



Ohio Administrative Code

Rule 4758-11-02 Procedures in impairment cases.

Effective: July 3, 2023

(A) Should the board have reason to believe that a licensee, certificate holder, or applicant suffers from impairment as defined by paragraph (T) of rule 4758-2-01 of the Administrative Code, it may compel the individual to submit to a mental or physical examination, or both. Such examination shall be completed by a treatment provider that has been approved by the board. The notice issued ordering to submit to an examination shall specify conduct, acts or behavior committed or displayed to establish reason to believe that the licensee, certificate holder, or applicant is considered impaired. Failure to submit to examination ordered by the board constitutes an admission of impairment, unless the failure is due to circumstances beyond the individual's control as determined by the board.

(B) If the examination outlined in paragraph (A) of the rule finds that the individual is not impaired, no action shall be initiated by the board.

(C) If the examination outlined in paragraph (A) of this rule finds that the individual is impaired, or if the board has reasonable evidence of impairment, the board shall initiate proceedings to suspend the license or certificate or deny the initial application.

(1) Before being eligible to apply for reinstatement of a license or certificate suspended under this rule, the practitioner shall provide evidence to the board of the following:

(a) Certification from the designated treatment provider that the practitioner has successfully completed any required inpatient or outpatient program;

(b) Continuing compliance with an aftercare contract;

(c) One or more written reports as determined by the board indicating that the licensee or certificate holder has been assessed by a licensed practitioner approved by the board and has been found capable of practicing according to acceptable and prevailing standards of care.



(2) The board may reinstate the suspended license or certificate or reactivate an inactive license or certificate under this rule after sufficient demonstration as determined by the board of the items outlined in paragraph (C)(1) of this rule and after the individual has entered into a written consent agreement with the board.

(3) When the licensee or certificate holder resumes practice under this rule, the board may require continued monitoring of the practitioner.

(D) A licensee or certificate holder may appeal rulings of the board in regards to impairment.