

As Introduced

133rd General Assembly

Regular Session

2019-2020

S. B. No. 105

Senator Brenner

Cosponsors: Senators Fedor, Kunze, Lehner, Williams

A BILL

To amend sections 503.40, 503.41, 503.42, 503.43, 1
503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2
2927.17, 4731.04, 4731.15, and 4731.41, to enact 3
section 503.411, and to repeal sections 503.45 4
and 503.46 of the Revised Code to make changes 5
to the massage therapy licensing law. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 503.40, 503.41, 503.42, 503.43, 7
503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 8
4731.04, 4731.15, and 4731.41 be amended and section 503.411 of 9
the Revised Code be enacted to read as follows: 10

Sec. 503.40. As used in sections 503.40 to 503.49 of the 11
Revised Code: 12

(A) "Massage therapy" ~~means any method of exerting~~ 13
~~pressure on, stroking, kneading, rubbing, tapping, pounding,~~ 14
~~vibrating, or stimulating the external soft tissue of the body~~ 15
~~with the hands, or with the aid of any mechanical or electrical~~ 16
~~apparatus or appliance~~ has the same meaning as in section 17
4731.04 of the Revised Code. 18

(B) "Massage establishment" means any fixed place of business where ~~a person offers massages~~ massage therapy is provided:

(1) In exchange for anything of value; or

(2) In connection with the provision of another legitimate service.

(C) ~~"Masseur" or "masseuse"~~ "Massage therapist" means any individual ~~person who performs massages at a massage establishment~~ massage therapy.

(D) ~~"Sexual or genital area" includes the genitalia, pubic area, anus, perineum of any person, and the breasts of a female.~~

"Registration" means to provide information to the board of township trustees to indicate the location of the establishment, the names of individuals employed there, and evidence of current state licensure or student status of anyone providing massage therapy at the establishment as provided in division (A) of section 503.411 of the Revised Code.

Sec. 503.41. (A) A board of township trustees, by resolution, may regulate ~~and require the registration of~~ massage establishments ~~and their employees~~ within the unincorporated territory of the township and may require the registration of persons performing massage therapy at the massage establishments. In accordance with sections 503.40 to 503.49 of the Revised Code, ~~for that purpose~~ those purposes, the board, by a majority vote of all members, may adopt, amend, administer, and enforce such establishment regulations and registration requirements within the unincorporated territory of the township.

(B) A board may adopt establishment regulations,

registration requirements, and amendments under this section 48
only after public hearing at not fewer than two regular sessions 49
of the board. The board shall cause to be published in a 50
newspaper of general circulation in the township, or as provided 51
in section 7.16 of the Revised Code, notice of the public 52
hearings, including the time, date, and place, once a week for 53
two weeks immediately preceding the hearings. The board shall 54
make available proposed establishment regulations, registration 55
requirements, or amendments to the public at the office of the 56
board. 57

(C) ~~Regulations~~ Establishment regulations, registration 58
requirements, or amendments adopted by the board are effective 59
thirty days after the date of adoption unless, within thirty 60
days after the adoption of the regulations, requirements, or 61
amendments, the township fiscal officer receives a petition, 62
signed by a number of qualified electors residing in the 63
unincorporated area of the township equal to not less than ten 64
per cent of the total vote cast for all candidates for governor 65
in the area at the most recent general election at which a 66
governor was elected, requesting the board to submit the 67
regulations, requirements, or amendments to the electors of the 68
area for approval or rejection at the next primary or general 69
election occurring at least ninety days after the board receives 70
the petition. 71

No establishment regulation, registration requirement, or 72
amendment for which the referendum vote has been requested is 73
effective unless a majority of the votes cast on the issue is in 74
favor of the regulation, requirement, or amendment. Upon 75
certification by the board of elections that a majority of the 76
votes cast on the issue was in favor of the regulation, 77
requirement, or amendment, the regulation, requirement, or 78

amendment takes immediate effect. 79

(D) The board shall make available establishment 80
regulations and registration requirements it adopts or amends to 81
the public at the office of the board and shall cause to be 82
published once a notice of the availability of the regulations 83
and requirements in a newspaper of general circulation in the 84
township within ten days after their adoption or amendment. 85

(E) Nothing in sections 503.40 to 503.49 of the Revised 86
Code shall be construed to allow a board of township trustees to 87
license any massage therapist or otherwise regulate the practice 88
of any limited branch of medicine specified in section 4731.15 89
of the Revised Code or the practice of providing therapeutic 90
massage by a licensed physician, a licensed podiatrist, a 91
licensed chiropractor, ~~a licensed podiatrist,~~ a licensed nurse, 92
or any other licensed health professional. ~~As-~~ 93

