

4751-1-10.3

Licensing service members, veterans, or spouses of service members or veterans.**(A) Veterans:**

- (1) Veterans may request consideration of their military training and experience toward licensure requirements. Requests shall be made in writing (electronic requests are acceptable) and contain supporting documentation that the veteran wishes to have considered by the board. The veteran must demonstrate to the satisfaction of the board that the veteran's training is substantially equivalent to the training required for initial licensure.
- (2) Veterans whose request for consideration of their military training and experience is denied by the board may request a personal appearance before the board. This request shall be made in writing. Electronic requests are acceptable.
- (3) Veterans applying for initial licensure may qualify for a one-time only waiver of the initial license fee provided they served at least one year under honorable circumstances and were honorably discharged. Appropriate documentation must be submitted for consideration.
- (4) The board's determination is final.

(B) Active-duty military personnel, veterans, and licensees accompanying active-duty spouses:

- (1) A licensee who submits a late renewal application due to the license's service in the armed forces shall be eligible for renewal without payment of the late renewal fee required by paragraph (C) of rule 4751-1-10 of the Administrative Code if the following are met:
 - (a) The licensee presents the board with satisfactory evidence that, not more than six months prior to the date the evidence is submitted to the board, the license was honorably discharged or separated under honorable conditions;
 - (b) The licensee is not suffering a mental or physical impairment that may affect the individual's ability to safely practice; and,
 - (c) The licensee meets the requirements for license renewal required by section ~~4751.07~~ 4751.24 of the Revised Code.
- (2) A licensee who submits a late renewal application due to the license's spouse's service in the armed forces shall be eligible for renewal without payment

of the late renewal fee require by paragraph (C) of rule 4751-1-10 of the Administrative Code if the following are met:

- (a) The licensee presents the board with satisfactory evidence that the licensee did not renew the license because the spouse's military service caused them to be absent from the state of Ohio;
 - (b) The licensee presents the board with satisfactory evidence that, not more than six months prior to the date the evidence is presented to the board, the licensee's spouse was honorable discharged or separated under honorable conditions; and,
 - (c) The licensee meets the requirements for license renewal required by section ~~4751.07~~ 4751.24 of the Revised Code.
- (3) Upon receipt of an application from a licensed nursing home administrator that is accompanied by proper documentation certifying that the individual has been called to active duty during a current or prior reporting period, and certifying the length of that active duty, the individual shall receive an extension of the current continuing education reporting period equal to the total number of months sent in active duty during the current reporting period. For purposes of this rule, any portion of a month serviced on the active duty shall be considered one full month.
- (4) The board may waive all or part of the normal ~~CEU-CE~~ requirements for license renewal for active-duty military and spouses if it determines that obtaining the ~~CEUs-CEs~~ would cause undue hardship. The licensee shall make a written request to the board for consideration. Electronic requests are acceptable.
- (5) The board may waive all or part of the annual license renewal fee at its sole discretion if it determines that enforcing the fee would cause undue hardship. The licensee shall request any such waiver in writing. Electronic requests are acceptable.
- (6) Pursuant to division (D) of section 4743.04 of the Revised Code, the board shall issue a temporary license to practice nursing home administration providing that all of the following qualifications are met:
- (a) The individual holds a valid license to practice nursing home administration issued by any other state or jurisdiction;
 - (b) The individual is in good standing in the state or jurisdiction of licensure;

- (c) The individual presents adequate proof to the board that the individual or the individual's spouse is on military duty in this state;
 - (d) The individual complies with sections 4776.01 to 4776.04 of the Revised Code regarding submitting to a criminal records check;
 - (7) The board shall, within twenty-four hours after receiving the report under division (A) of section 4776.04 of the Revised Code, notify the applicant that the board has received the results of a criminal records check.
 - (8) The board shall issue a temporary license, provided that the applicant meets the requirements of section 4743.041 of the Revised Code, within fourteen days of having received the results of a criminal records check.
 - (9) 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.
 - (10) No temporary license shall be valid for more than six months.
 - (11) The board shall deny an individual a temporary license or revoke a temporary license issued under section 4743.041 of the Revised Code if any of the following circumstances occur:
 - (a) The individual's license issued by the other state or jurisdiction expires or is revoked, or the individual is not in good standing;
 - (b) With respect to an individual who was eligible for a temporary license under section 4743.041 of the Revised Code as the spouse of an individual on military duty, six months have elapsed since the divorce, dissolution, or annulment of the marriage;
 - (c) The individual is disqualified from obtaining a license to practice nursing home administration 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.
 - (12) An individual with a temporary license issued under section 4743.041 of the Revised Code may practice nursing home administration in this state only within the scope and practice that is permitted under Ohio law and that does not exceed the individual's training.

- (13) Notwithstanding any other provision of the Revised Code, the board shall waive all fees associated with the issuance of a temporary license issued under section 4743.041 of the Revised Code.
 - (14) The board shall, upon the conclusion of the state fiscal year, prepare a report on the number and type of temporary licenses that were issued during the fiscal year under section 4743.041 of the Revised Code. This report shall be provided to the director of veterans' services not later than thirty days after the end of the fiscal year.
 - (15) A license issued under section 4743.041 of the Revised Code shall be considered a license under the laws regulating the practice of nursing home administration in this state. Provisions of law applicable to a license issued to an applicant who does not obtain a license under section 4743.041 of the Revised Code apply in the same manner to licenses issued under section 4743.041 of the Revised Code.
 - ~~(6) The board may waive all or part of the temporary license fee at its sole discretion if it determines that enforcing the fee would cause undue hardship. The licensee shall request any such waiver in writing. Electronic requests are acceptable.~~
 - ~~(7) The board's determination is final.~~
- (C) Delegation of authority: The board may delegate its authority to act on request received in accordance with this program to the chairperson and executive secretary so that determinations can be made in a timely manner.

Effective:

Five Year Review (FYR) Dates: 10/15/2019

Certification

Date

Promulgated Under: 119.03

Statutory Authority: 4751.04, 5903.04, 42 U.S.C. 1396g; 42 C.F.R.
431.707, 431.708

Rule Amplifies: 4751.04, 4751.20, 5903.03; 42 U.S.C. 1396g; 42
C.F.R. 431.707, 431.708, 431.710, 431.714

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