

*****DRAFT - NOT FOR FILING*****

4783-4-04 **Temporary certificate for members of the military and spouses.**

- (A) "Military duty" has the same meaning as in section 4743.041 of the Revised Code.
- (B) Pursuant to section 4743.041 of the Revised Code, the state board of psychology shall issue a certified Ohio behavior analyst certificate if the individual demonstrates to the satisfaction of the board all of the following:
- (1) The individual holds a valid license or certificate to practice applied behavior analysis issued by another state;
 - (2) The individual is in good standing in all states of licensure or certification;
 - (3) The individual provides adequate proof to the board that the individual or the individual's spouse has been deployed on military duty in Ohio;
 - (4) The individual complies with the criminal records check requirements of rule 4783-4-03 of the Administrative Code; and,
 - (5) The individual complies with the workshop and examination requirements in paragraph (B)(3) of rule 4783-4-01 of the Administrative Code.
- (C) Notwithstanding any other provision of the Revised Code, the board shall waive all fees associated with the application for a temporary license under this rule.
- (D) An applicant for a temporary certificate must certify that, to the best of the applicant's knowledge, the applicant is not under investigation by the licensing agency of another jurisdiction.
- (E) The board shall notify the applicant that the board has received the results of a criminal records check within twenty-four hours after receiving the results. If the board finds that the individual is under investigation by the licensing agency of any other state or jurisdiction, the board may postpone issuing the license until the investigation is complete and the licensing agency of the other state or jurisdiction confirms that the individual is in good standing.
- (F) If an applicant for a temporary certificate fails to complete the application process within six months of the initial application submission, the board may notify the applicant in writing of its intention to consider the application as abandoned. If no response is received by the board within thirty days, the board shall consider the application as abandoned and no further processing shall be undertaken.
- (G) The board shall issue a temporary certificate within fourteen days of having received the results of the criminal records check, provided that the application is otherwise complete and the applicant is not under investigation by the licensing agency of any state or jurisdiction.
- (H) A temporary certificate issued in accordance with this rule shall be considered a certificate issued under the law regulating the practice of applied behavior analysis.
- (I) The board may issue a regular certificate in lieu of issuing a temporary certificate, provided that the applicant meets the requirements of this rule, and provided that the regular license is issued by the deadline specified in paragraph (G) of this rule.
- (J) A temporary license or certificate issued under this rule shall be valid for a maximum of six years and is not eligible for renewal.

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- (K) A holder of a temporary certificate may apply for certification under Chapter 4783. of the Revised Code at any time before or after the expiration of a temporary certificate. A holder or previous holder of a temporary certificate must meet all requirements for certification under Chapter 4783. of the Revised Code and all rules adopted thereunder.
- (L) The board shall, in accordance with Chapter 119. of the Revised Code, deny an individual a temporary certificate issued under this section or revoke an individual's temporary certificate if any of the following circumstances occur:
- (1) The individual's license or certificate issued by another state or jurisdiction expires or is revoked, or the individual is not in good standing;
 - (2) With respect to an individual who was eligible for a temporary certificate under this section as the spouse of an individual on military duty, six months have elapsed since the divorce, dissolution, or annulment of the marriage;
 - (3) The individual is disqualified from obtaining a certificate because of a conviction, judicial finding of guilt, or plea of guilty to a disqualifying criminal offense specified on the list the board makes available pursuant to division (C) of section 9.78 of the Revised Code.
- (M) An individual with a temporary certificate issued under this rule may practice applied behavior analysis in this state only within the scope of practice that is permitted under Ohio law and that does not exceed the individual's education, training, and experience.