



Ohio Administrative Code Rule 4766-5-16 Investigations.

Effective: December 15, 2019

(A) The division shall investigate all complaints on behalf of the board and in accordance with section 4766.11 of the Revised Code.

(B) After an investigation is completed and based on the findings of such investigation, the board may initiate disciplinary proceedings in accordance with Chapter 119. of the Revised Code and this chapter.

(C) If, based on the findings of an investigation, the board determines that no further action on a complaint is warranted, then the case shall be closed accordingly.

(D) The division shall conduct all investigations and any related proceedings, in such a manner as to protect patient confidentiality and in accordance with section 4765.102 of the Revised Code.

(E) Notwithstanding paragraph (D) of this rule, a patient may consent to have the board release the patient's name or other identifying information that was collected as part of the division's investigation. Such consent shall be in writing and signed by the patient in order to be considered proper.

If a patient is less than eighteen years of age, such consent shall be in writing and signed by the patient's parent, guardian, or legal custodian in order to be considered proper.

(F) No member of the board who participates in an investigation shall participate in any further adjudication of the case.

(G) No member of the board who participates in an investigation at the local level or is involved in a case locally, shall participate in any investigation or adjudication of the same case by the board.
