

# THE STATE BOARD OF ORTHOTICS, PROSTHETICS AND PEDORTHICS

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TED STRICKLAND, GOVERNOR

MARK E. HORWITZ, LPO, BOARD PRESIDENT

## **NOTICE OF CHANGES IN RULE LANGUAGE – EFFECTIVE APRIL 9, 2007**

In accordance with section 119.03 of the Ohio Revised Code and the authority granted by section 4779.08 of the Orthotics, Prosthetics, and Pedorthics Practice Act, the Board is engaged in a review of the regulatory language in its Administrative Code series. An initial set of changes was commenced based on Board action at the December 13, 2006, meeting. Proposed language and a Public Hearing notice was filed on January 2, 2007, and the Public Hearing was held on Friday, February 2, 2007. Some technical revisions were made on February 5, 2007, and the package passed JCARR review on March 5, 2007. **The Board formally adopted the changes at its meeting on March 27, 2007, and set an effective date of April 9, 2007.** The changes are summarized below and the language is shown in its entirety in the pages that follow.

### [4779-1-02 Notice of board meetings.](#) (Amended – effective 04/09/2007)

This rule provides information for consumers, stakeholders and licensees **to be informed about board meetings**; amended language details **requirements to receive notices** by mail, that **information is posted to the board's website**, and **eliminates language regarding specific subject matter notification.**

### [4779-2-01 Board organization.](#) (Amended – effective 04/09/2007)

This rule provides **basic information regarding the board's annual meeting and its officers.** The amendment clarifies that **the board may fill a vacancy in an officer position** from among its members (only the governor can fill a vacant board seat).

### [4779-3-01 Definition of terms.](#) (Amended – effective 04/09/2007)

This rule **defines certain terms** used in the Practice Act. Amendments include grammatical corrections and drafting style changes; typographical corrections; **a minor change to supervision requirements**; and **defines "custom fabricated or fitted medical device" to conform to federal CMS Quality Standards usage.**

### [4779-5-02 Admission to the examination.](#) (New -- effective 04/09/2007)

This rule sets forth certain procedures and requirements for an applicant to be approved for exam, and the relationships between the Board, the exam candidate, and the testing organization(s).

### [4779-9-01 General OPPCE requirements and reporting mechanism for continuing education for orthotists, prosthetists, and pedorthists.](#) (Amended – effective 04/09/2007)

The amendment **eliminates language relating to the holder of a Temporary license**, as per statute such a license cannot be held long enough to trigger OPPCE reporting requirements.

For the full language of the Orthotics, Prosthetics and Pedorthics Practice Act, go to: <http://codes.ohio.gov/orc/4779>  
For Administrative Code rules (updated quarterly), go to: <http://codes.ohio.gov/oac/4779>

4779-1-02

**Notice of board meetings.**

(A) Any person, organization, or representative of news media may ascertain the time and place of all regularly scheduled meetings of the board, and the time, place, and purpose of all special meetings of the board by any one of the following methods:

(1) Calling the board office during normal business hours (no collect calls will be accepted under any circumstance);

(2) Contacting the board with a written request for such notification and with a supply of six stamped self-addressed business size ~~envelope~~envelopes.

(3) Checking information posted on the board's website at <http://opp.ohio.gov>.

(B) The board shall maintain a list of all persons, organizations, and representatives of news media who have requested, in writing, notice of all meetings of the board ~~at which specific subject matters designated by the sender are scheduled to be discussed~~. The board, shall, no later than five days prior to each regular meeting, send by regular mail or electronic mail an agenda of the meeting to those persons. The board may assess a reasonable fee, not to exceed copying and mailing, for notices sent to persons in accordance with this rule.

(C) Notice of special meetings shall be as follows:

(1) If the special meeting is not of an emergency nature, the board shall notify all media representative on the list mandated in paragraph (B) of this rule by doing at least one of the following:

(a) Sending written notice, which must be sent by regular mail or electronic mail, no later than four calendar days prior to the day of the special meeting;

(b) Notifying representatives by telephone no later than twenty-four hours prior to the special meeting. Telephone notice shall be complete if a message has been left for the representative, or if, after reasonable effort, the board has been unable to provide telephone notice;

(2) In the event the special meeting is of an emergency nature, the board shall notify all media representatives on the list of the meeting by providing either the notice described in this rule or notifying the clerk of the State House press room. The notice shall be given as soon as possible, but need not be given twenty-four hours prior to the meeting.