As used in this division, "licensed" means licensed, 94
certified, or registered to practice in this state. 95

Sec. 503.411. If a board of township trustees has adopted 96
a resolution under section 503.41 of the Revised Code to 97
regulate massage establishments, all of the following apply: 98

(A) The massage establishment regulations shall include a 99
requirement that all massage therapy performed in a massage 100
establishment be performed by a person who meets one or more of 101
the following conditions and that does not exclude any such 102
person: 103

(1) Is licensed by the state cosmetology and barber board, 104
or its predecessors or successors, and provides massage therapy 105
as a portion of, and incidental to, barber services in 106
accordance with Chapter 4709. of the Revised Code or cosmetology 107

<u>services in accordance with Chapter 4713. of the Revised Code;</u>	108
<u>(2) Is licensed by the board of nursing, or its</u>	109
<u>predecessors or successors, and provides massage therapy as a</u>	110
<u>portion of, and incidental to, nursing services in accordance</u>	111
<u>with Chapter 4723. of the Revised Code;</u>	112
<u>(3) Is licensed by the state medical board, or its</u>	113
<u>predecessors or successors, and provides massage therapy as a</u>	114
<u>portion of, and incidental to, medical services in accordance</u>	115
<u>with Chapter 4730. or 4731. of the Revised Code or acupuncture</u>	116
<u>or oriental medicine in accordance with Chapter 4762. of the</u>	117
<u>Revised Code;</u>	118
<u>(4) Is licensed by the state chiropractic board, or its</u>	119
<u>predecessors or successors, and provides massage therapy as a</u>	120
<u>portion of, and incidental to, chiropractic services in</u>	121
<u>accordance with Chapter 4734. of the Revised Code;</u>	122
<u>(5) Is licensed by the state medical board, or its</u>	123
<u>predecessors or successors, as a massage therapist in accordance</u>	124
<u>with Chapter 4731. of the Revised Code;</u>	125
<u>(6) Is licensed by the Ohio occupational therapy, physical</u>	126
<u>therapy, and athletic trainers board, or its predecessors or</u>	127
<u>successors, and provides massage therapy as a portion of, and</u>	128
<u>incidental to, services provided as an occupational therapist,</u>	129
<u>physical therapist, or athletic trainer in accordance with</u>	130
<u>Chapter 4755. of the Revised Code;</u>	131
<u>(7) Is enrolled and regularly and actively participating</u>	132
<u>in an accredited educational program to achieve the training</u>	133
<u>necessary to obtain the massage therapist license specified in</u>	134
<u>division (A) (5) of this section.</u>	135
<u>(B) No person shall knowingly act as a massage therapist</u>	136

for a massage establishment located in the unincorporated area 137
of the township without first having obtained a license from a 138
board specified in division (A) of this section or without being 139
a student as provided in division (A) (7) of this section. 140

(C) The massage establishment regulations may include any 141
of the following: 142

(1) A requirement that the massage establishment fully 143
comply with any applicable zoning resolution and amendments to 144
the resolution that are adopted by the board under Chapter 519. 145
of the Revised Code; 146

(2) Designated hours as prohibited hours of operation; 147

(3) The prohibitions set forth in division (B) of section 148
503.42 of the Revised Code; 149

(4) Any other regulation considered by the board to be 150
necessary for the health, safety, and welfare of the township 151
residents, subject to division (E) of section 503.41 of the 152
Revised Code. 153

Sec. 503.42. If a board of township trustees has adopted a 154
resolution under section 503.41 of the Revised Code that 155
includes a permit requirement to operate a massage 156
establishment: 157

(A) No person shall ~~engage in, conduct or carry on, or~~ 158
~~permit to be engaged in, conducted or carried on in the~~ 159
~~unincorporated areas of the township, the operation of~~ operate a 160
massage establishment in the unincorporated areas of a township 161
without first having obtained a permit from the board of 162
township trustees as provided in section 503.43 of the Revised 163
Code. 164

~~(B) No individual shall act as a masseur or masseuse for a
massage establishment located in the unincorporated areas of the
township without first having obtained a license from the board
of township trustees as provided in section 503.45 of the
Revised Code.~~ 165
166
167
168
169

~~(C) No owner or operator of a massage establishment
located in the unincorporated ~~areas~~ area of the township shall
knowingly do any of the following:~~ 170
171
172

