

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**S. B. No. 105**

**Senator Brenner**

**Cosponsors: Senators Fedor, Kunze, Lehner, Williams**

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**A BILL**

To amend sections 503.40, 503.41, 503.42, 503.43, 1  
503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2  
2927.17, 4731.04, 4731.15, and 4731.41, to enact 3  
section 503.411, and to repeal sections 503.45 4  
and 503.46 of the Revised Code to make changes 5  
to the massage therapy licensing law. 6

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 503.40, 503.41, 503.42, 503.43, 7  
503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 8  
4731.04, 4731.15, and 4731.41 be amended and section 503.411 of 9  
the Revised Code be enacted to read as follows: 10

**Sec. 503.40.** As used in sections 503.40 to 503.49 of the 11  
Revised Code: 12

(A) "Massage therapy" ~~means any method of exerting~~ 13  
~~pressure on, stroking, kneading, rubbing, tapping, pounding,~~ 14  
~~vibrating, or stimulating the external soft tissue of the body~~ 15  
~~with the hands, or with the aid of any mechanical or electrical~~ 16  
~~apparatus or appliance~~ has the same meaning as in section 17  
4731.04 of the Revised Code. 18

(B) "Massage establishment" means any fixed place of 19  
business where ~~a person offers massages~~ massage therapy is 20  
provided: 21

(1) In exchange for anything of value; or 22

(2) In connection with the provision of another legitimate 23  
service. 24

(C) ~~"Masseur" or "masseuse"~~ "Massage therapist" means any 25  
~~individual person who performs massages at a massage~~ 26  
~~establishment~~ massage therapy. 27

(D) ~~"Sexual or genital area" includes the genitalia, pubic~~ 28  
~~area, anus, perineum of any person, and the breasts of a female.~~ 29

"Registration" means to provide information to the board 30  
of township trustees to indicate the location of the 31  
establishment, the names of individuals employed there, and 32  
evidence of current state licensure or student status of anyone 33  
providing massage therapy at the establishment as provided in 34  
division (A) of section 503.411 of the Revised Code. 35

**Sec. 503.41.** (A) A board of township trustees, by 36  
resolution, may regulate ~~and require the registration of~~ massage 37  
establishments ~~and their employees~~ within the unincorporated 38  
territory of the township and may require the registration of 39  
persons performing massage therapy at the massage 40  
establishments. In accordance with sections 503.40 to 503.49 of 41  
the Revised Code, ~~for that purpose~~ those purposes, the board, by 42  
a majority vote of all members, may adopt, amend, administer, 43  
and enforce such establishment regulations and registration 44  
requirements within the unincorporated territory of the 45  
township. 46

(B) A board may adopt establishment regulations, 47

registration requirements, and amendments under this section 48  
only after public hearing at not fewer than two regular sessions 49  
of the board. The board shall cause to be published in a 50  
newspaper of general circulation in the township, or as provided 51  
in section 7.16 of the Revised Code, notice of the public 52  
hearings, including the time, date, and place, once a week for 53  
two weeks immediately preceding the hearings. The board shall 54  
make available proposed establishment regulations, registration 55  
requirements, or amendments to the public at the office of the 56  
board. 57

(C) ~~Regulations~~ Establishment regulations, registration 58  
requirements, or amendments adopted by the board are effective 59  
thirty days after the date of adoption unless, within thirty 60  
days after the adoption of the regulations, requirements, or 61  
amendments, the township fiscal officer receives a petition, 62  
signed by a number of qualified electors residing in the 63  
unincorporated area of the township equal to not less than ten 64  
per cent of the total vote cast for all candidates for governor 65  
in the area at the most recent general election at which a 66  
governor was elected, requesting the board to submit the 67  
regulations, requirements, or amendments to the electors of the 68  
area for approval or rejection at the next primary or general 69  
election occurring at least ninety days after the board receives 70  
the petition. 71

No establishment regulation, registration requirement, or 72  
amendment for which the referendum vote has been requested is 73  
effective unless a majority of the votes cast on the issue is in 74  
favor of the regulation, requirement, or amendment. Upon 75  
certification by the board of elections that a majority of the 76  
votes cast on the issue was in favor of the regulation, 77  
requirement, or amendment, the regulation, requirement, or 78

amendment takes immediate effect.

