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OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #540342

Ohio Administrative Code

Rule 4765-23-02 Fire service administrative actions.

Effective: November 1, 2026

[Comment: For dates and availability of material incorporated by reference in this rule see rule 4765-25-02 of the Administrative Code.]

(A) The executive director, with advice and counsel of the firefighter and fire safety inspector training committee and pursuant to Chapter 119. of the Revised Code, may suspend, revoke, restrict, refuse to issue, or refuse to renew a firefighter, fire safety inspector, or instructor certificate issued by the executive director, or impose a fine not to exceed one thousand dollars, if the executive director finds the certificate holder has done any of the following:

(1) Was convicted of, pled guilty to, had a judicial finding of guilt for, or had a judicial finding of eligibility for treatment and/or intervention in lieu of conviction for any of the following:

(a) Any felony offense;

(b) A misdemeanor committed in the course of practice;

(c) A misdemeanor involving moral turpitude;

(d) Violation of any federal, state, county, or municipal narcotics or controlled substance law;

(e) Any act committed in another state or jurisdiction that, if committed in Ohio, would constitute a violation set forth in this paragraph;

(f) A violation of division (B) of section 3737.66 of the Revised Code;

(g) Engaged in sexual contact, as described in section 2907.01 of the Revised Code, with a patient other than the spouse of the person issued a certificate to practice, regardless of whether the contact was consensual;

(h) Assaulted or caused physical harm to a patient or deprived a patient of the means to summon assistance;

(2) Failed to satisfy continuing education, training, or certification requirements of Chapter 4765-20 and Chapter 4765-21 of the Administrative Code;

(3) Violated any condition of a consent agreement or an order issued by the executive director;

(4) Violated any provision of Chapter 4765. of the Revised Code or Chapters 4765-20 to 4765-25 of the Administrative Code.

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(5) An adjudication of mental incompetence by a court of law;

(6) An inability to practice by reason of mental illness, physical illness, or habitual excessive use of drugs, alcohol, or other substances that impair ability to practice;

(7) Denial, revocation, suspension, or restriction of authority to engage in a licensed profession, including fire services, in Ohio or another state or jurisdiction.

(B) The executive director, with advice and counsel of the firefighter and fire safety inspector training committee and pursuant to Chapter 119. of the Revised Code, may suspend, revoke, restrict, refuse to issue, or refuse to renew a fire charter or classification issued by the executive director, or impose a fine not to exceed one thousand dollars, if the executive director finds the chartered program, applicant, or authorizing official has done any of the following:

(1) Failed to meet standards set forth in Chapter 4765-24 of the Administrative Code;

(2) Furnished false, misleading, or incomplete information to the executive director;

(3) Violated any commitment made in an application for a charter;

(4) Presented to prospective students misleading, false, or fraudulent information relating to any programs, employment opportunities, or opportunities for enrollment in chartered institutions of higher education after entering or completing courses offered by the chartered program;

(5) Failed to maintain premises and equipment in a safe condition;

(6) Discriminated in the acceptance of students on the basis of age, race, color, religion, gender, sexual orientation, or national origin;

(7) Failed to follow "NFPA 1403";

(8) Violated any condition of a consent agreement or an order issued by the executive director;

(9) Violated any provision of Chapter 4765. of the Revised Code or Chapters 4765-20 to 4765-25 of the Administrative Code.

(C) The executive director, with advice and counsel of the committee, may deem any disciplinary action to be permanent.

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(D) If the executive director, with the advice and counsel of the committee, imposes a fine upon a certificate holder, the division shall notify the certificate holder via an adjudication order or pursuant to a consent agreement. The certificate holder shall submit payment within the time parameters set forth in the adjudication order or consent agreement.

(E) If the executive director imposes disciplinary action on the basis of a conviction listed in this rule, and such conviction is overturned on appeal, the certificate holder, on exhaustion of the criminal appeal process, may file with the executive director a petition for reconsideration of the discipline along with the appropriate court documents. Upon receipt of such petition and documents, the executive director shall reinstate the certificate holder's certificate.