~~(1) Employ ~~an unlicensed masseur or masseuse~~ as a massage
therapist a person who does not meet one of the criteria listed
in division (A) of section 503.411 of the Revised Code;~~ 173
174
175

~~(2) Refuse to allow appropriate state or local
authorities, including police officers, access to the massage
establishment for any health or safety inspection conducted
pursuant to a massage establishment regulation or massage
therapist registration requirement adopted by the township under
section 503.41 of the Revised Code;~~ 176
177
178
179
180
181

~~(3) Operate during the hours designated as prohibited
hours of operation by the board of township trustees;~~ 182
183

~~(4) Employ any person under the age of eighteen.~~ 184

~~(D) No person employed in a massage establishment located
in the unincorporated area of the township shall knowingly do
any of the following in the performance of duties at the massage
establishment:~~ 185
186
187
188

~~(1) Place his or her hand upon, touch with any part of his
or her body, fondle in any manner, or massage the sexual or
genital area of any other person;~~ 189
190
191

~~(2) Perform, offer, or agree to perform any act which~~ 192

would require the touching of the sexual or genital area of any	193
other person;	194
(3) Touch, offer, or agree to touch the sexual or genital	195
area of any other person with any mechanical or electrical	196
apparatus or appliance;	197
(4) Wear unclean clothing, no clothing, transparent	198
clothing, or clothing that otherwise reveals the sexual or	199
genital areas of the masseur or masseuse;	200
(5) Uncover or allow the sexual or genital area of any	201
other person to be uncovered while providing massages.	202
(E) No licensed masseur or masseuse shall accept or	203
continue employment at a massage establishment that does not	204
have a current, valid permit issued by the board of township	205
trustees.	206
Sec. 503.43. If a board of township trustees has adopted a	207
resolution under section 503.41 of the Revised Code <u>that</u>	208
<u>includes a permit requirement to operate a massage</u>	209
<u>establishment</u> , the application for a permit to operate a massage	210
establishment shall be made to the board and shall include the	211
following:	212
(A) An initial, nonrefundable filing fee of two hundred	213
fifty dollars and an annual nonrefundable renewal fee of one	214
hundred twenty-five dollars;	215
(B) A health and safety report of an inspection of the	216
premises performed within thirty days of the application to	217
determine compliance with applicable health and safety codes,	218
which inspection appropriate state or local authorities acting	219
pursuant to an agreement with the board shall perform;	220

(C) The full name and address of any person applying for a 221
permit, including any partner or limited partner of a 222
partnership applicant, any officer or director of a corporate 223
applicant, and any stock holder holding more than two per cent 224
of the stock of a corporate applicant having less than a total 225
of fifty employees or any stock holder holding more than twenty- 226
five per cent of the stock of a corporate applicant having more 227
than a total of fifty employees, the date of birth ~~and social-~~ 228
~~security number~~ of each individual, and the federal 229
identification number of any partnership or corporation; 230

(D) Authorization for an investigation into the criminal 231
record of any person applying for a permit; 232

(E) Proof that the massage establishment fully complies 233
with any applicable zoning resolution and amendments to the 234
resolution adopted by the board under Chapter 519. of the 235
Revised Code; 236

(F) Any other information determined by the board to be 237
necessary for the health, safety, and welfare of the township 238
residents, subject to division (E) of section 503.41 of the 239
Revised Code. 240

A permit issued under this section to a massage 241
establishment shall expire one year after the date of issuance, 242
except that no massage establishment shall be required to 243
discontinue business because of the failure of the board to act 244
on a renewal application filed in a timely manner and pending 245
before the board on the expiration date of the establishment's 246
permit. Each permit shall contain the name of the applicant, the 247
address of the massage establishment, and the expiration date of 248
the permit. 249

Sec. 503.44. If a board of township trustees has adopted a resolution under section 503.41 of the Revised Code that includes a permit requirement to operate a massage establishment, it shall deny any application for a permit to operate a massage establishment or revoke, at any time, a previously issued permit, for any of the following reasons:

(A) Falsification of any of the information required for the application or failure to fully complete the application;

(B) Failure to cooperate with any required health or safety inspection;

(C) Any one of the persons named on the application is under the age of eighteen;

(D) Any one of the persons named on the application has been convicted of or pleaded guilty to any violation of Chapter 2907. of the Revised Code, or any violation of any municipal ordinance that is substantially equivalent to any offense contained in Chapter 2907. of the Revised Code, within five years preceding the application;

