

4755-3-15

Military provisions related to licensure.

(A) Definitions.

(1) "Armed forces" means:

- (a) The armed forces of the United States, including the army, navy, air force, marine corps, and coast guard;
- (b) A reserve component of the armed forces listed in paragraph (A)(1)(a) of this rule;
- (c) The national guard, including the Ohio national guard or the national guard of any other state;
- (d) The commissioned corps of the United States public health service;
- (e) The merchant marine service during wartime; or
- (f) The Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days.

(2) "Member" means any person who is serving in the armed forces.

(3) "Military duty" includes service in the uniformed services on active duty, in the active guard and reserve, and as a military technician dual status under 10 U.S.C. 10216.

~~(3)~~(4) "Veteran" means any person who has completed service in the armed forces, who has been discharged under honorable conditions or who has been transferred to the reserve with evidence of satisfactory service.

(B) Temporary military licensure when the eligible person has a license in another state.

(1) In accordance with section 4743.041 of the Revised Code, a person who presents the following qualifications is eligible for a temporary military license to practice as a occupational therapist or occupational therapy assistant in Ohio.

- (a) The person holds a valid license to practice as a occupational therapist or occupational therapy assistant issued by another state;
- (b) The person is in good standing in all states of licensure;

- (c) The person presents adequate proof to the occupational therapy section that the person or the person's spouse is on military duty in the state of Ohio; and
- (d) The person complies with the criminal records check requirements in section 4755.70 of the Revised Code. The results of the criminal records check must be received by the board prior to the issuance of a military license to practice as a occupational therapist or occupational therapy assistant.
- (2) The occupational therapy section must abide by the timelines set forth in section 4743.041 (D) in granting a temporary military license.
- (3) An application for a temporary military license must include the following:

 - (a) Proof of either of the following:

 - (i) That the applicant is on military duty and is stationed in Ohio; or
 - (ii) That the applicant is married to a person on military duty who is stationed in Ohio.
 - (b) Proof that the applicant holds a valid unrestricted license to practice as a occupational therapist or occupational therapy assistant in another state;
 - (c) Attestation that the applicant has complied with the criminal records check in section 4755.70 of the Revised Code.
 - (d) Attestation that the applicant is aware that the temporary military license will be revoked in accordance with Chapter 119 of the Revised Code if:

 - (i) The person's licensed issued by another state expires or is revoked, or the person is not in good standing;
 - (ii) For a person who is a military spouse, six months have elapsed since the divorce, dissolution, or annulment of the marriage to a person on military duty;
 - (iii) The person is disqualified from obtaining a license because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified on the list the Board has made available pursuant to division (C) of section 9.78 of the Revised Code.

(4) A temporary military license expires six years after the date of issuance. A person may apply for a non-military license by endorsement while the temporary military license is active.

(5) The occupational therapy section must waive all fees associated with a temporary military license.

(6) A person holding a temporary military license must practice within the scope of practice for occupational therapy for the state of Ohio and may not exceed the person's education or training.

~~(B)~~(C) Eligibility for licensure. Military programs of training which may be accepted for members of the military who do not have an out of state license.

In accordance with section 5903.03 of the Revised Code, the following military programs of training, military primary specialties, and lengths of service are substantially equivalent to or exceed the educational and experience requirements for licensure as an:

(1) Occupational therapist.

(a) Military programs of training.

There are no military programs of training that are substantially equivalent to or exceed the educational and experience requirements for licensure as an occupational therapist. ~~An individual~~A person serving in a military primary specialty listed in paragraph ~~(B)~~(C)(1)(b) of this rule must be a graduate of an occupational therapy program accredited by the accreditation council for occupational therapy education (ACOTE) to serve in that specialty.

(b) Military primary specialties.

(i) Army: occupational therapist (AOC 65A)

(ii) Navy: occupational therapy (NOBC 0874)

(iii) Air force: occupational therapist (AFSC 42T3)

(c) Lengths of service.

There are no minimal lengths of service that would be substantially equivalent to or exceed the educational and experience requirements for licensure as an occupational therapist.

(2) Occupational therapy assistant.

(a) Military programs of training.

The occupational therapy assistant program at the medical education and training campus at Fort Sam Houston, Texas, is substantially equivalent to the educational requirements for licensure as an occupational therapy assistant.

(i) Army: school 083; course 303-68L10 (course 303-N3 prior to 2014).

(ii) Navy: school 083; course B-303-0152.

(b) Military primary specialties.

(i) Army: occupational therapy specialist (MOS 68L).

(ii) Navy: occupational therapy assistant (NEC HM-8467).

(c) Lengths of service.

There are no minimal lengths of service that would be substantially equivalent to or exceed the educational and experience requirements for licensure as an occupational therapy assistant.