(D) The board shall make available establishment  
regulations and registration requirements it adopts or amends to  
the public at the office of the board and shall cause to be  
published once a notice of the availability of the regulations  
and requirements in a newspaper of general circulation in the  
township within ten days after their adoption or amendment.

(E) Nothing in sections 503.40 to 503.49 of the Revised  
Code shall be construed to allow a board of township trustees to  
license any massage therapist or otherwise regulate the practice  
of any limited branch of medicine specified in section 4731.15  
of the Revised Code or the practice of providing therapeutic  
massage by a licensed physician, a licensed podiatrist, a  
licensed chiropractor, ~~a licensed podiatrist~~, a licensed nurse,  
or any other licensed health professional. ~~As~~

As used in this division, "licensed" means licensed,  
certified, or registered to practice in this state.

**Sec. 503.411.** If a board of township trustees has adopted  
a resolution under section 503.41 of the Revised Code to  
regulate massage establishments, all of the following apply:

(A) The massage establishment regulations shall include a  
requirement that all massage therapy performed in a massage  
establishment be performed by a person who meets one or more of  
the following conditions and that does not exclude any such  
person:

(1) Is licensed by the state cosmetology and barber board,  
or its predecessors or successors, and provides massage therapy  
as a portion of, and incidental to, barber services in  
accordance with Chapter 4709. of the Revised Code or cosmetology

<u>services in accordance with Chapter 4713. of the Revised Code;</u>	108
<u>(2) Is licensed by the board of nursing, or its</u>	109
<u>predecessors or successors, and provides massage therapy as a</u>	110
<u>portion of, and incidental to, nursing services in accordance</u>	111
<u>with Chapter 4723. of the Revised Code;</u>	112
<u>(3) Is licensed by the state medical board, or its</u>	113
<u>predecessors or successors, and provides massage therapy as a</u>	114
<u>portion of, and incidental to, medical services in accordance</u>	115
<u>with Chapter 4730. or 4731. of the Revised Code or acupuncture</u>	116
<u>or oriental medicine in accordance with Chapter 4762. of the</u>	117
<u>Revised Code;</u>	118
<u>(4) Is licensed by the state chiropractic board, or its</u>	119
<u>predecessors or successors, and provides massage therapy as a</u>	120
<u>portion of, and incidental to, chiropractic services in</u>	121
<u>accordance with Chapter 4734. of the Revised Code;</u>	122
<u>(5) Is licensed by the state medical board, or its</u>	123
<u>predecessors or successors, as a massage therapist in accordance</u>	124
<u>with Chapter 4731. of the Revised Code;</u>	125
<u>(6) Is licensed by the Ohio occupational therapy, physical</u>	126
<u>therapy, and athletic trainers board, or its predecessors or</u>	127
<u>successors, and provides massage therapy as a portion of, and</u>	128
<u>incidental to, services provided as an occupational therapist,</u>	129
<u>physical therapist, or athletic trainer in accordance with</u>	130
<u>Chapter 4755. of the Revised Code;</u>	131
<u>(7) Is enrolled and regularly and actively participating</u>	132
<u>in an accredited educational program to achieve the training</u>	133
<u>necessary to obtain the massage therapist license specified in</u>	134
<u>division (A) (5) of this section.</u>	135
<u>(B) No person shall knowingly act as a massage therapist</u>	136

for a massage establishment located in the unincorporated area 137  
of the township without first having obtained a license from a 138  
board specified in division (A) of this section or without being 139  
a student as provided in division (A) (7) of this section. 140

(C) The massage establishment regulations may include any 141  
of the following: 142

(1) A requirement that the massage establishment fully 143  
comply with any applicable zoning resolution and amendments to 144  
the resolution that are adopted by the board under Chapter 519. 145  
of the Revised Code; 146

