



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

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**Sub. H.B. 541**  
**(L\_132\_2186-3)**  
132nd General Assembly  
(Under consideration by H. Health)

**Reps.** Patterson and LaTourette, Becker, Brown, Riedel, O'Brien, Seitz

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### **BILL SUMMARY**

- Authorizes health care professionals licensed in other states to provide volunteer health services in Ohio during charitable events.
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### **CONTENT AND OPERATION**

#### **Out-of-state practitioners and volunteer health services**

Sub. H.B. 541 authorizes a health care professional who is licensed in good standing in another state to practice as a volunteer without remuneration in Ohio during a charitable event that lasts not more than seven days.<sup>1</sup> The bill does not require the professional to apply for this authority or submit documentation to a relevant licensing board before providing health services at the event.

#### **Practitioners affected**

The types of health professionals who may provide volunteer health services under the bill include all of the following:

- Physicians, including osteopaths and podiatrists;
- Registered nurses, advanced practice registered nurses, and licensed practical nurses;
- Physician assistants;

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<sup>1</sup> R.C. 4715.09, 4715.20, 4723.321, 4725.26, 4725.591, 4730.02, 4731.41, 4731.43, and 4731.60.

- Dentists;
- Dental hygienists;
- Optometrists;
- Dispensing opticians.

### **Scope of practice**

During the course of the charitable event, the professional's scope of practice is limited to the procedures that the same type of professional licensed in Ohio is authorized to perform. For example, a dentist licensed to practice in another state who is volunteering at the charitable event may perform only the procedures that a dentist licensed by the State Dental Board is authorized to perform.

### **Disciplinary action**

A health professional who is licensed to practice in another state and provides volunteer services at an Ohio charitable event lasting not more than seven days is deemed by the bill to hold an Ohio-issued license for the course of the event. The bill authorizes the board responsible for licensing that type of practitioner to take disciplinary action against the out-of-state practitioner. For instance, a registered nurse licensed in another state could be disciplined by the Ohio Board of Nursing for actions taken by the nurse during the event. Under existing law, discipline may include license revocation or suspension.<sup>2</sup> In the case of a physician (including an osteopath or podiatrist), as well as a physician assistant, discipline also may include the imposition of a civil penalty. Current law allows for a penalty in an amount that does not exceed \$20,000.<sup>3</sup>

### **Special activity certificates and free-of-charge camps**

Existing law unchanged by the bill permits a nurse or physician who is licensed in good standing in another state but not Ohio to practice at a free-of-charge camp accredited by the SeriousFun Children's Network for individuals with chronic illnesses. The nurse or physician must provide services in Ohio only in connection with camp activities and for not more than 30 days in a calendar year. The nurse or physician cannot be compensated for services provided at the camp. The nurse or physician also

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<sup>2</sup> See *e.g.*, R.C. 4723.28, not in the bill.

<sup>3</sup> R.C. 4730.252 and 4731.225, not in the bill.



must provide documentation to the camp's medical director, an Ohio-licensed physician, that the nurse or physician holds a current, valid license.<sup>4</sup>

Current law unchanged by the bill also allows a physician (other than a podiatrist) licensed in another state to obtain from the State Medical Board of Ohio a special activity certificate authorizing the physician to practice in conjunction with an Ohio activity, event, or program in the public interest.<sup>5</sup> An applicant for a certificate must demonstrate that the applicant holds an unrestricted license in another state and must pay a \$125 fee. The certificate is valid for a period of not more than 30 days.

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## HISTORY

ACTION	DATE
Introduced	03-06-18

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<sup>4</sup> R.C. 4723.28 and 4731.41, not in the bill.

<sup>5</sup> R.C. 4731.294, not in the bill.