- (3) In giving the notice of special meetings as required by this rule, the board may rely on assistance provided by any member or employee of the board.

Effective: 04/09/2007

R.C. 119.032 review dates: 01/02/2007 and 03/31/2012

CERTIFIED ELECTRONICALLY

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Certification

03/29/2007

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Date

Promulgated Under: 119.03  
Statutory Authority: 4779.08  
Rule Amplifies: 4779.06, 4779.22  
Prior Effective Dates: 08/09/2002

4779-2-01

**Board organization.**

- (A) The board shall hold an annual meeting in September, at which time it shall elect a president and secretary, both of whom shall serve one year.
- (B) The president shall preside at all meetings of the board. However, the president may appoint another board member to serve as vice-president to preside in the president's absence.
- (C) The board shall hold regular meetings as often as necessary to carry out its duties. Meetings shall be held in the Vern Riffe center for government and the arts or in such other places as circumstances may require.
- (D) In the event of a vacancy in the office of president or secretary, the board shall fill the office from among the members of the board at a regular or special meeting of the board.

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Rule Amplifies: 4779.05, 4779.06, 4779.07, 4779.33  
Prior Effective Dates: 08/09/2002

4779-3-01

**Definition of terms.**

The following definitions shall apply to the ~~state board of orthotics, prosthetics, and pedorthics board~~ language of Chapter 4779. of the Revised Code:

- (A) "Board" means the state board of orthotics, prosthetics and pedorthics
- (B) "Certificate ~~Program~~program", ~~approved by the board as referenced in section 4779.29 of the Revised Code,~~ means a post-graduate certificate program that meets the following requirements, as applicable:
- (1) All certificate programs shall meet all of the following requirements:
    - (a) ~~Admits only holders of~~ Admission standards require at least a high school diploma or certificate of high school equivalence issued by the state board of education;
    - (b) Has a written description of the program that includes learning goals, course objectives, and competencies for graduation;
    - (c) Requires frequent, documented evaluations of students to assess their acquisition of knowledge, problem identification and solving skills, and psychomotor, behavioral, and clinical competencies;
    - (d) Admits only persons who have successfully completed courses in biology, chemistry, physics, psychology, computer science, algebra or higher math, human anatomy with a laboratory section, and physiology with a laboratory section;
    - (e) Requires students to complete formal instruction in biomechanics, gait, analysis and pathomechanics, kinesiology, pathology, material science, research methods, and diagnostic imaging techniques;
    - (f) Provides for the evaluation of the program through regular, on-site visits conducted by qualified individuals from a nationally recognized orthotic, prosthetic, or orthotic and prosthetic certifying body.
  - (2) In addition, a certificate program in orthotics shall meet all of the following requirements:
    - (a) Provides not less than two semesters or three quarters of instruction in orthotics;

- (b) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, including recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of the orthotics systems;
  - (c) Requires as a condition of graduation that students demonstrate orthotic skills, including measurement, impression-taking, model rectification, and fitting and alignment of orthoses for the lower limbs, upper limbs, and spines;
- (3) In addition, a certificate program in prosthetics shall meet all of the following requirements:
- (a) Provides not less than two semesters or three quarters of instruction in prosthetics;
  - (b) Requires students to complete not less than two hundred fifty hours of supervised clinical experience that focuses on patient-related activities, recommendation, measurement, impression-taking, model rectification, fabrication, fitting, and evaluating patients in the use and function of prosthetics;
  - (c) Requires a condition of graduation that students demonstrate prosthetic skills that include measurement, impression taking, model rectification, diagnostic fitting, definitive fitting, postoperative management, external power, and static and dynamic alignment of prostheses related to various amputation levels, including partial foot, syme's below the knee, above knee, below elbow, above elbow, and the various joint disarticulations.
- (4) In addition, a certificate program in orthotics and prosthetics shall meet all of the following requirements:
- (a) Provides not less than two semesters or three quarters of instruction in orthotics and two semesters or three quarters of instruction in prosthetics;
  - (b) Requires as a condition of graduation that students complete training in orthotic systems, including foot orthoses~~orthosis~~, ankle-foot orthoses~~orthosis~~, knee orthoses~~orthosis~~, knee-ankle-foot orthoses~~orthosis~~, hip-knee orthoses~~orthosis~~, wrist-hand orthoses~~orthosis~~,

cervical-thoracic-lumbo-sacral ~~orthoses~~orthosis, thoracolumbar  
~~orthoses~~thoracolumbo-sacral~~orthosis~~, lumbarsacral  
~~orthoses~~lumbo-sacral~~orthosis~~, halo, fracture management, RGO  
 (reciprocating gait orthoses), standing frames, and seating;