(2) Designated hours as prohibited hours of operation; 147

(3) The prohibitions set forth in division (B) of section 148  
503.42 of the Revised Code; 149

(4) Any other regulation considered by the board to be 150  
necessary for the health, safety, and welfare of the township 151  
residents, subject to division (E) of section 503.41 of the 152  
Revised Code. 153

**Sec. 503.42.** If a board of township trustees has adopted a 154  
resolution under section 503.41 of the Revised Code that 155  
includes a permit requirement to operate a massage 156  
establishment: 157

(A) No person shall ~~engage in, conduct or carry on, or~~ 158  
~~permit to be engaged in, conducted or carried on in the~~ 159  
~~unincorporated areas of the township, the operation of~~ operate a 160  
massage establishment in the unincorporated areas of a township 161  
without first having obtained a permit from the board of 162  
township trustees as provided in section 503.43 of the Revised 163  
Code. 164

~~(B) No individual shall act as a masseur or masseuse for a  
massage establishment located in the unincorporated areas of the  
township without first having obtained a license from the board  
of township trustees as provided in section 503.45 of the  
Revised Code.~~

~~(C)~~ No owner or operator of a massage establishment  
located in the unincorporated ~~areas~~ area of the township shall  
knowingly do any of the following:

(1) ~~Employ an unlicensed masseur or masseuse~~ as a massage  
therapist a person who does not meet one of the criteria listed  
in division (A) of section 503.411 of the Revised Code;

(2) Refuse to allow appropriate state or local  
authorities, including police officers, access to the massage  
establishment for any health or safety inspection conducted  
pursuant to a massage establishment regulation or massage  
therapist registration requirement adopted by the township under  
section 503.41 of the Revised Code;

(3) Operate during the hours designated as prohibited  
hours of operation by the board of township trustees;

(4) Employ any person under the age of eighteen.

~~(D) No person employed in a massage establishment located  
in the unincorporated area of the township shall knowingly do  
any of the following in the performance of duties at the massage  
establishment:~~

~~(1) Place his or her hand upon, touch with any part of his  
or her body, fondle in any manner, or massage the sexual or  
genital area of any other person;~~

~~(2) Perform, offer, or agree to perform any act which~~

~~would require the touching of the sexual or genital area of any~~ 193  
~~other person;~~ 194

~~(3) Touch, offer, or agree to touch the sexual or genital~~ 195  
~~area of any other person with any mechanical or electrical~~ 196  
~~apparatus or appliance;~~ 197

~~(4) Wear unclean clothing, no clothing, transparent~~ 198  
~~clothing, or clothing that otherwise reveals the sexual or~~ 199  
~~genital areas of the masseur or masseuse;~~ 200

~~(5) Uncover or allow the sexual or genital area of any~~ 201  
~~other person to be uncovered while providing massages.~~ 202

~~(E) No licensed masseur or masseuse shall accept or~~ 203  
~~continue employment at a massage establishment that does not~~ 204  
~~have a current, valid permit issued by the board of township~~ 205  
~~trustees.~~ 206

**Sec. 503.43.** If a board of township trustees has adopted a 207  
resolution under section 503.41 of the Revised Code that 208  
includes a permit requirement to operate a massage 209  
establishment, the application for a permit to operate a massage 210  
establishment shall be made to the board and shall include the 211  
following: 212

(A) An initial, nonrefundable filing fee of two hundred 213  
fifty dollars and an annual nonrefundable renewal fee of one 214  
hundred twenty-five dollars; 215

(B) A health and safety report of an inspection of the 216  
premises performed within thirty days of the application to 217  
determine compliance with applicable health and safety codes, 218  
which inspection appropriate state or local authorities acting 219  
pursuant to an agreement with the board shall perform; 220



(C) The full name and address of any person applying for a 221  
permit, including any partner or limited partner of a 222  
partnership applicant, any officer or director of a corporate 223  
applicant, and any stock holder holding more than two per cent 224  
of the stock of a corporate applicant having less than a total 225  
of fifty employees or any stock holder holding more than twenty- 226  
five per cent of the stock of a corporate applicant having more 227  
than a total of fifty employees, the date of birth ~~and social-~~ 228  
~~security number~~ of each individual, and the federal 229  
identification number of any partnership or corporation; 230

