



Ohio Administrative Code Rule 4725-9-04 Exemption from compliance.

Effective: November 30, 2023

(A) A licensed optometrist requesting exemption from compliance with the continuing education requirement for a study compliance year because of illness or undo hardship shall include documentation required by the board with valid reasons prior to the renewal of any certificate of licensure.

(B) The board may grant a waiver of continuing education and/or late fees for opticians only for the following reasons:

(1) Hardship;

(2) Illness; or

(3) Military service.

(C) Each optician who holds a current, valid license and is actively serving in the armed forces of the United States may apply to the board on or before December thirty-first for an extension of the grace period by sending a written request for the extension along with the following:

(1) The renewal fee specified by the board in the form designated by the board;

(2) A copy of the orders mobilizing the licensee to active duty; and

(3) Orders indicating the length of active duty.

(D) Upon receipt and review by the board or its designee of the documents as described in paragraph (B) of this rule, the board shall extend the current reporting period for proof of continuing education by an amount of time equal to the total number of months that the licensee spent on active duty during the current reporting period in accordance with division (B) of section 5903.12 of the



Revised Code.

(E) The board maintains the right to grant or refuse requests for an extension or for a waiver on a case-by-case basis.

(F) Denial of an application for licensure or examination or any proposed action against a license shall be in accordance with Chapter 119. of the Revised Code.

(1) Pursuant to section 119.07 of the Revised Code, a request for an administrative hearing on the proposed action shall be received by the board within thirty days of the mailing of the notice of opportunity for a hearing.

(2) If a request for an administrative hearing is not received by the board within thirty days of the mailing of the notice of opportunity for a hearing, the board upon consideration of the charges cited, may take appropriate action in the absence of the applicant or licensee.

(G) The board may refuse to grant a license, suspend or revoke the license of any person or impose a fine or order restitution for violation of any provision of sections 4725.40 to 4725.59 of the Revised Code or any lawful order of the board.

(H) If requested by the board, the prosecuting attorney of a county, the village solicitor, or the city director of law of a municipal corporation, whenever a violation of sections 4725.40 to 4725.59 of the Revised Code allegedly occurs, shall take charge of and conduct the prosecution in accordance with division (B) of section 4725.54 of the Revised Code.

(I) In addition to any other remedy provided in sections 4725.40 to 4725.59 of the Revised Code, the board may request the attorney general or an appropriate prosecuting attorney to apply to an appropriate court for an order enjoining the violation of sections 4725.40 to 4725.59 of the Revised Code and in accordance with section 4725.54 of the Revised Code. On a showing that a person has violated or is about to violate sections 4725.40 to 4725.59 of the Revised Code, the court shall grant an injunction, restraining order, or other order as appropriate. The injunction proceedings are in addition to all penalties provided in sections 4725.40 to 4725.99 of the Revised Code.