- (c) Requires as a condition of graduation that students demonstrate prosthetic skills that include measurement, impression taking, model rectification, diagnostic fitting, definitive fitting, postoperative management, external power, and static and dynamic alignment of prostheses related to various amputation levels, including partial foot, syme's below the knee, above knee, below elbow, above elbows, and the various joint disarticulations.
- (C) "Good ~~moral character~~Moral Character" as it is used in section 4779.09 and under division (A)(1)(3) in section 4779.18 of the Revised Code, means not having been convicted of a crime of moral turpitude; not having made misstatements or misrepresentation in connection with an application or examination for a qualification certificate; and not having willfully violated any of the sections related to conduct required of qualification certificate holders and set forth in the statutes or rule.
- (D) "License", as it is used under division (A) of section 4779.20 of the Revised Code, means the license certificate or a notarized copy of the license certificate as issued by the board.
- (E) "Licensee" means a person who holds a license issued under Chapter 4779. of the Revised Code.
- (F) "Nationally ~~accredited college or university~~Accredited College or University in the U.S." means colleges and universities accredited by an accreditation body recognized by the U.S. department of education, including regional accreditation bodies.
- (G) "Physically ~~present~~Present" as it is used under division (B) of section 4779.04 of the Revised Code means at the same building, location, or facility~~in the same room~~ as the non-licensed practitioner and patient.
- (H) "Temporary ~~license~~License" means a person who holds a temporary license issued under section 4779.18 of the Revised Code.
- (I) "Under the direct supervision", as it is used under division (B)(5) of section 4779.02 of the Revised Code, means the individual who provides orthotic, prosthetic, or

pedorthics services under the supervision of an individual authorized to practice medicine or osteopathic medicine, must perform the evaluation, measurement, design, fitting, adjusting, servicing, or training in a location where the physician or osteopathic physician is present.

- (J) "Under the supervision" as it is used under division (B) in section 4779.18 of the Revised Code means the individual who practices under the supervision of an individual who holds a license issued under section 4779.09 of the Revised Code may conduct the initial evaluation or all activities at a building, location, or facility where the supervising orthotist, ~~prosthodontist~~~~prosthodontists~~, or pedorthist is physically present or is readily available to the individual through some means of telecommunication and is in a location that under normal circumstances is not more than sixty minutes travel time away from the location where the non-licensed individual is practicing.
- (K) "Residency ~~program~~~~Program~~" approved by the board, as ~~referenced in~~~~used under~~ ~~divisions (A)(2) and (B)(2)(b)(iii) of section 4779.10 of the Revised Code, under~~ ~~divisions (A)(2) and (B)(2)(b)(iii) of section 4779.11 of the Revised Code, and~~ ~~under divisions (A)(2) and (B)(2)(b)(iii) of section 4779.12 of the Revised Code~~ means a residency ~~period~~ requiring nineteen hundred hours under the direct supervision of a practitioner certified in the same discipline.
- (L) "Custom fabricated or fitted medical device" as referenced in division (E) of section 4779.01 of the Revised Code means an orthotic, prosthetic or pedorthic device that is individually made (custom fabricated) or fitted (custom fitted) for a specific patient. No other patient would be able to use this item after fabrication or fitting.
- (1) A custom fabricated item is defined as a device which is fabricated based on a clinically derived rectified casting, tracings, measurements, and/or other images (such as x-rays) of the body part. It may involve using calculations, templates, and components. The process starts with basic materials including, but not limited to plastic, metal, leather, or cloth in the form of uncut or unshaped sheets, bars, or other basic forms. It involves substantial work such as vacuum forming, cutting, bending, molding, sewing, drilling, and finishing prior to fitting on the patient.
- (a) A molded-to-patient-model item is a particular type of custom fabricated device in which either:
- (i) An impression (usually by means of a plaster or fiberglass cast) of the specific body part is made directly on the patient, and this impression is then used to make a positive model of the body part from which the final product is crafted; or
- (ii) A digital image of the patient's body part is made using

computer-aided design-computer aided manufacture (CAD-CAM) systems software. This technology includes specialized probe/digitizers and scanners that create a computerized positive model and then direct milling equipment to carve a positive model. The device is then individually fabricated and molded over the positive model of the patient.

