



Ohio Revised Code Section 4753.10 Disciplinary actions.

Effective: October 9, 2021

Legislation: House Bill 263

(A) In accordance with Chapter 119. of the Revised Code, the state speech and hearing professionals board may reprimand or place on probation a speech-language pathologist or audiologist or suspend, revoke, or, except as provided in division (B) of this section, refuse to issue or renew the license of a speech-language pathologist or audiologist. Disciplinary actions may be taken by the board for conduct that may result from but not necessarily be limited to:

- (1) Fraud, deception, or misrepresentation in obtaining or attempting to obtain a license;
- (2) Fraud, deception, or misrepresentation in using a license;
- (3) Altering a license;
- (4) Aiding or abetting unlicensed practice;
- (5) Committing fraud, deception, or misrepresentation in the practice of speech-language pathology or audiology including:
 - (a) Making or filing a false report or record in the practice of speech-language pathology or audiology;
 - (b) Submitting a false statement to collect a fee;
 - (c) Obtaining a fee through fraud, deception, or misrepresentation, or accepting commissions or rebates or other forms of remuneration for referring persons to others.
- (6) Using or promoting or causing the use of any misleading, deceiving, improbable, or untruthful advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia, or any other representation;



- (7) Falsely representing the use or availability of services or advice of a physician;
- (8) Misrepresenting the applicant, licensee, or holder by using the word "doctor" or any similar word, abbreviation, or symbol if the use is not accurate or if the degree was not obtained from an accredited institution;
- (9) Committing any act of dishonorable, immoral, or unprofessional conduct while engaging in the practice of speech-language pathology or audiology;
- (10) Engaging in illegal, incompetent, or habitually negligent practice;
- (11) Providing professional services while:
 - (a) Mentally incompetent;
 - (b) Under the influence of alcohol;
 - (c) Using any narcotic or controlled substance or other drug that is in excess of therapeutic amounts or without valid medical indication.
- (12) Providing services or promoting the sale of devices, appliances, or products to a person who cannot reasonably be expected to benefit from such services, devices, appliances, or products in accordance with results obtained utilizing appropriate assessment procedures and instruments;
- (13) Violating this chapter or any lawful order given or rule adopted by the board;
- (14) Being convicted of or pleading guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
- (15) Being disciplined by a licensing or disciplinary authority of this or any other state or country or convicted or disciplined by a court of this or any other state or country for an act that would be



grounds for disciplinary action under this section.

(B) The board shall not refuse to issue a license to an applicant because of a conviction of or a plea of guilty or nolo contendere to an offense unless the refusal is in accordance with section 9.79 of the Revised Code.

(C) After revocation of a license under this section, application may be made to the board for reinstatement. The board, in accordance with an order of revocation as issued under Chapter 119. of the Revised Code, may require an examination for reinstatement.

(D) If any person has engaged in any practice which constitutes an offense under the provisions of this chapter or rules promulgated thereunder by the board, the board may apply to the court of common pleas of the county for an injunction or other appropriate order restraining such conduct, and the court may issue such order.

(E) Any person who wishes to make a complaint against any person licensed pursuant to this chapter shall submit the complaint in writing to the board within one year from the date of the action or event upon which the complaint is based. The board shall determine whether the allegations in the complaint are of a sufficiently serious nature to warrant formal disciplinary charges against the licensee pursuant to this section. If the board determines that formal disciplinary charges are warranted, it shall proceed in accordance with the procedures established in Chapter 119. of the Revised Code.