

The Ohio Veterinary Medical Licensing Board

Annual Report FY 2023

The Ohio Veterinary Medical Licensing Board's mission is to ensure that the citizens of Ohio are served by professional, trustworthy and competent veterinarians and veterinary technicians.

Overview

The Ohio Veterinary Medical Licensing Board (Board) typically meets the second Wednesday of the month and held 12 meetings in Fiscal Year 2023.

Board Members:

Dr. Nancy O'Connor, DVM, President	Akron – term ends 12/31/2024
Dr. Kim Riker Brown, DVM, Vice-President	Toledo – term ends 12/31/2025
Dianne “Annie” Jones, RVT, Secretary	Ostrander – term ends 12/31/2024
Dr. Tim Kolb, DVM	Delaware – term ends 12/31/2024
Dr. Scott Pendelton, DVM	Cadiz – term ends 12/31/2023
Dr. Jack Walkenhorst, DVM	served until December, 2022
Susan Pohler JD, Consumer Member	Columbus - term ends 12/31/2024

Board Staff:

Theresa Stir, Esq	Executive Director
Joseph McClain	Licensure Coordinator
Vacancy	Office Professional 1

Fiscal

The Board is self-sustained fiscally through licensure fees. The Board was allotted \$ 435,046 for FY 2023. To date, the Board has paid \$ 117,446 in operating expenses and \$292,644 in payroll expenses for FY23 from the 4K90 Fund. The Board generated \$402,205 in Revenue for FY23. Of the total revenue in FY23 \$1350 has been transferred to the Veterinary Student Loan Repayment Program in accordance with ORC 4741.17(A)(7).

The Board received acknowledgement for meeting the statutory requirements for expenditures with MBE and EDGE vendors in FY 22 and again, has surpassed the requirements for FY23.

Policies, Law & Rules

Legislation

In the last General Assembly, recent enacted legislation had major impact on the licensure and revenue of the Board, as well as extensive modification to the Elicense system.

HB 509 Occupational Licensing Boards

Fees: Reduces the initial licensing fee to \$275 for all initial veterinary applicants. Reduces the fee for RVTs for initial and renewal to \$30. The bill eliminated the ability for the RVT to renew after March 1st or to charge a late fee for RVTs if they attempt to renew after March 1st of the

odd year. The Board is addressing the RVT renewal issue in proposed amendments to Rule 4741-1-01 of the Ohio Administrative Code (OAC).

Provisional licensee holders will now obtain a regular veterinary license free of charge once they pass their national examination.

The Board can institute the fee changes gradually by January 1, 2028 and plans to implement in the next budget bill.

Photos: Eliminates the requirement for photographs with an application. As a result, Rule modification was required and is currently going through the Lt. Governor CSI and JCARR process.

Continuing Education: May be all virtual. Therefore, the Board is considering the rule modifications necessary to implement virtual continuing education for veterinarians and registered veterinary technicians.

Provisional Licenses: Permits a provisional licensee holder who passes the national examination while holding the license, to obtain a regular veterinary license free of charge.

SB 131 Requires an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances.... (effective December, 2023)

Section 4796.01 (H) defines the national standard requiring 45 states to have a uniform minimum education and national examination.

RVTs

The Board researched all of the states listed on the AAVSB attached document. As it happens there are over 45 states that require the same accredited program or board approved program (CA) and the passage of the VTNE which is the current process for the OVMLB. The new law requires the individual to be licensed for at a minimum of 1 year for a state license and 2 years for a private certification. The Board has the authority to waive that requirement. Modifications are required in the Elicense system to create a “reciprocity” section for RVTs to include: Education transcript, VTNE scores, Letter of Good Standing from previously licensed states, and fee payment.

Veterinarians

Veterinarians will now have to submit their NAVLE scores as 4741.12 (which was the reciprocity section) now only applies to out of country applicants. So now, only out of country veterinarians do not have to submit their NAVLE scores when applying for a license.

Limited Licenses

4741.13 limits the issuance of this license to nonresidents of the State of Ohio. Therefore those veterinary students graduating from The Ohio State University College of Veterinary Medicine can not apply for a residency program at The OSU Veterinary Medical Center. Only out of state veterinarians can apply for a veterinary residency program. Attempts were made to correct this in the budget bill (HB 33) without success. Alternatives are currently being considered.

Temporary Licenses

4741.14 limits the issuance of this license to nonresidents of the State of Ohio.

Rules

The Board modified Rule 4741-1-25 OAC to incorporate the “safe haven” concept which provides a compassionate way to provide confidential services for mental health disorders and substance use disorders. This rule became effective July 1, 2023.