(2) A custom fitted item is defined as a prefabricated device which is manufactured in quantity without a specific patient in mind. The device may be supplied as a kit of prefabricated parts that require some assembly and/or fitting and adjustment, or a device that must be trimmed, bent, molded (with or without heat), or otherwise modified for use by a specific patient.

(a) A custom fitted item/device as referenced in division (E) of section 4779.01 of the Revised Code does not include:

(i) Upper extremity adaptive equipment used to facilitate the activities of daily living;

(ii) Finger splints;

(iii) Wrist splints;

(iv) Prefabricated elastic or fabric abdominal supports with or without metal or plastic reinforcing stays;

(v) Other prefabricated soft goods requiring minimal fitting;

(vi) Nontherapeutic accommodative inlays;

(vii) Shoes that are not manufactured or modified for a particular individual;

(viii) Prefabricated foot care products;

(ix) Other durable medical equipment;

(x) Dental appliances;

(xi) Pedorthic devices;

(xii) Devices implanted into the body by a physician.

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4779.12, 4779.16, 4779.17, 4779.26, 4779.27  
Prior Effective Dates: 08/09/2002

4779-5-02**Admission to the examination.**

- (A) An applicant for Ohio examination must have an approved application for licensure form on file with the board. Before an applicant may be issued a license or be approved to sit for the examination, the applicant must demonstrate that the applicant meets the eligibility requirements of section 4779.09 of the Revised Code.
- (B) In the case of an applicant for licensure pursuant to sections 4779.10, 4779.11, and 4779.12 of the Revised Code, the board shall notify the american board for certification in orthotics and prosthetics (ABC) of the applicant's interest in taking the Ohio license exam in orthotics or prosthetics, and of the board's approval of the candidate's application. The applicant is responsible for exam fees and all costs and fees associated with that exam shall be paid to the ABC or its contracted testing agency.
- (C) In the case of an applicant for licensure pursuant to section 4779.13 of the Revised Code, the board shall notify the board for certification in pedorthics (BCP) of the applicant's interest in taking the Ohio license exam in pedorthics, and of the board's approval of the candidate's application. The applicant is responsible for exam fees and all costs and fees associated with that exam shall be paid to the BCP or its contracted testing agency.
- (D) An applicant for Ohio examination approved for admission to exam by the state board of orthotics, prosthetics, and pedorthics, shall comply with any and all deadlines established by the ABC, the BCP, or their respective contracted testing agencies.

Replaces: 4779-5-02  
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Prior Effective Dates: 08/09/2002

4779-9-01

**General OPPCE requirements and reporting mechanism for continuing education for orthotists, prosthetists and pedorthists (OPPCE).**

- (A) All licensees shall verify the successful attainment of approved OPPCE as set forth in rule 4779-9-02 of the Administrative Code.
- (B) OPPCE hours must be earned no later than thirty days prior to the license expiration date for that renewal period. An excess of approved hours attained during a renewal period will not be applied towards future requirements, unless they are earned after signature date on the renewal application for that period.
- (C) The application for renewal shall include a section for verification of OPPCE compliance. Licensees shall complete the section to certify the completion of the required hours of OPPCE for the current renewal period.
- (D) It shall be the responsibility of the licensee to maintain and keep all records to serve as documentation for any audit pertaining to the completion of OPPCE requirements; including, but not limited to certificates of completion, transcripts, letters of attendance, or attendance registers. Records shall be maintained for a period of four years beyond the renewal date requiring attestation of OPPCE compliance for the holders of a license issued under ~~Revised Code~~ sections 4779.10, 4779.11, 4779.12, 4779.13, 4779.16, and 4779.17, ~~and for a period of three years or three renewal periods for the holders of a temporary license issued under section 4779.18~~ of the Revised Code. Legible copies shall be sent to the board only in response to an audit.
- (E) Failure to meet OPPCE requirements or failure to provide attestation of completion of necessary OPPCE hours sent to the board by January thirty-first of any relevant renewal year may result in automatic suspension of license by April first of that year, pursuant to section 4779.20 of the Revised Code. Failure to verify completion of necessary OPPCE hours within thirty days after receipt of an audit request from the board may result in disciplinary action pursuant to ~~Revised Code~~ section 4779.28 of the Revised Code. If reinstatement is desired, such individual shall be required to submit a formal request for reinstatement of licensure.

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R.C. 119.032 review dates: 01/02/2007 and 03/31/2012

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