



Ohio Revised Code Section 4747.12 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 revoke, suspend, place on probation, or, except as provided in division (B) of this section, refuse to issue or renew a license or permit or reprimand a licensee or permit holder if the person who holds such license or permit:

(1) Is convicted of a disqualifying offense or a crime of moral turpitude as those terms are defined in section 4776.10 of the Revised Code;

(2) Procured a license or permit by fraud or deceit practiced upon the board;

(3) Obtained any fee or made any sale of a hearing aid by fraud or misrepresentation;

(4) Used or caused or promoted the use of any advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia, or any other representation, however disseminated or published, which is misleading, deceptive, or untruthful;

(5) Advertised a particular model or type of hearing aid for sale when purchasers or prospective purchasers responding to the advertisement cannot purchase the specified model or type of hearing aid;

(6) Represented or advertised that the service or advice of a person licensed to practice medicine will be used or made available in the selection, fitting, adjustment, maintenance, or repair of hearing aids when such is not true, or using the words "doctor," "clinic," or similar words, abbreviations, or symbols which connote the medical profession when such use is not accurate;

(7) Advertised a manufacturer's product or used a manufacturer's name or trademark in a manner which suggested the existence of a relationship with the manufacturer which did not or does not exist;



- (8) Fitted or sold, or attempted to fit or sell, a hearing aid to a person without first utilizing the appropriate procedures and instruments required for proper fitting of hearing aids;
- (9) Engaged in the fitting and sale of hearing aids under a false name or an alias;
- (10) Engaged in the practice of dealing in or fitting of hearing aids while suffering from a contagious or infectious disease;
- (11) Was found by the board to be guilty of gross incompetence or negligence in the fitting or sale of hearing aids;
- (12) Permitted another person to use the licensee's license;
- (13) Violate the code of ethical practice adopted under section 4744.50 of the Revised Code;
- (14) Made or filed a false report or record in the sale or dispensing of a hearing aid;
- (15) Aided or abetted the unlicensed sale, fitting, or dispensing of a hearing aid;
- (16) Committed an act of dishonorable, immoral, or unprofessional conduct while engaging in the sale or practice of dealing in or fitting of hearing aids;
- (17) Engaged in illegal, incompetent, or habitually negligent practice;
- (18) Provided professional services while mentally incompetent or under the influence of alcohol or while using any narcotic or controlled substance or other drug that is in excess of therapeutic amounts or without valid medical indication;
- (19) Violated this chapter or any lawful order given or rule adopted by the board;
- (20) Is disciplined by a licensing or disciplinary authority of this or any other state or country or is 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;

(21) Engaged in conduct that the board has identified in a rule adopted under section 4747.04 of the Revised Code as requiring disciplinary action under this section.

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

(C) If the board revokes a person's license under division (A) of this section, the person may apply for reinstatement. The board may require the person to complete an examination or additional continuing education as a condition of reinstatement.