

4734-4-09

**Evidence; judicial notice of board records; stipulations; certified copy of conviction deemed conclusive.**

- (A) The Ohio rules of evidence may be taken into consideration by the hearing officer or presiding board member in determining the admissibility of evidence, but shall not be controlling. The hearing officer or presiding board member may permit the use of electronic or photographic means for the presentation of evidence.
- (B) The hearing officer or presiding board member shall admit evidence of any prior action entered by the state chiropractic board against the respondent, including formal disciplinary action or warning letters. The board may take administrative (judicial) notice of its own records and reports, upon timely notice to the respondent.
- (C) Representatives of record may, by stipulation, agree on any or all facts involved in proceedings before the hearing officer or presiding board member. The hearing officer or presiding board member may thereafter require development of any fact deemed necessary for just adjudication.
- (D) A certified copy of a plea of guilty to, or a judicial finding of guilt of any crime in a court of competent jurisdiction is conclusive proof of the commission of all of the elements of that crime.

Five Year Review (FYR) Dates: 06/30/2017 and 06/30/2022

CERTIFIED ELECTRONICALLY

---

Certification

06/30/2017

---

Date

Promulgated Under: 119.03  
Statutory Authority: 4734.10  
Rule Amplifies: 119, 4734.45  
Prior Effective Dates: 8/12/02