(D) Authorization for an investigation into the criminal 231  
record of any person applying for a permit; 232

(E) Proof that the massage establishment fully complies 233  
with any applicable zoning resolution and amendments to the 234  
resolution adopted by the board under Chapter 519. of the 235  
Revised Code; 236

(F) Any other information determined by the board to be 237  
necessary for the health, safety, and welfare of the township 238  
residents, subject to division (E) of section 503.41 of the 239  
Revised Code. 240

A permit issued under this section to a massage 241  
establishment shall expire one year after the date of issuance, 242  
except that no massage establishment shall be required to 243  
discontinue business because of the failure of the board to act 244  
on a renewal application filed in a timely manner and pending 245  
before the board on the expiration date of the establishment's 246  
permit. Each permit shall contain the name of the applicant, the 247  
address of the massage establishment, and the expiration date of 248  
the permit. 249

**Sec. 503.44.** If a board of township trustees has adopted a 250  
resolution under section 503.41 of the Revised Code that 251  
includes a permit requirement to operate a massage 252  
establishment, it shall deny any application for a permit to 253  
operate a massage establishment or revoke, at any time, a 254  
previously issued permit, for any of the following reasons: 255

(A) Falsification of any of the information required for 256  
the application or failure to fully complete the application; 257

(B) Failure to cooperate with any required health or 258  
safety inspection; 259

(C) Any one of the persons named on the application is 260  
under the age of eighteen; 261

(D) Any one of the persons named on the application has 262  
been convicted of or pleaded guilty to any violation of Chapter 263  
2907. of the Revised Code, or any violation of any municipal 264  
ordinance that is substantially equivalent to any offense 265  
contained in Chapter 2907. of the Revised Code, within five 266  
years preceding the application; 267

~~(E) Any masseur or masseuse employed at the licensed~~ 268  
~~massage establishment has been convicted of or pleaded guilty to~~ 269  
~~a violation of division (D) of section 503.42 of the Revised~~ 270  
~~Code.~~ 271

**Sec. 503.47.** If a board of township trustees has adopted a 272  
resolution under section 503.41 of the Revised Code that 273  
includes a permit requirement to operate a massage 274  
establishment, the regulations adopted for that purpose may 275  
require any of the following: 276

(A) A massage establishment to display its current permit 277  
in an area open to the public; 278

(B) ~~Each massager~~ A massage establishment to display the 279  
~~massager's license~~ massage therapists' certificates to practice 280  
at all times in the areas of the massage establishment ~~where the~~ 281  
~~licensee is providing massages~~ massage therapy is provided; 282

(C) Massage establishments to undergo periodic health and 283  
safety inspections to determine continual compliance with 284  
applicable health and safety codes; 285

(D) ~~Massagers to undergo periodic physical examinations~~ 286  
~~performed by a licensed physician, a physician assistant, a~~ 287  
~~clinical nurse specialist, a certified nurse practitioner, or a~~ 288  
~~certified nurse-midwife certifying that the massager continues~~ 289  
~~to be free from communicable diseases;~~ 290

~~(E)~~ Any other requirement reasonably thought necessary by 291  
the board for the health, safety, and welfare of township 292  
residents, subject to division (E) of section 503.41 of the 293  
Revised Code. 294

**Sec. 503.48.** A board of township trustees acting under 295  
sections 503.40 to 503.49 of the Revised Code that has adopted a 296  
resolution under section 503.41 of the Revised Code need not 297  
hold any hearing in connection with an order denying or revoking 298  
a permit to operate a massage establishment ~~or masseur or~~ 299  
~~masseuse license~~. The board shall maintain a complete record of 300  
each proceeding and shall notify the applicant in writing of its 301  
order. Any person adversely affected by an order of the board 302  
denying or revoking a permit to operate a massage establishment 303  
~~or masseur or masseuse license~~ may appeal from the order of the 304  
board to the court of common pleas of the county in which the 305  
township is located, ~~the place of business of the permit holder~~ 306  
~~is located, or the person is a resident~~. The appeal shall be in 307  
accordance with Chapter 2506. of the Revised Code. 308

