

4734-11-01

Military considerations.**(A) Definitions**

- (1) "Armed forces" has the meaning defined in section 5903.01 of the Revised Code.
- (2) "Service member" has the meaning defined in section 5903.01 of the Revised Code.
- (3) "Merchant marine" has the meaning defined in section 5903.01 of the Revised Code.
- (4) "Veteran" has the meaning defined in section 5903.01 of the Revised Code.
- (5) "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.
- (6) "Uniformed services" has the meaning defined in 10 U.S.C. 101.

(B) Temporary chiropractic licensure.

- (1) For purposes of section 5903.03 of the Revised Code, the board has determined that there are no military programs of training, military primary specialties, or lengths of service that are substantially equivalent to or that exceed the educational requirements for licensure as a chiropractor.
- (2) Pursuant to division (C) of section 4743.04 of the Revised Code, the board must issue a temporary license to practice chiropractic, provided all of the following qualifications are met:
 - (a) The individual holds a valid license to practice chiropractic issued by any other state or jurisdiction;
 - (b) The individual is in good standing in all state(s) or jurisdiction(s) of licensure;
 - (c) The individual presents adequate proof issued by the armed forces to the board that the individual or the individual's spouse is on military duty in this state; and
 - (d) The individual complies with sections 4776.01 to 4776.04 of the Revised Code regarding submitting to a criminal records check to receive a license.

- (C) The board must notify the applicant that the board has received the results of a criminal records check within twenty-four hours after receiving the results. The board must issue a temporary license, provided that the applicant meets the requirements of this rule, within fourteen days of having received the results of a criminal records check. If the board finds that the individual is under investigation by the licensing agency of any other state or jurisdiction, the board may postpone issuing the license until the investigation is complete and the licensing agency of the other state or jurisdiction confirms that the individual is in good standing. The board must verify the standing of the chiropractic license(s) issued by other states or jurisdictions when the temporary license is up for renewal.
- (D) The board may, in accordance with Chapter 119. of the Revised Code, deny an individual a temporary license issued under this rule or revoke an individual's temporary license issued under this rule, if any of the following circumstances occur:
- (1) The individual's license issued by another state or jurisdiction expires or is revoked, or the individual is not in good standing;
 - (2) With respect to an individual who was eligible for a temporary license under this rule as the spouse of an individual on military duty, six months have elapsed since the divorce, dissolution, or annulment of the marriage;
 - (3) The individual is disqualified from obtaining a license in the profession because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified on the list the board makes available pursuant to division (C) of section 9.78 of the Revised Code.
- (E) An individual with a temporary license issued under this rule may practice chiropractic in this state only within the scope and practice that is permitted under Ohio law and that does not exceed the individual's education or training.
- (F) There is no application fee associated with the issuance of a temporary chiropractic license issued under this rule.
- (G) The board may issue a regular chiropractic license in lieu of issuing a temporary license in accordance with the provisions of this rule. There is no application fee associated with the issuance of a regular chiropractic license issued under this rule.
- (H) Temporary acupuncture licensure.
- (I) An individual granted a temporary chiropractic license under the provisions of this rule may apply for a temporary acupuncture certificate provided the following qualifications are met:

- (1) The individual holds a valid license or certificate to practice acupuncture issued by any other state or jurisdiction;
 - (2) The individual is in good standing in all state(s) or jurisdiction(s) of licensure.
- (J) There is no application fee associated with the issuance of a temporary acupuncture certificate issued under this rule.
- (K) The board may issue a regular acupuncture certificate in lieu of issuing a temporary certificate in accordance with the provisions of this rule. There is no application fee associated with the issuance of a regular acupuncture certificate issued under this rule.
- (L) Licenses and certificates issued under the provisions of this rule may only be valid up to six years from date of issuance.
- (M) Extension of chiropractic and acupuncture continuing education reporting period for licensee called to active duty military service.
 - (1) In accordance with section 5903.12 of the Revised Code, the board may extend the current continuing education reporting period because the licensee has served on active duty during the current or a prior renewal period. The licensee must submit adequate proof of active duty service and the length of that active duty service. Upon receiving proof, the board may extend the current reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current reporting period. For purposes of this rule, any portion of a month served on active duty will be considered one full month.
- (N) Determining fulfillment of chiropractic and acupuncture continuing education.
 - (1) In accordance with section 5903.121 of the Revised Code, the board must consider relevant education, training, or service completed by a licensee as a member of the armed forces in determining whether a licensee has fulfilled the continuing education required to renew the license or certificate.
- (O) Application for chiropractic licensure.
 - (1) The board must prioritize and expedite licensure for each applicant who is a service member or veteran, or the spouse or surviving spouse of a service member or veteran, who applies for a chiropractic license. In order to expedite licensure, and at the board's discretion, an applicant may be approved to take the jurisprudence exam and be issued a license to practice chiropractic pending receipt of a credential(s) provided a complete application has been received.

(P) Application for acupuncture certificate.

(1) The board must prioritize and expedite licensure for each applicant who is a service member or veteran, or the spouse or surviving spouse of a service member or veteran, who applies for an acupuncture certificate.

(2) The board may not issue an acupuncture certificate unless the individual possesses a current license or temporary license to practice chiropractic issued by the board.

(Q) Any temporary or regular license or certificate issued under this rule is considered a license or certificate issued under the laws regulating the practice of chiropractic and acupuncture.

(R) Reinstatement of forfeited chiropractic license.

(1) In accordance with section 5903.10 of the Revised Code, the holder of a forfeited chiropractic license must be reinstated without a penalty fee and without re-examination if not otherwise disqualified because of mental or physical disability if either of the following applies:

(a) The license was not renewed because of the holder's service in the armed forces.

(b) The license was not renewed because the license holder's spouse served in the armed forces of the United States or a reserve component of the armed forces and the service resulted in the holder's absence from this state.

(2) Reinstatement without a penalty fee or re-examination will not be granted unless the licensee or licensee's spouse, whichever is applicable, has presented satisfactory evidence of the service member's discharge under honorable conditions or release under honorable conditions from active duty or national guard duty within six months after the discharge or release.

(3) Applicants for reinstatement must abide by the applicable continuing education requirements as outlined in rule 4734-7-05 of the Administrative Code.

(S) Processing applications from service members, veterans, or spouses of service members or veterans.

(1) The Board must include questions on all applications for licensure and reinstatement or restoration of license to inquire as to whether the applicant is a service member, veteran, or the spouse or surviving spouse of a service member or veteran. If an applicant responds affirmatively, the application

must be flagged for expedited processing. The board staff must monitor the application and communicate with the applicant regarding status of the application, documentation needed, and the exceptions granted in this rule in order to license, reinstate or restore expeditiously.

- (2) Applications submitted by service members, veterans, spouses or surviving spouses of service members or veterans must be tracked in the Ohio eLicense system.
- (3) The board must track and monitor the average number of business days for processing applications annually.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

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