~~(E) Any masseur or masseuse employed at the licensed massage establishment has been convicted of or pleaded guilty to a violation of division (D) of section 503.42 of the Revised Code.~~

Sec. 503.47. If a board of township trustees has adopted a resolution under section 503.41 of the Revised Code that includes a permit requirement to operate a massage establishment, the regulations adopted for that purpose may require any of the following:

(A) A massage establishment to display its current permit in an area open to the public;

(B) ~~Each massager~~ A massage establishment to display the 279
~~massager's license~~ massage therapists' certificates to practice 280
at all times in the areas of the massage establishment ~~where the~~ 281
~~licensee is providing massages~~ massage therapy is provided; 282

(C) Massage establishments to undergo periodic health and 283
safety inspections to determine continual compliance with 284
applicable health and safety codes; 285

(D) ~~Massagers to undergo periodic physical examinations~~ 286
~~performed by a licensed physician, a physician assistant, a~~ 287
~~clinical nurse specialist, a certified nurse practitioner, or a~~ 288
~~certified nurse-midwife certifying that the massager continues~~ 289
~~to be free from communicable diseases;~~ 290

~~(E)~~ Any other requirement reasonably thought necessary by 291
the board for the health, safety, and welfare of township 292
residents, subject to division (E) of section 503.41 of the 293
Revised Code. 294

Sec. 503.48. A board of township trustees acting under 295
sections 503.40 to 503.49 of the Revised Code that has adopted a 296
resolution under section 503.41 of the Revised Code need not 297
hold any hearing in connection with an order denying or revoking 298
a permit to operate a massage establishment ~~or masseur or~~ 299
~~masseuse license~~. The board shall maintain a complete record of 300
each proceeding and shall notify the applicant in writing of its 301
order. Any person adversely affected by an order of the board 302
denying or revoking a permit to operate a massage establishment 303
~~or masseur or masseuse license~~ may appeal from the order of the 304
board to the court of common pleas of the county in which the 305
township is located, ~~the place of business of the permit holder~~ 306
~~is located, or the person is a resident~~. The appeal shall be in 307
accordance with Chapter 2506. of the Revised Code. 308

Sec. 503.49. If a board of township trustees has adopted a 309
resolution under section 503.41 of the Revised Code that 310
includes a permit requirement to operate a massage 311
establishment, the board shall deposit the fees collected by the 312
township for massage establishment permits ~~and masseur and~~ 313
~~masseuse licenses~~ in the township general fund and first use the 314
fees for the cost of administering and enforcing massage 315
establishment regulations and massage therapist registration 316
requirements adopted under section 503.41 of the Revised Code. 317

Sec. 503.50. (A) Whoever violates division (A) ~~or (B)~~ of 318
section 503.42 of the Revised Code is guilty of a misdemeanor of 319
the first degree. 320

(B) Whoever violates division (B) of section 503.411 or 321
division (C), (D), or (E) (B) of section 503.42 of the Revised 322
Code is guilty of a misdemeanor of the third degree. 323

Sec. 715.61. (A) As used in this section: 324

(1) "Massage establishment" has the same meaning as in 325
section 503.40 of the Revised Code. 326

(2) "Massage therapy" has the same meaning as in section 327
4731.04 of the Revised Code. 328

(B) Any municipal corporation may regulate and license 329
manufacturers and dealers in explosives, chattel mortgage and 330
salary loan brokers, peddlers, public ballrooms, scavengers, 331
intelligence officers, billiard rooms, bowling alleys, livery, 332
sale, and boarding stables, dancing or riding academies or 333
schools, race courses, ball grounds, street musicians, 334
secondhand dealers, junk shops, and all persons engaged in the 335
trade, business, or profession of manicuring, ~~massaging,~~ or 336
chiropody. In the granting of any license a municipal 337

corporation may charge such fees as the legislative authority 338
deems proper and expedient. 339

(C) (1) A municipal corporation may regulate and license 340
massage establishments within its jurisdiction and may require 341
the registration of persons performing massage therapy at the 342
massage establishment. 343

(2) If a municipal corporation regulates massage 344
establishments under this section, the regulations shall include 345
a requirement that all massage therapy performed in the massage 346
establishment be performed by a person described in division (A) 347
of section 503.411 of the Revised Code. 348

Sec. 2927.17. (A) No person, by means of a statement, 349
solicitation, or offer in a print or electronic publication, 350
sign, placard, storefront display, or other medium, shall 351
advertise massage therapy, relaxation massage, any other massage 352
technique or method, or any related service, with the suggestion 353
or promise of sexual activity. 354