**Sec. 503.49.** If a board of township trustees has adopted a  
resolution under section 503.41 of the Revised Code that  
includes a permit requirement to operate a massage  
establishment, the board shall deposit the fees collected by the  
township for massage establishment permits ~~and masseur and~~  
~~masseuse licenses~~ in the township general fund and first use the  
fees for the cost of administering and enforcing massage  
establishment regulations and massage therapist registration  
requirements adopted under section 503.41 of the Revised Code.

**Sec. 503.50.** (A) Whoever violates division (A) ~~or (B)~~ of  
section 503.42 of the Revised Code is guilty of a misdemeanor of  
the first degree.

(B) Whoever violates division (B) of section 503.411 or  
division ~~(C), (D), or (E)~~ (B) of section 503.42 of the Revised  
Code is guilty of a misdemeanor of the third degree.

**Sec. 715.61.** (A) As used in this section:

(1) "Massage establishment" has the same meaning as in  
section 503.40 of the Revised Code.

(2) "Massage therapy" has the same meaning as in section  
4731.04 of the Revised Code.

(B) Any municipal corporation may regulate and license  
manufacturers and dealers in explosives, chattel mortgage and  
salary loan brokers, peddlers, public ballrooms, scavengers,  
intelligence officers, billiard rooms, bowling alleys, livery,  
sale, and boarding stables, dancing or riding academies or  
schools, race courses, ball grounds, street musicians,  
secondhand dealers, junk shops, and all persons engaged in the  
trade, business, or profession of manicuring, ~~massaging~~, or  
chiropody. In the granting of any license a municipal

corporation may charge such fees as the legislative authority 338  
deems proper and expedient. 339

(C) (1) A municipal corporation may regulate and license 340  
massage establishments within its jurisdiction and may require 341  
the registration of persons performing massage therapy at the 342  
massage establishment. 343

(2) If a municipal corporation regulates massage 344  
establishments under this section, the regulations shall include 345  
a requirement that all massage therapy performed in the massage 346  
establishment be performed by a person described in division (A) 347  
of section 503.411 of the Revised Code. 348

**Sec. 2927.17.** (A) No person, by means of a statement, 349  
solicitation, or offer in a print or electronic publication, 350  
sign, placard, storefront display, or other medium, shall 351  
advertise massage therapy, relaxation massage, any other massage 352  
technique or method, or any related service, with the suggestion 353  
or promise of sexual activity. 354

(B) Whoever violates this section is guilty of unlawful 355  
advertising of massage, a misdemeanor of the first degree. 356

(C) Nothing in this section prevents the legislative 357  
authority of a municipal corporation or township from enacting 358  
any regulation of the advertising of massage further than and in 359  
addition to the provisions of divisions (A) and (B) of this 360  
section. 361

(D) As used in this section, ~~"sexual~~ 362

(1) "Massage therapy" has the same meaning as in section 363  
4731.04 of the Revised Code. 364

(2) "Sexual activity" has the same meaning as in section 365

2907.01 of the Revised Code. 366

**Sec. 4731.04.** As used in this chapter: 367

(A) "Cosmetic therapy" means the permanent removal of hair 368  
from the human body through the use of electric modalities 369  
approved by the state medical board for use in cosmetic therapy 370  
and may include the systematic friction, stroking, slapping, and 371  
kneading or tapping of the face, neck, scalp, or shoulders. 372

(B) "Fifth pathway training" means supervised clinical 373  
training obtained in the United States as a substitute for the 374  
internship or social service requirements of a foreign medical 375  
school. 376

(C) "Graduate medical education" means education received 377  
through any of the following: 378

(1) An internship or residency program conducted in the 379  
United States and accredited by either the accreditation council 380  
for graduate medical education of the American medical 381  
association or the American osteopathic association; 382

