

## Ohio Licensure

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According to 4755.47 of the Ohio Revised Code the Physical Therapy Section of the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board may refuse to grant a license to an applicant

for an initial license as a physical therapist assistant (PTA) on any of the following grounds:

- Habitual indulgence in the use of controlled substances, other habit-forming drugs, or alcohol to an **extent that affects the individual's professional competency;**
- Conviction of a felony or a crime involving moral turpitude, regardless of the state or country in which the conviction occurred;
- Obtaining or attempting to obtain a license issued by the physical therapy section by fraud or deception, including making of a false, fraudulent, deceptive, or misleading statement;
- An adjudication by a court, as provided in section 5122.301 of the Revised Code, that the applicant or licensee is incompetent for the purpose of holding the license and has not thereafter been restored to legal capacity for that purpose;
- Subject to section 4755.471 of the Revised Code, violation of the code of ethics adopted by the physical therapy section;
- Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate sections 4755.40 to 4755.56 of the Revised Code or any order issued or rule adopted under those sections;
- Failure of one or both of the examinations required under section 4755.43 or 4755.431 of the Revised Code;
- **Permitting the use of one's name or license by a person, group, or corporation** when the one permitting the use is not directing the treatment given;
- Denial, revocation, suspension, or restriction of authority to practice a health care occupation, including physical therapy, for any reason other than a failure to renew, in Ohio or another state or jurisdiction;
- Failure to maintain minimal standards of practice in the administration or handling of drugs, as defined in section 4729.01 of the Revised Code, or failure to employ acceptable scientific methods in the selection of drugs, as defined in section 4729.01 of the Revised Code, or other modalities for treatment;
- Willful betrayal of a professional confidence;
- Making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients in relation to the practice of physical therapy;
- A departure from, or the failure to conform to, minimal standards of care required of licensees when under the same or similar circumstances, whether or not actual injury to a patient is established;
- Obtaining, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice;
- Violation of the conditions of limitation or agreements placed by the physical therapy section on a license to practice;
- Except as provided in section 4755.471 of the Revised Code, engaging in the division of fees for referral of patients or receiving anything of value in return for a specific referral of a patient to utilize a particular service or business;
- Inability to practice according to acceptable and prevailing standards of care because of mental illness or physical illness, including physical deterioration that adversely affects cognitive, motor, or perception skills;
- The revocation, suspension, restriction, or termination of clinical privileges by the United States department of defense or department of veterans affairs;
- Termination or suspension from participation in the medicare or medicaid program established under **Title XVIII and Title XIX, respectively, of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301**, as amended, for an act or acts that constitute a violation of sections 4755.40 to 4755.56 of the Revised Code; Conviction of a misdemeanor when the act that constitutes the misdemeanor occurs during the practice of physical therapy;

- (24)(a) Except as provided in division (A)(24)(b) of this section, failure to cooperate with an investigation conducted by the physical therapy section, including failure to comply with a subpoena or orders issued by the section or failure to answer truthfully a question presented by the section at a deposition or in written interrogatories.
- (b) Failure to cooperate with an investigation does not constitute grounds for discipline under this section if a court of competent jurisdiction issues an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence at issue. Regardless of whether the contact or verbal behavior is consensual, engaging with a patient other than the spouse of the physical therapist assistant, in any of the following:
  - (a) Sexual contact, as defined in section 2907.01 of the Revised Code;
  - (b) Verbal behavior that is sexually demeaning to the patient or may be reasonably interpreted by the patient as sexually demeaning.
- Except as provided in division (B) of this section:
  - (a) Waiving the payment of all or any part of a deductible or co-payment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers physical therapy, would otherwise be required to pay if the waiver is used as an enticement to a patient or group of patients to receive health care services from that provider;
  - (b) Advertising that the individual will waive the payment of all or any part of a deductible or co-payment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers physical therapy, would otherwise be required to pay.
- Violation of any section of this chapter or rule adopted under it.
- The complete Revised Code (in regards to physical therapy practice and licensure) may be accessed at: <http://otptat.ohio.gov/>
- Therefore, any person to whom any of the above conditions applies may be denied licensure to practice as a physical therapist assistant (PTA) in the State of Ohio.

## **Criminal Background Checks and Drug Screens**

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Upon completion of the MTC PTA Program graduates will be eligible to apply for licensure by examination. Section 4755.70 of the Ohio Revised Code requires all individuals applying for a license issued by the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board to submit fingerprints for a criminal records check completed by the Ohio Bureau of Criminal Identification and Investigation (BCI) and the Federal Bureau of Investigation (FBI). The BCI and FBI records checks are both required for initial licensure. By law, the Board cannot complete the processing of any application until it receives the background check reports from BCI and FBI. The graduate is responsible for the cost of the BCI and FBI records checks.

Potential clinical education sites and employers may also require drug screens and/or criminal records checks/background investigations. The student/graduate may be responsible for the cost of the records check(s) and/or drug screen(s). Individuals who have been convicted, found guilty of, pled guilty to, pled no contest to, entered an Alford plea, received treatment or intervention in lieu of conviction, or received diversion for any of the following crimes (this includes crimes that have been expunged if the crime has a direct and substantial relationship to physical therapy practice) may be ineligible for placement in a clinical education site and/or for employment:

A gross misdemeanor committed in Ohio, another State, Commonwealth, Territory, Province, or country. A felony in Ohio, another State, Commonwealth, Territory, Province, or country. A crime involving gross immorality or moral turpitude in Ohio, another State, Commonwealth, Territory, Province, or country. A violation of any municipal, County, State, Commonwealth, or Federal drug law.

**Please Note:** Accepted applicants will be required to submit to a criminal background check facilitated by MTC and conducted by The Ohio Bureau of Criminal Identification and Investigation. This background check will include, but is not limited to, an analysis of fingerprints and review of prior criminal records. Students with felony, certain misdemeanors or drug-related arrests as specified in ORC 3701.881 will be ineligible for admission into the PTA Program. The submission of any false information to MTC shall be cause for immediate dismissal from the PTA Program.

Accepted applicants will be required to submit to an eight-panel drug screen. In addition, students will be subject to random drug screens. Students who refuse/fail to cooperate will be considered "positive". Unsatisfactory/positive results of the drug screen will result in ineligibility for admission and/or continuation in the program.

To receive more detailed information on the Physical Therapist Assistant Program or a complete copy of the MTC Catalog, please send an e-mail to [applegatej@mtc.edu](mailto:applegatej@mtc.edu) or the Office of Admission at [enroll@mtc.edu](mailto:enroll@mtc.edu).