

Ohio Veterinary Medical Licensing Board Newsletter

2022 Fall Edition

Current Board Members

Kim Riker-Brown, DVM President

Toledo, OH

Term: 7/13/15-12/31/25

Nancy O'Connor, DVM Vice-President

Akron, OH

Term: 2/19/16-12/31/24

Dianne "Annie" Jones, RVT

Secretary

Ostrander, OH

Term: 3/12/15-12/31/24

Tim Kolb, DVM

Delaware, OH

Term: 1/1/22-12/31/24

John "Jack" Walken- horst, DVM

Lebanon, OH

Term: 1/1/22-10/26/22

deceased

Scott Pendleton, DVM

Cadiz, OH

Term: 10/13/22-12/31/24

Susan Pohler, Esq

Public Member

Columbus, OH

Term: 6/2020-12/31/2024

Board meetings are open to the public to listen to discussion on Agenda items. The Agenda can be found on the Board website under Board Information.

Board Staff:

Theresa Stir, Executive Director

Joseph McClain, Licensure Coordinator

Ashley Vance, Clerk

Email:

info@ovmlb.state.oh.us

Website:

www.ovmlb.ohio.gov

Phone (614) 644-5281

Fax: (614) 644-9038

The Board office is closed on state holidays.

President's Report:

As another term as Board President ends, I would like to thank the Board members and staff for another productive year. Upon review of disciplinary matters, medical record violations continue to be prevalent. As was recently enacted, routes of administration of all drugs and vaccines are now required to be documented in the medical record.

The old adage "if it isn't documented, it didn't happen" is as important as ever with regards to the veterinary medical record. The medical record helps provide quality patient care and continuity of care. Within a practice, a thorough and complete medical record allows subsequent care providers, whether DVM or RVT, to document ongoing care of patients, response to therapy, and progression of disease. However, it is the veterinarian who bears the legal responsibility for the medical record and who will be held accountable in disciplinary proceedings.

The Record Keeping Rule, 4741-1-21 of the Ohio Administrative Code (OAC) <http://codes.ohio.gov/oac/4741-1-21> outlines the specific requirements for medical records. When the OVMLB considers complaints, the medical record serves as evidence that a physical exam was performed, that a valid Veterinary-client-patient relationship exists, that appropriate care was provided and outcomes were assessed. It is also very helpful to document conversations with clients, particularly diagnostic and treatment plan recommendations, communicated updates on the status of the patient, prognosis, and recommendations that clients decline.

The Board still receives complaints that involve the release of medical records. 4741-1-21 (D) OAC stipulates that "Records shall be released upon request from a treating veterinarian and shall be returned to the originating practice within a reasonable time. Copies of records must be made available upon request from the owner of an animal at a reasonable cost to the owner." It is not appropriate to refuse to release records to a treating veterinarian if the client owes you money; nor is it appropriate to require a client to sign an authorization form to release records when the records are being requested by a subsequent veterinarian.

Finally, 4741-1-21(E) OAC requires that records, which includes imagery, diagnostic tests, lab data, surgery reports, and all pertinent information, shall be kept for three (3) years following discharge of the animal(s) from veterinary care. (*portions reprinted from 2012 newsletter*)

Ohio Veterinary Medical Licensing Board Guidelines On the Closing of a Veterinary Facility

Prior to closing a veterinary clinic/hospital, a veterinarian and/or their staff or the executor of their estate, shall make a good faith effort to provide at least sixty days notification of such anticipated closing to all known active clients. Active clients shall reflect those owners or caretakers who have brought an animal to the clinic within the past three years and whom to the best of the knowledge of the clinic/hospital staff, still own the animal or animals in question.

The notification shall include information as to the last day the clinic/hospital will be open, how an owner or caretaker can obtain a copy of their animal or animals' records and what will happen to the records if the owner does not obtain the records prior to the permanent closing of the facility. Notification efforts at a minimum could include:

- ◆ Notices by e-mail to the last known e-mail address of the owner.
- ◆ Information on the clinic website if one exists, as well as on any "social media" communication vehicles the clinic/hospital utilizes.
- ◆ Notice in front office reception area and on a flyer presented to clients when checking out once a closing date has been established.
- ◆ Notice by standard U.S. mail to clients for which an e-mail address is not known, has been returned as undeliverable or who have not visited the clinic/hospital since the closing has been announced and posted.

