

## State Board of Orthotics, Prosthetics, and Pedorthics

[HTTP://OPP.OHIO.GOV](http://opp.ohio.gov)TED STRICKLAND, GOVERNOR  
DAVID M. DELUCCIA, LPO, BOARD PRESIDENT**NOTICE OF PUBLIC HEARING**

This notice is being made in accordance with section 119.03 of the Ohio Revised Code and Rule 4779-1-01 of the Ohio Administrative Code.

This is a notice to inform all interested parties that the State Board of Orthotics, Prosthetics, and Pedorthics will conduct a **Public Hearing on WEDNESDAY, JULY 14, 2010 at 11:15 AM in Room 1938 on the 19<sup>th</sup> floor of the Vern Riffe Center for Government and the Arts located at 77 S. High St., Columbus, Ohio, 43215.**

The following rule **Amendments** (changes), **Rescissions** (elimination, with or without new language proposed for replacement), and **New Language** offerings for the **Board's Current Rule Series** are being proposed for adoption to more effectively and efficiently govern the operations of the State Board of Orthotics, Prosthetics and Pedorthics, and more accurately and clearly define regulatory requirements for its licensees.

**4779-2-01 Board Organization. – (Amend)**

Changes are proposed to clarify assignment of responsibility among board members to supervise complaint inquiries and authority of board director to act for the board in certain routine administrative matters.

**4779-2-02 Personnel. – (Amend)**

Minor changes only – administrative matters.

**4779-2-03 Board Records. – (Amend)**

Clarify that the licensing database shared by many regulatory boards may serve as the "register" of applicants and licensees maintained by the board.

**4779-3-01 Definitions. – (Rescind and Adopt New)**

Substantial changes to (a) re-organize the rule into logical subgroupings; (b) clarify and update statutory language regarding post-graduate certificate program and residency requirements, making allowances for both long-term practitioners seeking licensure and new programs offering blended online and classroom learning models; (c) clarify existing supervision language and standards; and (d) move language regarding device descriptions and scope of practice to its own rule (4779-3-02, below).

**4779-3-02 Device-related and scope of practice definitions. – (New)**

Language updated from former/current rule 4779-3-01 (K) -- custom fabrication and custom fit definitions. Changes reflect the most recent CMS Quality Standards descriptions and further refine the unique Ohio statutory delineations under the "does not include" clauses. New language provides further clarification of the difference under the Practice Act as regards use of the terms "accommodative" compared to "custom fabricated and fitted;" and defines "arch support," "non-therapeutic," and "therapeutic."

**(Continued . . .)**77 S. High St., 18th floor  
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**4779-4-02 Certificate program requirements. – (Amend)**

Minor changes to conform language to the changes proposed in the Definitions section [4779-3-01 (B)(5)] .

**4779-5-02 Admission to the examination. – (Amend)**

**AND**

**4779-5-03 License application procedure. – (Amend)**

Together these changes clarify that the application for a Temporary License may also serve as the application for a full license, so that a second application containing redundant documentation is not required after all requirements are fulfilled; and in 4779-5-03, establishing a range of supervision requirements beyond a simple 8-month period of time for a licensee providing Temporary license supervision in Pedorthics to prepare the candidate appropriately for practice as a fully qualified Pedorthist.

**4779-7-01 Original license certificate and wallet identification card. - (Amend)**

Adds language regarding policy regarding the replacement of license documents from current/former 4779-12-02, which is being rescinded.

**4779-8-01 Renewal Of License. – (Amend)**

Amended language clarifies policy that a candidate seeking license reinstatement after suspension or lapse of more than two years is required to document successful completion of the licensing examination for the relevant profession.

**4779-10-01 Ethical and professional conduct. – (Amend)**

New language establishes minimum standards for consumer data maintenance in a licensee's records.

**4779-12-01 Fees. - (Rescind and Enact New)**

Language clarified and incorporates fee provision of rescinded 4779-12-02.

**4779-12-02 Replacement of license or certificate. – (Rescind)**

Language reorganized to 4779-12-01 and 4779-7-01

- Persons intending to testify are encouraged to pre-register by sending an email to [BOPP@exchange.state.oh.us](mailto:BOPP@exchange.state.oh.us). Testimony may be presented in person or in writing; written testimony timely received will be introduced at the hearing. A copy of the referenced rules may be obtained at the board's website, <http://opp.ohio.gov>, or by contacting the Board by email or fax, or at the Register of Ohio site: <http://www.registerofohio.state.oh.us/>