



Ohio Administrative Code Rule 3701-53-08 Qualifications of personnel.

Effective: January 23, 2023

(A) For laboratory alcohol analysis:

(1) In order to qualify for a laboratory director permit, an individual will:

(a) Be employed by a laboratory that has successfully completed a proficiency examination administered by a national program for proficiency testing;

(b) Possess at least two academic years of college chemistry and at least two years of experience in a clinical or chemical laboratory; and

(c) Possess a bachelor's degree or higher degree.

(2) In order to qualify for a laboratory technician permit, an individual will:

(a) Be employed by a laboratory that has successfully completed a proficiency examination administered by a national program for proficiency testing; and

(b) Be certified by the designated laboratory director that he or she is competent to perform all procedures contained in the laboratory's procedure manual for testing specimens and meet one of the following conditions:

(i) Possess a bachelor's degree in laboratory sciences from an accredited institution and has six months experience in laboratory testing;

(ii) Possess an associate's degree in laboratory sciences from an accredited institution or has completed sixty semester hours of academic credit including six semester hours of chemistry and one-year experience in laboratory testing; or



(iii) Possess a high school diploma or equivalent and have successfully completed an official military laboratory procedures course of at least fifty weeks duration and has held the military enlisted occupational specialty of medical laboratory specialist (laboratory technician).

(B) For laboratory analysis of drugs of abuse, controlled substances or metabolites of controlled substances in blood, urine, oral fluid or other bodily substances:

(1) In order to qualify for a laboratory director permit, an individual will:

(a) Be employed by a laboratory that has successfully completed a proficiency examination administered by a national program for proficiency testing; and

(b) Possess at least two academic years of college chemistry and meet one of the following conditions:

(i) Possess a bachelor's degree or higher degree in laboratory sciences and has at least five years of experience in a clinical or chemical laboratory;

(ii) Possess a master's degree or higher degree and has at least three years of experience in a clinical or chemical laboratory; or

(iii) Possess an earned doctoral degree or higher degree and has at least two years of experience in a clinical or chemical laboratory.

(2) In order to qualify for a laboratory technician permit, an individual will:

(a) Be employed by a laboratory that has successfully completed a proficiency examination administered by a national program for proficiency testing; and

(b) Be certified by the designated laboratory director that he or she is competent to perform all procedures contained in the laboratory's procedure manual for testing specimens and meets one of the following conditions:



(i) Possess a bachelor's degree in laboratory sciences from an accredited institution and has one-year experience in laboratory testing;

(ii) Possess an associate's degree in laboratory sciences from an accredited institution or has completed sixty semester hours of academic credit including six semester hours of chemistry and two years of experience in laboratory testing; or

(iii) Possess a high school diploma or equivalent and have successfully completed an official military laboratory procedures course of at least fifty weeks duration and has held the military enlisted occupational specialty of medical laboratory specialist (laboratory technician) and two years of experience in laboratory testing.

(C) Breath tests used to determine whether a person's breath contains a concentration of alcohol prohibited or defined by sections 4511.19 or 1547.11 of the Revised Code, or any other equivalent statute or local ordinance prescribing a defined or prohibited breath alcohol concentration shall be performed by a senior operator or an operator.

(1) A senior operator shall be responsible for the care, maintenance and certification or instrument checks of the approved evidential breath testing instruments listed in paragraphs (A)(1), (A)(2), (A)(4) and (A)(5) of rule 3701-53-03 of the Administrative Code.

(2) Representatives of the director are responsible for the instrument certifications on approved evidential breath testing instruments listed under paragraph (A)(3) of rule 3701-53-03 of the Administrative Code.

(D) In order to qualify as a senior operator, an individual shall:

(1) Possess a high school diploma or have passed the "General Education Development Test";

(2) Be a certified law enforcement officer sworn to enforce sections 4511.19 or 1547.11 of the Revised Code, or any other equivalent statute or local ordinance prescribing a defined or prohibited breath alcohol concentration, or a certified corrections officer; and



(3) Successfully complete the department of health senior operator training course for the type of approved evidential breath testing instrument for which he or she seeks a permit.

(E) In order to qualify as an operator, an individual shall:

(1) Possess a high school diploma or have passed the "General Education Development Test";

(2) Be a certified law enforcement officer sworn to enforce sections 4511.19 or 1547.11 of the Revised Code, or any other equivalent statute or local ordinance prescribing a defined or prohibited breath alcohol concentration, or a certified corrections officer; and

(3) Successfully complete the department of health operator training course for the type of approved evidential breath testing instrument for which he or she seeks a permit.