RVT Renewal

Veterinary technician licenses expire on March 1, 2023. Any licensee, according to the Veterinary Practice Act, who is practicing on an expired license is in violation of the law. Late fees are assessed immediately after the expiration date of March 1st and a stiffer penalty is applied after April 1st. Remember that there is a \$3.50 transaction fee that the State of Ohio charges for security of the system.

Instructions for the ELicensing system are on the Board's web site under Online Renewal. **ALL** License renewal communications will be sent via email notification only. It is important to update your email changes in the ELicense system. Instructions for the ELicensing system are on the Board's web site. **No paper applications or checks will be accepted.**

A few pointers for the ELicensing system:

- A computer with use of Google Chrome, Safari or Firefox are recommended. The system does not function well on a phone or tablet. Computers are available at local libraries, Senior Citizen Centers, and Community Centers. Veterinarians can request another wall certificate through the Options link of the new system. A Letter of Good Standing can be requested through the Options link of the E-Licensing system.
- All documents will need to be readily available (i.e. CE, court documents, military active duty forms) to upload onto a computer so that they can be submitted into the system.
- Renewing licensees do not need to complete the License verification or education section of the renewal application.
- If you begin to enter data, and need to leave the system, you can save the data and return to complete.
- The application will not be submitted to the Board office until payment is made via **VISA or MasterCard only**. If a personal charge card is not an option, a pre-paid payment card can be obtained. Please make sure that the \$3.50 transaction fee has been added to the pre-paid card.
- Licensees will have three options to submit continuing education: write it out, upload a document, or email to the Board.
- Licensees can change an address in the system at any time.
- Passwords can be reset in the system if a licensee has forgotten their password or it is expired.
- Please note that the system will lock the for 30 minutes if there are three unsuccessful attempts to log in.

RVTs are required to have 10 continuing education hours to renew. At least four hours must be "realtime" or live continuing education hours, meaning that the licensee cannot leave the CE event.

Veterinary Charitable Loan

Directions and Applications for the newly created Veterinarian Student Debt Assistance Program are available on the board web site at <http://ovmlb.ohio.gov/sl.stm>.

Eligibility:

- Prior to applying, the veterinarian must have performed charitable veterinary services in an amount determined by the Board in rules, but at a minimum, 12 hours.(Charitable veterinary services include free spay and neutering services and any other services specified by rule with a nonprofit organization, a humane society, law enforcement agency or a state, local, or federal government entity).
- The veterinarian must be a U.S. citizen, U.S. National, or permanent resident of the United States;
- The veterinarian is licensed and has been engaged in the practice or instruction of veterinary medicine in Ohio for more than six months prior to application'
- The veterinarian has taken out an educational loan that was used for educational expenses incurred while the veterinarian was enrolled in a veterinary college;
- The veterinarian is not a member of the Board at the time application is submitted;
- The veterinarian is not an active program participant under contract with the Board; and
- The veterinarian has not been under contract as a program participant with the Board within a year prior to submitting an application.

The selected candidate(s) will be required to sign a Letter of Intent and then enter into a contract with the Board agreeing to perform charitable veterinary services for a two year period in exchange for repayment of all or part of an educational loan. The amount of hours and other terms are spelled out in Rules implemented by the Board as required in the enacted law. See [Rules 4741-3-06 to 4741-3-09](#)

Applications are due May 1st of the odd numbered years.



Ohio Professional's Health Program

The Ohio Physician's Health Program (OPHP) is now the Ohio Professionals Health Program. OPHP is a nonprofit organization that operates independently from all regulatory agencies and provides **confidential** services . OPHP provides a compassionate, supportive, and safe environment for healthcare professionals to receive confidential services to improve their health and well-being. Their mission is to facilitate the health and wellness of healthcare professionals in order to enhance patient care and safety. OPHP services are available to a multitude of healthcare professionals in Ohio.

Those program services include:

Confidential Resource: OPHP serves as a confidential resource that assists with identification, intervention, and referral for assessment or treatment of veterinarians and other healthcare professionals who may be affected by mental, emotional and behavioral illness, substance-related and addictive disorders, or other issues. OPHP also provides referrals to community resources for: stress, burnout, psychosocial therapy, family and marriage counseling, ethics training, boundary violations, prescribing guidelines, legal counsel, skills assessment, and others. OPHP accepts referrals from any source and protects the confidentiality of program participants and anonymity of referral sources to the fullest extent allowed by law.