Student Loans

Veterinarian Student Debt Assistance Program

In the last General Assembly, legislation was enacted to create a new Veterinary Student Loan. HB 67 created the Veterinarian Student Debt Assistance Program selected by a lottery. Rules were implemented for the Program and provide guidance. Information for the application, eligibility and contract terms are available on the board web site as well as through alerts and publications.

In order to be eligible, 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). There are other criteria for eligibility as well.

The funding for this particular scholarship is based on a formula of revenue that is generated from licensure fees minus the appropriation from the legislature for that fiscal year. The remainder is then placed in the scholarship fund. On July 15, 2021, as required by R.C. 4741.57, the Board certified to the Director of the Ohio Budget and Management the amount to be transferred from the Occupational Licensing and Regulatory Fund (4K90) to the Veterinary Student Debt Assistance Fund (5YG0). The Board went to the Controlling Board to seek appropriation authority for the Loan Fund which was granted. The Board has begun implementation of the program by placing language in the initial and renewal veterinarian applications alerting veterinarians of the charitable student loan as well as development of the Board web site to include the guidelines and application for the loan. The Board issued its first awards in 2023 as required in the new law. All 11 applicants were made offers of \$10,000 for a two-year service commitment of 12 charitable hours per year. Only one applicant declined the offer and ten veterinarians entered into an agreement with the Board.

Veterinary Student Loan Repayment Program

HB 458 of the 126th General Assembly created a veterinary loan program to address current and future shortages of veterinarians in large animal and regulatory public health situations in Ohio. Loan repayment grants can be up to \$20,000 for a two-year commitment of service. Pursuant to Section 4741.17(A)(7) ORC, the Board transferred \$_____ to the Veterinary Student Loan Repayment fund (ALI 888-602) in FY23 to reflect \$10.00 from each veterinary license renewal from July 1, 2021 to June 30, 2022.

In accordance with Section 4741.47 ORC, an annual progress report regarding the implementation and progress of the Veterinary Student Loan Repayment Program was provided to the Governor, Speaker of the House, and Senate President prior to March 1, 2023.

For FY 23, there were no eligible candidates who submitted an application for consideration by the Board for the Veterinary Student Loan. The Board was not sure if the lack of response was due to the new charitable loan. The Board contacted The Ohio State University College of Veterinary Medicine to pursue avenues to promote the resource shortage loan.

Licensure

The Board utilizes the DAS ELicensing system which requires all initial applications, renewal of licenses, and payment of fines or ordering of wall certificates to occur through the online portal.

The Board is currently responsible for the licensure requirements of 5126 veterinarians, 4649 registered veterinary technicians, 188 limited licensed veterinarians (whose practice is limited to an academic institution, governmental laboratory, or performing a residency in veterinary medicine), 78 Specialist Veterinary Licenses, and 233 business facility licenses. The number of practitioner licensees varies slightly from year to year as indicated here:

RVTs:

FY19 New: 348 Total: 4277
 FY20 New: 288 Total: 4621
 FY21 New: 289 Total: 4506
 FY22 New: 252 Total: 4795
 FY23 New: 301 Total: 4649

Veterinarians:

FY19 New: 266 Total: 4697
 FY20 New: 262 Total: 4612
 FY21 New: 295 Total: 4895
 FY22 New: 257 Total: 4813
 FY23 New: 306 Total: 5126

Complaint & Disciplinary Process

During FY 23, the Board received 227 complaints. The Board collected \$9250 in Disciplinary Fines.

Summary of Board Disciplinary Actions FY 2023

Surrendered license in lieu of discipline	1
Adjudication Orders issued	1
Settlement Agreements Entered	21
Notices issued	20
Referrals to Prosecutor and/or other state agencies	0
Advisory Letters	48
On site investigations	13
Compliance Inspections as a result of complaint	4
30 day follow up letters to compliance inspections	0
No Jurisdiction of the subject matter	28

The Board contracts with the Ohio Department of Agriculture for investigations of complaints. Once the Board reviews a complaint and medical records, they will determine if the complaint warrants an actual on-site investigation. The Board members will direct the investigator what

information they need that is germane to the complaint filed. The Board has found this arrangement very satisfactory.

