



Ohio Revised Code

Section 4761.062 Retired status.

Effective: October 3, 2023

Legislation: House Bill 33 - 135th General Assembly

(A) An individual who holds a current, valid license issued under this chapter to practice respiratory care and who retires voluntarily from practice may request that the state medical board place the individual's license on retired status.

This section does not authorize an individual who holds a limited permit issued under section 4761.05 of the Revised Code to request that the board place the individual's permit on retired status.

(B) An individual seeking to have the individual's license placed on retired status shall file with the board an application in the form and manner prescribed by the board. The application shall be submitted before the end of a biennial renewal period and include all of the following:

- (1) The applicant's full name, license number, mailing address, and electronic mail address;
- (2) An attestation that the information included in the application is accurate and truthful and that the applicant meets the following qualifications:
 - (a) That the applicant holds a current, valid license issued under this chapter;
 - (b) That the applicant has retired voluntarily from the practice of respiratory care;
 - (c) That the applicant does not have any criminal charges pending against the applicant;
 - (d) That the applicant is not the subject of discipline by, or an investigation pending with, a regulatory agency of this state, another state, or the United States;
 - (e) That the applicant does not have any complaints pending with the board;
 - (f) That the applicant is not, at the time of application, subject to the board's hearing, disciplinary, or



compliance processes under the terms of a citation, notice of opportunity for hearing, board order, or consent agreement.

(3) A fee in an amount equal to the restoration fee described in section 4761.06 of the Revised Code.

The board shall not consider an application for retired status complete until the board receives the fee described in this division. On receipt of a fee, the board shall deposit the fee in accordance with section 4731.24 of the Revised Code.

(C) If the board determines that an applicant meets the requirements of division (B) of this section, the board shall place the applicant's license on retired status. The license remains on retired status for the life of the license holder, unless suspended, revoked, or reactivated, and does not require renewal.

(D) During the period in which a license is on retired status, all of the following apply:

(1) The license holder is prohibited from practicing as a respiratory care professional under any circumstance.

(2) The license holder is not required to complete continuing education as described in section 4761.06 of the Revised Code.

(3) The license holder is prohibited from using the license to obtain a license to practice respiratory care in another state, whether by endorsement or reciprocity or through a licensure compact.

(4) The license holder may use a title authorized for the holder's license as described in section 4761.10 of the Revised Code, but only if "retired" also is included in the title.

(E) If a license has been placed on retired status pursuant to this section, it may be reactivated. Subject to section 4761.061 of the Revised Code, the board may reactivate a license placed on retired status if all of the following conditions are satisfied:

(1) The holder seeking to reactivate the license applies to the board in the form and manner



prescribed by the board.

(2) The applicant certifies completion of, within the two-year period that ends on the date of the application's submission, the continuing education requirements that must be met for renewal of a license.

(3) The applicant complies with sections 4776.01 to 4776.04 of the Revised Code.

(4) The applicant pays a reactivation fee in an amount equal to the restoration fee described in section 4761.06 of the Revised Code.

The board shall not consider an application to reactivate a license complete until the board receives the fee described in this division. On receipt of a fee, the board shall deposit the fee in accordance with section 4731.24 of the Revised Code.

(F) The board shall reactivate a license placed on retired status if the conditions of division (E) of this section have been satisfied and the board, in its discretion, determines that the results of the criminal records check conducted pursuant to sections 4776.01 to 4776.04 of the Revised Code do not make the applicant ineligible for active status.

(G) The board may take disciplinary action against an applicant who is seeking to place a license on retired status or to reactivate the license if the applicant commits fraud, misrepresentation, or deception in applying for or securing the retired status or reactivation.

The board also may take disciplinary action against the holder of a license placed on retired status if the holder practices under the license, uses the license to obtain licensure as a respiratory care professional in another state, or uses a title that does not reflect the holder's retired status.

In taking disciplinary action under this section, the board may impose on the applicant or holder any sanction described in section 4761.09 of the Revised Code, but shall do so in accordance with the procedures described in that section.

(H) The board may adopt rules to implement and enforce this section. The rules shall be adopted in



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accordance with Chapter 119. of the Revised Code.