(2) A clinical fellowship program conducted in the United 383  
States at an institution with a residency program accredited by 384  
either the accreditation council for graduate medical education 385  
of the American medical association or the American osteopathic 386  
association that is in a clinical field the same as or related 387  
to the clinical field of the fellowship program; 388

(3) An internship program conducted in Canada and 389  
accredited by the committee on accreditation of preregistration 390  
physician training programs of the federation of provincial 391  
medical licensing authorities of Canada; 392

(4) A residency program conducted in Canada and accredited 393

by either the royal college of physicians and surgeons of Canada 394  
or the college of family physicians of Canada. 395

(D) "Massage therapy" means any of the treatment of 396  
disorders of the human body by the manipulation of soft tissue 397  
through the systematic external application of massage 398  
techniques including touch, stroking, friction, vibration, 399  
percussion, kneading, stretching, following: 400

(1) The manual application of compression, and joint 401  
stretch, vibration, or mobilization of the body's organs and 402  
tissues, including the components of the musculoskeletal system, 403  
peripheral vessels of the circulatory system, and fascia; 404

(2) Directed, assisted, resistive, or passive movements of 405  
the joints within the normal physiologic range of motion; and 406  
adjunctive thereto, the 407

(3) The external application of water, heat, cold, topical 408  
preparations, and mechanical devices. 409

"Massage therapy" does not include the manipulation of the 410  
reproductive organs, perineum, rectum, or anus unless the action 411  
is undertaken pursuant to a prescription issued by a person who 412  
is authorized under this chapter to practice medicine and 413  
surgery or osteopathic medicine and surgery or the action is 414  
performed under the supervision of such a physician. 415

**Sec. 4731.15.** (A) The state medical board also shall 416  
regulate the following limited branches of medicine: massage 417  
therapy and cosmetic therapy, and to the extent specified in 418  
section 4731.151 of the Revised Code, naprapathy and 419  
mechanotherapy. The board shall adopt rules governing the 420  
limited branches of medicine under its jurisdiction. The rules 421  
shall be adopted in accordance with Chapter 119. of the Revised 422

Code. 423

(B) A certificate to practice a limited branch of medicine 424  
issued by the state medical board is valid for a two-year 425  
period, except when an initial certificate is issued for a 426  
shorter period or when division (C) (2) of this section is 427  
applicable. The certificate may be renewed in accordance with 428  
division (C) of this section. 429

(C) (1) Except as provided in division (C) (2) of this 430  
section, both of the following apply with respect to the renewal 431  
of certificates to practice a limited branch of medicine: 432

(a) Each person seeking to renew a certificate to practice 433  
a limited branch of medicine shall apply for biennial renewal 434  
with the state medical board in a manner prescribed by the 435  
board. An applicant for renewal shall pay a biennial renewal fee 436  
of one hundred dollars. 437

(b) At least one month before a certificate expires, the 438  
board shall provide a renewal notice to the certificate holder. 439

(2) The board shall implement a staggered renewal system 440  
that is substantially similar to the staggered renewal system 441  
the board uses under division (A) of section 4731.281 of the 442  
Revised Code. 443

(D) All persons who hold a certificate to practice a 444  
limited branch of medicine issued by the state medical board 445  
shall provide the board notice of any change of address. The 446  
notice shall be submitted to the board not later than thirty 447  
days after the change of address. 448

(E) A certificate to practice a limited branch of medicine 449  
shall be automatically suspended if the certificate holder fails 450  
to renew the certificate in accordance with division (C) of this 451



section. Continued practice after the suspension of the 452  
certificate to practice shall be considered as practicing in 453  
violation of sections 4731.34 and 4731.41 of the Revised Code. 454