Monitoring and Advocacy Services: OPHP specializes in providing confidential monitoring and advocacy for qualifying physicians and other healthcare professionals. OPHP also provides monitoring and advocacy to healthcare professionals who have formal action with licensing agencies. OPHP is staffed with clinical professionals that include a physician specializing in addiction medicine as well as counselors licensed in mental health and chemical dependency. They provide: compliance reviews, assessment of recovery programs, assistance with the continuation in or return to medical practice, support of personal and professional goals, and other advocacy services. OPHP also utilizes a large volunteer network of peer monitors to support program participants.

Educational Outreach Programs: OPHP provides educational presentations to individuals or groups throughout Ohio. Presentations are delivered on the prevention of mental, emotional and behavioral illness and substance-related and addictive disorders. Programs also cover the topics of stress, burnout, and suicide; statutory guidelines for medical professionals; and the role of OPHP in the healthcare community. Presentations meet the criteria for continuing medical education credit.

Wellness and Resiliency: OPHP is proud to now offer a Wellness & Resiliency Program specifically designed to meet the needs of physicians. Experienced professionals are ready to provide supportive services to meet the unique needs of healthcare professionals as the medical industry continues to grow in size and demand. It has never been more important for physicians to properly take care of their mental, emotional, and physical health. This program is designed to eliminate barriers that may prevent health practitioners from seeking help- such as fear of stigma, loss of license, lack of time, and inability to use peer supports. Services include access to independently licensed mental and behavioral health professionals, referrals to established networks, and confidential support.

If you or a colleague are experiencing stress, burnout, depression, or other issues—or if you have concerns about drugs or alcohol use, speak with an OPHP representative at 614-841-9690 or info@ophp.org.

Suicide and Crisis Lifeline: 988

Effective July 16, 2022, the National Suicide Prevention Lifeline (1-800-273-8255) transitioned to the 988 Suicide & Crisis Lifeline. Ohioans who are experiencing a mental health or addiction crisis, and their family members, are now able to call, chat, or text the 988 number in order to reach a trained counselor who can offer help and support. 988 builds on the existing National Suicide Prevention Lifeline system and provides 24/7, free and confidential support to Ohioans in a behavioral health crisis. It is a direct connection to compassionate, accessible care and support for anyone experiencing mental health related distress – whether that is thoughts of suicide, mental health or addiction concerns, or any other kind of emotional distress.

Research shows that most calls to the Lifeline can be managed and resolved through a consultation on the phone; however, if a person needs an emergency, in-person response, 988 counselors are trained to connect the person in crisis with a mobile response team, which may be a behavioral health team or first responder team (or a combination of both) who will meet the person at their place of crisis. For more information, please visit: <https://mha.ohio.gov/about-us/priorities/ohios-988-implementation>.

Pharmacy Board Notifications



Drug Shortages:

Due to supply chain issues, hospitals, clinics, and other healthcare facilities may experience shortages of drugs necessary to care for patients. The Board of Pharmacy has developed a guidance document to assist licensees in obtaining drugs that may not be commercially available from manufacturers or wholesalers from Ohio-licensed outsourcing facilities. This guidance can be accessed by visiting: www.pharmacy.ohio.gov/DrugShortage.

Mandatory Electronic Prescribing of Schedule II Controlled Substances

On September 23, 2022, Ohio House Bill 193 went into effect. This law establishes the requirement that a prescriber issue an electronic prescription when prescribing a Schedule II controlled substance, but also allows for issuance of a written prescription in specified circumstances. **Veterinarians are exempt from this requirement!** Some Pharmacists may not be aware of this exemption so you may need to address additional inquiries after writing a prescription.

Drug Records

The Board of Pharmacy are now requiring drug records to be “readily retrieveable” and must be maintained for three years.

Gabapentin

Effective November 15, 2022, OAC 4729:5-5-08 will be amended to require pharmacists to check a patient’s OARRS report prior to dispensing medications containing gabapentin. This rule is intended to address an increase in the overutilization of gabapentin as reported by OARRS and Board staff. For example, 24.9% (159,163) of Ohio patients in 2020 received gabapentin from multiple prescribers. While this doesn’t necessarily impact Veterinarians, Gabapentin is often prescribed by Veterinarians and should be monitored for excess usage.