~~(C)~~(D) License renewal for active members of the military.

(1) In accordance with section 5903.10 of the Revised Code, a ~~licensee~~license holder whose license expired due to the ~~licensee's~~license holder's service in the armed forces ~~shall be~~is eligible for renewal of the expired license in accordance with section 4755.10 of the Revised Code and rules 4755-3-10 and 4755-5-05 of the Administrative Code, if the following conditions are met:

(a) The ~~licensee~~license holder presents the board with satisfactory evidence that, not more than six months prior to the date the evidence is submitted to the board, the ~~licensee~~license holder was honorably discharged or separated under honorable conditions;

(b) The ~~licensee~~license holder is not suffering a mental or physical illness, including physical deterioration that adversely affects cognitive, motor, or perception skills, that affect the ~~licensee's~~license holder's ability to practice according to acceptable and prevailing standards of care; and

(c) The ~~licensee~~license holder meets the requirements for license renewal required by section 4755.10 of the Revised Code and rules 4755-3-10 and 4755-5-05 of the Administrative Code.

(2) The provisions of paragraph ~~(E)~~(D) of this rule also apply if the ~~licensee's~~license holder's spouse served in the armed forces and the spouse's service resulted in the ~~licensee's~~license holder's absence from this state.

~~(D)~~(E) Continuing education for active members of the military.

(1) In accordance with section 5903.12 of the Revised Code, the provisions of this paragraph apply to a ~~licensee~~license holder who has been a member of the armed forces who has served on active duty for a period in excess of thirty-one days.

(2) A ~~licensee~~license holder who meets the provisions contained in paragraph ~~(E)~~(D) (1) of this rule may submit an application to the board requesting an extension of the current continuing education reporting period.

(a) The ~~licensee~~license holder ~~shall~~must submit proper documentation certifying the active duty service and the length of that active duty service.

(b) Upon receiving the application and proper documentation, the board ~~shall~~must extend the current continuing education reporting period by an amount of time equal to the total number of months that the ~~licensee~~license holder spent on active duty during the current continuing education reporting period. Any portion of a month served ~~shall~~must be considered one full month.

~~(E)~~(F) Determining fulfillment of continuing education for active members of the military.

(1) In accordance with section 5903.121 of the Revised Code, the board ~~shall~~must consider relevant education, training, or service completed by a ~~licensee~~license holder as a member of the armed forces in determining whether a ~~licensee~~license holder has met the continuing education requirements needed to renew the license.

(2) For the board to consider relevant education, training, or service completed by the ~~licensee~~license holder in accordance with paragraph ~~(F)~~(E) of this rule, the ~~licensee~~license holder ~~shall~~must submit a request for consideration and documentation of the education, training, or service to the board at least ninety days prior to the expiration of the license.

~~(F)~~(G) ~~Waiver of license application fee.~~The application fee must be waived for an applicant who is a current member of the armed forces for the following application types:

(1) Initial licensure by examination, outlined in rule 4755-5-01 of the Administrative Code;

(2) Initial licensure by endorsement, outlined in rule 4755-5-01 of the Administrative Code;

(3) Reinstatement of an expired license, outlined in rule 4755-5-08 of the Administrative Code; and

(4) Restoration of a license in escrow, outlined in rule 4755-5-09 of the Administrative Code.

~~(1) The application fee shall be waived for an applicant who is a current member of the armed forces.~~

~~(2) Paragraph (F) of this rule applies to the following application fee types:~~

~~(a) Initial licensure by examination, outlined in rule 4755-5-01 of the Administrative Code.~~

~~(b) Initial licensure by endorsement, outlined in rule 4755-5-01 of the Administrative Code.~~

~~(c) Reinstatement of an expired license, outlined in rule 4755-5-08 of the Administrative Code.~~

~~(d) Restoration of a license in escrow, outlined in rule 4755-5-09 of the Administrative Code.~~

~~(G)~~(H) Application process.

(1) The board's applications ~~shall~~must include a question to identify if the applicant is a member of the armed forces, a veteran, or a spouse or surviving spouse of a member of the armed forces or veteran. This status ~~shall~~must be stored in the licensing system.

(2) When the board receives an application from ~~an individual~~a person identified in paragraph ~~(G)~~(H)(1) of this rule, the processing of that application ~~shall~~must be prioritized, with a goal of ensuring that a license is issued the same day that the application is complete.

Replaces: 4755-3-11

Effective:

Five Year Review (FYR) Dates: 1/5/2021

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4743.041, 5903.03, 5903.04,
Rule Amplifies: 4743.041, 5903.121, 5903.12 , 5903.10, 5903.03,
5903.04,
Prior Effective Dates: 09/01/2014