(B) Whoever violates this section is guilty of unlawful 355
advertising of massage, a misdemeanor of the first degree. 356

(C) Nothing in this section prevents the legislative 357
authority of a municipal corporation or township from enacting 358
any regulation of the advertising of massage further than and in 359
addition to the provisions of divisions (A) and (B) of this 360
section. 361

(D) As used in this section, ~~"sexual~~ 362

(1) "Massage therapy" has the same meaning as in section 363
4731.04 of the Revised Code. 364

(2) "Sexual activity" has the same meaning as in section 365

2907.01 of the Revised Code.	366
Sec. 4731.04. As used in this chapter:	367
(A) "Cosmetic therapy" means the permanent removal of hair	368
from the human body through the use of electric modalities	369
approved by the state medical board for use in cosmetic therapy	370
and may include the systematic friction, stroking, slapping, and	371
kneading or tapping of the face, neck, scalp, or shoulders.	372
(B) "Fifth pathway training" means supervised clinical	373
training obtained in the United States as a substitute for the	374
internship or social service requirements of a foreign medical	375
school.	376
(C) "Graduate medical education" means education received	377
through any of the following:	378
(1) An internship or residency program conducted in the	379
United States and accredited by either the accreditation council	380
for graduate medical education of the American medical	381
association or the American osteopathic association;	382
(2) A clinical fellowship program conducted in the United	383
States at an institution with a residency program accredited by	384
either the accreditation council for graduate medical education	385
of the American medical association or the American osteopathic	386
association that is in a clinical field the same as or related	387
to the clinical field of the fellowship program;	388
(3) An internship program conducted in Canada and	389
accredited by the committee on accreditation of preregistration	390
physician training programs of the federation of provincial	391
medical licensing authorities of Canada;	392
(4) A residency program conducted in Canada and accredited	393

by either the royal college of physicians and surgeons of Canada 394
or the college of family physicians of Canada. 395

(D) "Massage therapy" means any of the treatment of 396
disorders of the human body by the manipulation of soft tissue 397
through the systematic external application of massage 398
techniques including touch, stroking, friction, vibration, 399
percussion, kneading, stretching, following: 400

(1) The manual application of compression, and joint 401
stretch, vibration, or mobilization of the body's organs and 402
tissues, including the components of the musculoskeletal system, 403
peripheral vessels of the circulatory system, and fascia; 404

(2) Directed, assisted, resistive, or passive movements of 405
the joints within the normal physiologic range of motion; and 406
adjunctive thereto, the 407

(3) The external application of water, heat, cold, topical 408
preparations, and mechanical devices. 409

"Massage therapy" does not include the manipulation of the 410
reproductive organs, perineum, rectum, or anus unless the action 411
is undertaken pursuant to a prescription issued by a person who 412
is authorized under this chapter to practice medicine and 413
surgery or osteopathic medicine and surgery or the action is 414
performed under the supervision of such a physician. 415

Sec. 4731.15. (A) The state medical board also shall 416
regulate the following limited branches of medicine: massage 417
therapy and cosmetic therapy, and to the extent specified in 418
section 4731.151 of the Revised Code, naprapathy and 419
mechanotherapy. The board shall adopt rules governing the 420
limited branches of medicine under its jurisdiction. The rules 421
shall be adopted in accordance with Chapter 119. of the Revised 422

Code.	423
(B) A certificate to practice a limited branch of medicine	424
issued by the state medical board is valid for a two-year	425
period, except when an initial certificate is issued for a	426
shorter period or when division (C) (2) of this section is	427
applicable. The certificate may be renewed in accordance with	428
division (C) of this section.	429
(C) (1) Except as provided in division (C) (2) of this	430
section, both of the following apply with respect to the renewal	431
of certificates to practice a limited branch of medicine:	432
(a) Each person seeking to renew a certificate to practice	433
a limited branch of medicine shall apply for biennial renewal	434
with the state medical board in a manner prescribed by the	435
board. An applicant for renewal shall pay a biennial renewal fee	436
of one hundred dollars.	437
(b) At least one month before a certificate expires, the	438
board shall provide a renewal notice to the certificate holder.	439
(2) The board shall implement a staggered renewal system	440
that is substantially similar to the staggered renewal system	441
the board uses under division (A) of section 4731.281 of the	442
Revised Code.	443
(D) All persons who hold a certificate to practice a	444
limited branch of medicine issued by the state medical board	445
shall provide the board notice of any change of address. The	446
notice shall be submitted to the board not later than thirty	447
days after the change of address.	448
(E) A certificate to practice a limited branch of medicine	449
shall be automatically suspended if the certificate holder fails	450
to renew the certificate in accordance with division (C) of this	451

section. Continued practice after the suspension of the 452
certificate to practice shall be considered as practicing in 453
violation of sections 4731.34 and 4731.41 of the Revised Code. 454