Reports from the DEA

Xylazine: A recent LiveScience.com study in Philadelphia found Xylazine involved in nearly 1/3 (31%) of fatal opioid drug overdoses in 2019. Xylazine, a noncontrolled substance, was often found mixed with heroin and fentanyl.

Top 5 Drug Sales between 2021 and March 2022 and most abused prescription drugs:

1. Hydrocodone
2. Oxycodone
3. Amphetamine
4. Methphenidate
5. Bupranorphine

DEA License and renewals

[Effective May 11, 2022 - DEA requires all Registration Applications and Renewal Forms to be submitted electronically online.](#)

Registrants must have a current and active email address listed on their registration in order to receive important information from the DEA, such as registration renewal notices.

For security purposes DEA is no longer compatible with Microsoft Internet Explorer 8 or earlier versions. To ensure optimal experience the DEA recommends using Internet Explorer 9 or newer, Microsoft Edge, or the current versions of Mozilla Firefox, Google Chrome, or Apple Safari.

Veterinary Student Loan Repayment Program

This student loan program was developed in 2006 to provide large animal veterinary services or protect public health in veterinary resource shortage areas. \$10.00 of each veterinary license renewal fee is deposited in the loan repayment fund. The loan awards up to \$10,000 a year for a service commitment of one year for those who have been out of veterinary school less than 3 years. Applications for 2023 can be found on the Board’s web site under [Student Loan Program](#) and are due by **May 1st**. The applications can be mailed in or sent via email to Theresa.stir@ovmlb.state.oh.us Dr. Hannah Jarvis, DVM, serving the Hillsboro area, was the recipient of \$10,000 in 2022 for a one year service commitment.

Grants for rural veterinary services are also available through the National Institute of Food & Agriculture within the U.S. Department of Agriculture.

FDA Notice on Transitioning certain OTC antimicrobial products to Rx

The FDA published Guidance for Industry (GFI) #263 in June 2021 which outlined a plan for transitioning certain over-the-counter (OTC) antimicrobial products for animals to prescription (Rx) status. As outlined in FDA's Guidance for Industry (GFI) #263, we expect approved animal drug products containing medically important antimicrobials that are currently available as OTC products to transition to Rx status beginning in June 2023. To help prepare for this transition, FDA/CVM is conducting outreach to increase awareness about this expected change. Outreach efforts so far have included disseminating information in September to some target audiences (TX, AZ, OR) through radio and social media.

CVM has also developed some written materials that we hope will be helpful. Below are links for species-specific fact sheets - these include information on products/indications that will be transitioning as part of GFI 263 and information on how interested animal owners can locate a vet. Also linked below are a brochure and poster which detail the importance of veterinary involvement as products transition to Rx.

Antibiotic Stewardship in Veterinary Medicine Brochure – <https://www.fda.gov/media/162067/download>

Español – <https://www.fda.gov/media/162068/download>

Antibiotic Stewardship Poster – <https://www.fda.gov/media/162075/download>

Español – <https://www.fda.gov/media/162076/download>

Antibiotic Stewardship in Beef and Dairy Cattle - <https://www.fda.gov/media/162069/download>

Español – <https://www.fda.gov/media/162070/download>

Antibiotic Stewardship in Poultry – <https://www.fda.gov/media/162071/download>

Español – <https://www.fda.gov/media/162072/download>

Antibiotic Stewardship in Sheep and Goats – <https://www.fda.gov/media/162073/download>

Español – <https://www.fda.gov/media/162074/download>

In addition, CVM has posted a [list of affected applications](#) on its website as well as a [Farmer and Rancher Q&A](#).

Thank you for any assistance you can provide in helping to disseminate this information in advance of June 2023. Understanding that simply posting information on FDA's website is not sufficient for reaching those impacted by this change, including farmers and ranchers, we are contacting various individuals and organizations that may be able to help with communicating this information.

Sorrow: It is with deep and heartfelt regret that we learned of the sudden passing of Dr. John (Jack) Walkenhorst who resided in Lebanon, Ohio and served on the Board of Directors. His insight and expertise will be missed.