

4734-11-01 Military considerations.

(A) Definitions.

- (1) “Armed forces” has the meaning defined in section 5903.01 of the Revised Code.
- (2) “Service member” has the meaning defined in section 5903.01 of the Revised Code.
- (3) “Merchant marine” has the meaning defined in section 5903.01 of the Revised Code.
- (4) “Veteran” has the meaning defined in section 5903.01 of the Revised Code.
- (5) “Military duty” includes service in the uniformed services on active duty, in the active guard and reserve, and as a military technician dual status under 10 U.S.C. 10216.
- (6) “Uniformed services” has the meaning defined in 10 U.S.C. 101.

(B) Temporary chiropractic licensure.

- (1) Pursuant to division (D) of section 4743.04 of the Revised Code, the board shall issue a temporary license to practice chiropractic, provided that all of the following qualifications are met:
 - (a) The individual holds a valid license to practice chiropractic issued by any other state or jurisdiction;
 - (b) The individual is in good standing in all state(s) or jurisdiction(s) of licensure;
 - (c) The individual presents adequate proof to the board that the individual or the individual's spouse is on military duty in this state; and
 - (d) The individual complies with sections 4776.01 to 4776.04 of the Revised Code regarding submitting to a criminal records check to receive a license.
- (C) The board may issue a regular license in lieu of issuing a temporary license, provided that the applicant meets the requirements of this rule, and provided that the regular license is issued by the deadline specified in paragraph (D) of this rule.
- (D) The board shall notify the applicant that the board has received the results of a criminal records check within twenty-four hours after receiving the results. The board shall issue a temporary license, provided that the applicant meets the requirements of this rule, within fourteen days of having received the results of a criminal records check. If the board finds that the individual is under investigation by the licensing agency of any other state or jurisdiction, the board may postpone issuing the license until the investigation is complete and the licensing agency of the other state or jurisdiction confirms that the individual is in good standing. The board shall verify the standing of the chiropractic license(s) issued by other states or jurisdictions when the temporary license is up for renewal. No temporary license shall be valid for a period of more than six years.

- (E) The board shall, in accordance with Chapter 119. of the Revised Code, deny an individual a temporary license issued under this rule or revoke an individual's temporary license issued under this rule, if any of the following circumstances occur:
- (1) The individual's license issued by another state or jurisdiction expires or is revoked, or the individual is not in good standing;
- (2) With respect to an individual who was eligible for a temporary license under this rule as the spouse of an individual on military duty, six months have elapsed since the divorce, dissolution, or annulment of the marriage;
- (3) The individual is disqualified from obtaining a license in the profession because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified on the list the board makes available pursuant to division (C) of section 9.78 of the Revised Code.
- (F) An individual with a temporary license or a regular license issued under this rule may practice chiropractic in this state only within the scope and practice that is permitted under Ohio law and that does not exceed the individual's education or training.
- (G) An individual granted a temporary chiropractic license may apply for a temporary acupuncture certificate provided the individual holds a valid license or certificate to practice acupuncture in good standing issued by any other state or jurisdiction and otherwise complies with the applicable requirements of this rule for a temporary acupuncture certificate.
- (H) Notwithstanding any other provision of the Revised Code, the board shall waive all fees associated with the issuance of a temporary license issued under this rule.
- (I) A chiropractic license issued in accordance with this rule shall be considered a license issued under the laws regulating the practice of chiropractic. Provisions of applicable law to licenses issued to an applicant who does not obtain a license under this rule apply in the same manner to licenses issued under this rule.
- (J) An acupuncture certificate issued in accordance with this rule shall be considered a certificate issued under the laws regulating the practice of acupuncture. Provisions of applicable law to certificates issued to an applicant who does not obtain a certificate under this rule apply in the same manner to certificates issued under this rule.
- (K) Extension of chiropractic and acupuncture continuing education reporting period for licensee called to active duty military service.

(1) In accordance with section 5903.12 of the Revised Code, the board may extend the current continuing education reporting period because the licensee has served on active duty during the current or a prior renewal period. The licensee shall submit proper documentation certifying the active duty service and the length of that active duty service. Upon receiving the proper documentation, the board shall extend the current reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current reporting period. For purposes of this rule, any portion of a month served on active duty shall be considered one full month.

(L) Determining fulfillment of chiropractic and acupuncture continuing education.

(1) In accordance with section 5903.121 of the Revised Code, the board shall consider relevant education, training, or service completed by a licensee as a member of the armed forces in determining whether a licensee has fulfilled the continuing education required to renew the license or certificate.

(M) Application for chiropractic licensure.

(1) The board shall prioritize and expedite licensure for each applicant who is a service member or veteran, or the spouse or surviving spouse of a service member or veteran, who applies for a chiropractic license. In order to expedite licensure, and at the board's discretion, an applicant may be approved to take the jurisprudence exam and be issued a license to practice chiropractic pending receipt of a credential(s) provided a complete application and fee have been received.

(2) The board may consider an applicant to have met the pre-chiropractic educational requirements if the applicant provides evidence of completing a military program of training and has been awarded a military primary specialty at a level that is substantially equivalent to or exceeds the pre-chiropractic educational requirements for licensure as outlined in rule 4734-6-08 of the Administrative Code.

(N) Application for acupuncture certificate.

(1) The board shall prioritize and expedite licensure for each applicant who is a service member or veteran, or the spouse or surviving spouse of a service member or veteran, who applies for an acupuncture certificate.

(2) The board shall not issue an acupuncture certificate unless the individual possesses a current license to practice chiropractic issued by the board.

(O) Reinstatement of forfeited chiropractic license.

(1) In accordance with section 5903.10 of the Revised Code, the holder of a forfeited chiropractic license shall be reinstated without a penalty fee and without re-examination if not otherwise disqualified because of mental or physical disability if either of the following applies:

(a) The license was not renewed because of the holder's service in the armed forces.

- (b) The license was not renewed because the license holder's spouse served in the armed forces of the United States or a reserve component of the armed forces and the service resulted in the holder's absence from this state.
- (2) Reinstatement without a penalty fee or re-examination shall not be granted unless the licensee or licensee's spouse, whichever is applicable, has presented satisfactory evidence of the service member's discharge under honorable conditions or release under honorable conditions from active duty or national guard duty within six months after the discharge or release.
- (3) Applicants for reinstatement shall abide by the applicable continuing education requirements as outlined in rule 4734-7-05 of the Administrative Code.

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