If a certificate to practice has been suspended pursuant 455  
to this division for two years or less, it may be reinstated. 456  
The board shall reinstate the certificate upon an applicant's 457  
submission of a renewal application and payment of a 458  
reinstatement fee of one hundred twenty-five dollars. With 459  
regard to reinstatement of a certificate to practice cosmetic 460  
therapy, the applicant also shall submit with the application a 461  
certification that the number of hours of continuing education 462  
necessary to have a suspended certificate reinstated have been 463  
completed, as specified in rules the board shall adopt in 464  
accordance with Chapter 119. of the Revised Code. 465

If a certificate has been suspended pursuant to this 466  
division for more than two years, it may be restored. Subject to 467  
section 4731.222 of the Revised Code, the board may restore the 468  
certificate upon an applicant's submission of a restoration 469  
application and a restoration fee of one hundred fifty dollars 470  
and compliance with sections 4776.01 to 4776.04 of the Revised 471  
Code. The board shall not restore to an applicant a certificate 472  
to practice unless the board, in its discretion, decides that 473  
the results of the criminal records check do not make the 474  
applicant ineligible for a certificate issued pursuant to 475  
section 4731.17 of the Revised Code. 476

(F) The following persons are not required to hold a 477  
certificate to practice massage therapy issued under this 478  
chapter: 479

(1) A person authorized to practice under Chapter 4709., 480  
4713., 4723., 4730., 4734., 4755., or 4762. of the Revised Code, 481

provided that the scope of practice authorizes the use of 482  
massage techniques; 483

(2) An enrolled student practicing massage therapy as part 484  
of a program of study at a school, college, or institution in 485  
good standing as determined by the board in accordance with 486  
division (A) of section 4731.16 of the Revised Code; 487

(3) A person holding a certificate to practice cosmetic 488  
therapy issued under this chapter and whose practice may include 489  
massage techniques. 490

**Sec. 4731.41.** (A) No-Except as provided in division (F) of 491  
section 4731.15 of the Revised Code, no person shall practice 492  
medicine and surgery, or any of its branches, without the 493  
appropriate license or certificate from the state medical board 494  
to engage in the practice. No person shall advertise or claim to 495  
the public to be a practitioner of medicine and surgery, or any 496  
of its branches, without a license or certificate from the 497  
board. No person shall open or conduct an office or other place 498  
for such practice without a license or certificate from the 499  
board. No person shall conduct an office in the name of some 500  
person who has a license or certificate to practice medicine and 501  
surgery, or any of its branches. No person shall practice 502  
medicine and surgery, or any of its branches, after the person's 503  
license or certificate has been revoked, or, if suspended, 504  
during the time of such suspension. 505

A license or certificate signed by the secretary of the 506  
board to which is affixed the official seal of the board to the 507  
effect that it appears from the records of the board that no 508  
such license or certificate to practice medicine and surgery, or 509  
any of its branches, in this state has been issued to the person 510  
specified therein, or that a license or certificate to practice, 511

if issued, has been revoked or suspended, shall be received as 512  
prima-facie evidence of the record of the board in any court or 513  
before any officer of the state. 514

(B) No license or certificate from the state medical board 515  
is required by a physician who comes into this state to practice 516  
medicine at a free-of-charge camp accredited by the SeriousFun 517  
children's network that specializes in providing therapeutic 518  
recreation, as defined in section 2305.231 of the Revised Code, 519  
for individuals with chronic illnesses as long as all of the 520  
following apply: 521

(1) The physician provides documentation to the medical 522  
director of the camp that the physician is licensed and in good 523  
standing to practice medicine in another state; 524

(2) The physician provides services only at the camp or in 525  
connection with camp events or camp activities that occur off 526  
the grounds of the camp; 527

(3) The physician receives no compensation for the 528  
services; 529

(4) The physician provides those services within this 530  
state for not more than thirty days per calendar year; 531

(5) The camp has a medical director who holds an 532  
unrestricted license to practice medicine issued in accordance 533  
with division (A) of this section. 534

**Section 2.** That existing sections 503.40, 503.41, 503.42, 535  
503.43, 503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 536  
4731.04, 4731.15, and 4731.41 of the Revised Code are hereby 537  
repealed. 538

**Section 3.** That sections 503.45 and 503.46 of the Revised 539

Code are hereby repealed.

540