If a certificate to practice has been suspended pursuant 455
to this division for two years or less, it may be reinstated. 456
The board shall reinstate the certificate upon an applicant's 457
submission of a renewal application and payment of a 458
reinstatement fee of one hundred twenty-five dollars. With 459
regard to reinstatement of a certificate to practice cosmetic 460
therapy, the applicant also shall submit with the application a 461
certification that the number of hours of continuing education 462
necessary to have a suspended certificate reinstated have been 463
completed, as specified in rules the board shall adopt in 464
accordance with Chapter 119. of the Revised Code. 465

If a certificate has been suspended pursuant to this 466
division for more than two years, it may be restored. Subject to 467
section 4731.222 of the Revised Code, the board may restore the 468
certificate upon an applicant's submission of a restoration 469
application and a restoration fee of one hundred fifty dollars 470
and compliance with sections 4776.01 to 4776.04 of the Revised 471
Code. The board shall not restore to an applicant a certificate 472
to practice unless the board, in its discretion, decides that 473
the results of the criminal records check do not make the 474
applicant ineligible for a certificate issued pursuant to 475
section 4731.17 of the Revised Code. 476

(F) The following persons are not required to hold a 477
certificate to practice massage therapy issued under this 478
chapter: 479

(1) A person authorized to practice under Chapter 4709., 480
4713., 4723., 4730., 4734., 4755., or 4762. of the Revised Code, 481

provided that the scope of practice authorizes the use of 482
massage techniques; 483

(2) An enrolled student practicing massage therapy as part 484
of a program of study at a school, college, or institution in 485
good standing as determined by the board in accordance with 486
division (A) of section 4731.16 of the Revised Code; 487

(3) A person holding a certificate to practice cosmetic 488
therapy issued under this chapter and whose practice may include 489
massage techniques. 490

Sec. 4731.41. (A) ~~No~~ Except as provided in division (F) of 491
section 4731.15 of the Revised Code, no person shall practice 492
medicine and surgery, or any of its branches, without the 493
appropriate license or certificate from the state medical board 494
to engage in the practice. No person shall advertise or claim to 495
the public to be a practitioner of medicine and surgery, or any 496
of its branches, without a license or certificate from the 497
board. No person shall open or conduct an office or other place 498
for such practice without a license or certificate from the 499
board. No person shall conduct an office in the name of some 500
person who has a license or certificate to practice medicine and 501
surgery, or any of its branches. No person shall practice 502
medicine and surgery, or any of its branches, after the person's 503
license or certificate has been revoked, or, if suspended, 504
during the time of such suspension. 505

A license or certificate signed by the secretary of the 506
board to which is affixed the official seal of the board to the 507
effect that it appears from the records of the board that no 508
such license or certificate to practice medicine and surgery, or 509
any of its branches, in this state has been issued to the person 510
specified therein, or that a license or certificate to practice, 511

if issued, has been revoked or suspended, shall be received as 512
prima-facie evidence of the record of the board in any court or 513
before any officer of the state. 514

(B) No license or certificate from the state medical board 515
is required by a physician who comes into this state to practice 516
medicine at a free-of-charge camp accredited by the SeriousFun 517
children's network that specializes in providing therapeutic 518
recreation, as defined in section 2305.231 of the Revised Code, 519
for individuals with chronic illnesses as long as all of the 520
following apply: 521

(1) The physician provides documentation to the medical 522
director of the camp that the physician is licensed and in good 523
standing to practice medicine in another state; 524

(2) The physician provides services only at the camp or in 525
connection with camp events or camp activities that occur off 526
the grounds of the camp; 527

(3) The physician receives no compensation for the 528
services; 529

(4) The physician provides those services within this 530
state for not more than thirty days per calendar year; 531

(5) The camp has a medical director who holds an 532
unrestricted license to practice medicine issued in accordance 533
with division (A) of this section. 534

Section 2. That existing sections 503.40, 503.41, 503.42, 535
503.43, 503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 536
4731.04, 4731.15, and 4731.41 of the Revised Code are hereby 537
repealed. 538

Section 3. That sections 503.45 and 503.46 of the Revised 539

Code are hereby repealed.

540