



Ohio Administrative Code

Rule 4731-16-17 Requirements for confidential monitoring program.

Effective: November 30, 2023

(A) Practitioners and applicants of the board who may be impaired in the ability to practice in accordance with acceptable and prevailing standards of care and who want to participate in the confidential monitoring program shall complete the following requirements:

(1) The practitioner or applicant shall contact the monitoring organization under contract with the board and obtain a list of the approved evaluators and treatment providers;

(2) If the practitioner or applicant reports directly to an approved treatment provider, the practitioner or applicant licensee shall contact the monitoring organization upon referral from the approved evaluator or treatment provider; and

(3) The practitioner or applicant shall participate in an evaluation conducted by an evaluator or treatment provider in accordance with the recommendation of the monitoring organization.

(B) The evaluator or treatment provider shall provide the information regarding the diagnosis and eligibility determination to the monitoring organization for confirmation of eligibility.

(C) If the practitioner or applicant is determined to be impaired and not to be eligible for the confidential monitoring program, the practitioner or applicant and the monitoring organization shall report this information to the board.

(D) Once a practitioner or applicant is determined to be eligible for the confidential monitoring program, the practitioner or applicant shall report to an approved treatment provider for treatment within the timeframe recommended by the monitoring organization. The treatment provider shall develop an individualized treatment plan that may include a combination of inpatient, residential, partial hospitalization, outpatient or intensive outpatient treatment.

(1) The practitioner or applicant shall be required to immediately suspend practice if it is



recommended by the evaluator or treatment provider or the medical director or designee of the monitoring organization. The practitioner or applicant shall suspend practice until determined to be able to practice according to acceptable and prevailing standards by the evaluator or treatment provider and the medical director or designee of the monitoring organization.

(2) The monitoring organization shall notify the board of any practitioner who returns to work prior to obtaining the release from the treatment provider and the monitoring organization medical director or designee. The board shall proceed in accordance with rule 4731-16-02 of the Administrative Code.

(3) The monitoring organization shall notify the board of any practitioner or applicant who does not successfully complete the prescribed treatment. The board shall proceed in accordance with rule 4731-16-02 of the Administrative Code.

(4) The monitoring organization shall ensure that the practitioner or applicant has entered into an agreement with an approved continuing care provider if continuing care is recommended by the treatment provider. If continuing care is recommended, the monitoring organization shall confirm that the practitioner or applicant completes continuing care sessions in accordance with the recommendation until released by the continuing care provider and the medical director or designee of the monitoring organization.

(E) In order to continue participation in the confidential monitoring program, after successful completion of any recommended treatment, the practitioner or applicant shall enter into an agreement with the monitoring organization. The agreement may include the following provisions:

(1) Random toxicology testing, if applicable;

(2) Attendance at drug and alcohol support group meetings (e.g., alcoholics anonymous or narcotics anonymous) or other support group, as directed by the monitoring organization, if applicable;

(3) Treatment and therapy plan;

(4) Continuing care participation, if applicable;



(5) Case management;

(6) Duration of monitoring. Relapses and other failure to comply with terms of the agreement may result in a longer period of monitoring;

(7) Releases for information or records related to the practitioners impairment, including but not limited to family, peers, health care personnel, employers, and treatment providers;

(8) Grounds for dismissal from participation in the confidential monitoring program for failure to comply with program requirements. An individual who chooses not to continue in the confidential monitoring program shall be referred to the board for further investigation or disciplinary action; and

(9) Any required fees associated with participation in the confidential monitoring program, including but not limited to fees for toxicology testing.

(F) The practitioner or applicant shall be released from monitoring by the medical director or designee of the monitoring organization upon successful completion of monitoring.

(G) The board shall develop guidelines in collaboration with the monitoring organization for the reporting of non-compliance with conditions of the confidential monitoring program. Non-compliance shall be reported to the board by the practitioner or applicant and the medical director of the monitoring organization.