



Ohio Administrative Code

Rule 4757-1-07 Discipline actions that may include fines.

Effective: [March 21, 2022](#)

The professional standards committees established under section 4757.04 of the Revised Code may utilize fines at the discretion of each committee. Per division (E) of section 4757.10 of the Revised Code the following fines are enumerated.

(A) Practicing without a valid license, which includes practice prior to license and continuing to practice with an expired license.

(1) Worked as a licensee for sixty days or less without a valid license standard consent agreement terms:

(a) Written reprimand;

(b) Standard fine two hundred dollars for independent practitioner licensee and one hundred dollars for all others; and

(c) Fine to be paid within sixty days of the effective date of the agreement.

(2) Worked for sixty-one to one hundred twenty days without a valid license standard consent agreement terms:

(a) Suspension of fourteen days, plus an additional day for each day he/she engaged in unlicensed practice;

(b) Standard fine of two hundred dollars for independent practitioner licensee and one hundred dollars for other licensees plus one hundred dollars per week after the first three weeks. Fine amount up to five hundred dollars; and

(c) Fine to be paid within sixty days of the effective date of the agreement.



(3) Worked for more than one hundred twenty days without a valid license standard consent agreement terms:

(a) Suspension of four months, plus an additional month for each month or part thereof he/she engaged in unlicensed practice;

(b) Standard fine of five hundred dollars for all licensees; and

(c) Fine to be paid within sixty days of the effective date of the agreement.

(B) Fines may be levied in other discipline cases where the professional standards committee believes the fine will be more productive in correcting the issue than other discipline actions. Fine amounts up to five hundred dollars per violation may be made using the aggravating and mitigating factors in paragraph (F) of this rule in determining the proposed fine amount.

(C) Failure to complete the continuing education required for renewal, which is typically discovered during a continuing education audit, which includes failure to provide documentation of thirty hours of continuing education that meet the requirements of rule 4757-7-01 of the Administrative Code. These terms will be implemented after a licensee has failed a previous audit and paid a fee under rule 4757-1-05 of the Administrative Code for failure to complete thirty continuing education hours prior to renewal. The standard consent agreement terms are:

(1) Written reprimand;

(2) A five hundred dollar fine to be paid within thirty days of the effective date of the agreement;

(3) Complete the number of continuing education hours he/she was deficient within thirty days of the consent agreement effective date and submit proof of completion on or before that date. These hours shall not be counted toward his/her next renewal.

(4) Agrees to audit for continuing education the next time he/she renews his/her license.



(D) Applying for or renewing a license by means of fraud/deceit. Includes failure to report discipline by another jurisdiction, conviction, etc. May include:

(1) Written reprimand;

(2) Fine up to five hundred dollars with a standard fine of two hundred fifty dollars;

(3) Fine to be paid within sixty days of the effective date of the agreement; and

(4) Attend four hours of ethics training. Course(s) must be at least a two semester hour or three quarter hour college level or thirty hour continuing education course, no on-line courses. Verification of completion shall be submitted to the investigation division within thirty days of attendance. These hours will not count toward the continuing education requirement for license renewal.

(E) Failure to respond to the continuing education audit may include:

(1) Fine up to five hundred dollars with a standard fine of two hundred fifty dollars;

(2) Fine to be paid within sixty days of the effective date of the agreement;

(3) Submit proof of thirty hours of continuing education for the audit renewal period within thirty days of the ratification of the agreement; and

(4) Agrees to audit for continuing education the next time he/she renews his/her license.

(F) Violations of section 959.07 of the Revised Code:

(1) For a first violation a confidential written warning may be issued;

(2) For a second violation, a fine of one hundred dollars;

(3) For a third or subsequent violation, a fine of five hundred dollars.



(G) Aggravating and mitigating factors to consider in levying fines. After a violation has been established, the professional standards committee may consider aggravating and mitigating factors/circumstances in determining the penalty to be imposed. If the professional standards committee deems such circumstances to be sufficient to justify a departure from the disciplinary guidelines, the reasons shall be specified by the professional standards committee.

(1) Aggravating factors/circumstances are any considerations or factors, which might justify an increase in the degree of discipline to be imposed. Aggravating factors may include, but are not limited to:

(a) Prior disciplinary actions;

(b) A pattern of misconduct;

(c) Multiple violations;

(d) Submission of false statements, false evidence or other deceptive practices during the disciplinary process;

(e) Refusal to acknowledge wrongful nature of conduct;

(f) Adverse impact of misconduct on others;

(g) Vulnerability of the victim; and

(h) Willful or reckless misconduct.

(2) Mitigating factors/circumstances are any considerations, which might justify a reduction in the degree of discipline to be imposed. Mitigating factors may include, but are not limited to:

(a) Absence of a prior disciplinary record;

(b) Isolated incident, unlikely to recur;



- (c) Full and free disclosure to the board;
- (d) Interim rehabilitation or remedial measures;
- (e) Absence of adverse impact of misconduct on others;
- (f) Remorse; and/or
- (g) Absence of willful or reckless misconduct.