

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

**3301-73-02 Delegation.**

- (A) The state board authorizes the superintendent, on its behalf, to initiate proceedings under Chapter 119. of the Revised Code including, but not limited to, automatic revocation or denial of a respondent's license.
- (B) The superintendent ~~will shall~~ determine whether the results of an investigation warrant closing the investigation without taking disciplinary action or initiating an action for the state board to limit, suspend, revoke or deny licensure pursuant to section 3319.31 of the Revised Code. If the superintendent determines such an action is warranted, the superintendent ~~will shall~~ notify the respondent of the superintendent's determination, as well as ~~his/her~~ the respondent's rights under Chapter 119. and ~~section~~ 9.79 of the Revised Code including ~~the his/her~~ right to a hearing and to be represented by counsel.
- (C) The state board authorizes the superintendent, on its behalf, to issue a written order revoking or denying issuance of licensure and reinstating licensure under division (C) of section 3319.31 of the Revised Code.
- (D) The state board authorizes the superintendent, on its behalf, to enter into a consent agreement with a person against whom action is being taken under sections 9.79, 3319.15, 3319.151, 3319.31, 3319.311 and 3314.103 of the Revised Code.
- (E) The state board authorizes the superintendent, on its behalf, to issue a letter of admonishment to persons against whom action is being taken under sections 9.79, 3319.15, 3319.151, 3319.31, 3319.311 and 3314.103 of the Revised Code.
- (F) The state board authorizes the superintendent, on its behalf, to take any action necessary ~~in order~~ to further an investigation into any information received about a person that reasonably appears to be a basis for action under sections 9.79, 3319.15, 3319.151, 3319.31, ~~3319.311~~ and 3314.103 of the Revised Code.

**Commented [DM1]:** Changes made throughout the rule according to SB 9, 134th GA, to remove restrictive regulatory language.

**Commented [DM2]:** Changed for clarity and efficiency

**Commented [DM3]:** Added to include section 9.79

**Commented [DM4]:** Added to include 3319.311