natural Resources, Department of Health, State Medical Board, Ohio Home Inspector Board, Division of Securities, and Ohio Construction Industry Licensing Board.