Upon receipt of a complaint, the complainant is notified in writing of the Board complaint process and the file number issued to the complaint so they can follow the disciplinary process in the Board minutes which are posted on the web site. Once a discipline is issued by the Board, it is entered into a national databank for other state regulatory agencies of veterinary medicine, flagged in the state e-licensing system, and entered onto the Board's web site. The majority of complaints were for allegations of substandard medical/surgical veterinary care, which requires an investigation. The costs for sending responses, investigative costs and disciplinary/hearing costs have remained steady. There appears to be an increased expectation by pet owners that veterinary medicine operate in the same fashion as human medicine, especially regarding medical records and prescriptions. Additionally, the Board receives a significant number of complaints for which the Board does not have statutory authority such as veterinary fees charged to the consumer, boarding issues or grooming issues.

In settling the complaints, the Board saved approximately \$56,000 in Adjudication hearing costs. This is an area that is variable in the Board budget and therefore, the Board tends to be more conservative with expenditures in the event that an Adjudication is warranted.

Investigations are performed as a result of a written complaint to the Board and the need by Board members for more information not gleaned from the medical records, radiographs or narratives submitted. An investigation will focus on the complaint. For instance, if the complaint is that the veterinarian is allowing unlicensed individuals to administer intravenous medications, the investigator will check medical records, the controlled substance logs and interview the staff. Compliance inspections are performed as a physical inspection of a veterinary hospital/clinic after a letter has been sent to the owner of the veterinary facility giving them five-day's notice as required by Section 4741.26 ORC. The investigator will also look at the drug stock to determine if there are expired drugs comingled with the current drugs and the review of the controlled substance logs.

There are approximately 900 veterinary facilities in Ohio. It is unknown the exact number because the Board does not license veterinary facilities owned by veterinarians. In FY23, there were 70 random compliance inspections ordered and 71 completed throughout the state of Ohio.

At the March 11, 2015 Board meeting, the Board passed a motion to deem AAHA accredited veterinary facilities as appropriately inspected and therefore will not have to undergo another compliance inspection by the Board unless there is a written complaint submitted. There are approximately 124 veterinary facilities that are AAHA accredited in the State of Ohio.

Communication

The Board staff consists of two full time members and one-part time clerk. The Board works diligently to return calls and address all correspondence within one business day. In an effort to keep veterinarians and RVTs current on regulatory issues impacting their practice, the Board issued an informative newsletter to its listserve in November and March. The newsletters are posted on the Board website. Additionally, the Board updates the website to include recent Board decisions regarding veterinary and pharmacy issues, approved continuing education, and

available resources. Board Agendas and Minutes are timely posted on the website. The Board has approved and posted the Public Records Policy in the Board office and on the website.

IT

The Board contracts with DAS OIT for computer services.

Continuing Education

The veterinarian must have 30 hours of approved continuing education (CE) to renew. The registered veterinary technician must have 10 hours of approved CE to renew. The Board approves those CE courses that do not fall within guidelines as set forth in Rule 4741-1-11 of the Ohio Administrative Code.

The Board Members and staff completed the annual Ethics Training as prepared by the Ohio Ethics Commission in compliance with Executive Order 2019-11D as well as the mandatory Anti-Harassment Training.

In February, 2023, Dr. Tim Kolb, DVM and Dr. Riker-Brown, DVM, Vice-President of the Board, presented at the Ohio Veterinary Medical Association's Midwest Veterinary Conference on current issues of the Board. Ms. Jones, RVT presented to the Discovery Conference for Registered Veterinary Technicians in October, 2022 on current Board issues impacting the practice of veterinary medicine.

National Membership

The Board maintains membership with the American Association of State Veterinary Boards (AAVSB). The membership is not only necessary for staying current on regulatory issues nationwide, it permits access to the national system to report disciplinary actions against veterinarians and RVTs licensed in the State of Ohio. The AAVSB then notifies other states where the disciplined licensee may hold a veterinary license. Board members and staff are very involved with the national association. Dr. Nancy O'Connor currently serves on the AAVSB RACE Committee. Dr. Riker-Brown serves on the Board of Directors. Ms. Jones serves on the RVT Committee. Dr. Kolb serves on the AAVSB Board of Directors as well as the Ohio Physicians Health Plan (OPHP) Board of Directors. Ms. Stir, the Executive Director, served on the AAVSB Regulation Policy Task Force.

Priorities for FY 24-25

- 1) To continue participation and assist with updates in the State E-Licensing program for Licensure and Renewal of applicants in the practice of veterinary medicine in the State of Ohio and to modify in accordance with enacted legislation.
- 2) To continue to provide fiscally sound, efficient services to the public and licensees.
- 3) To increase the number of compliance inspections of veterinary facilities performed each year.
- 4) To cooperatively work with the national and state association and other legislative and regulatory agencies regarding regulations impacting the practice of veterinary medicine.

- 5) To work cooperatively with the Ohio Board of Pharmacy, law enforcement and the Ohio Veterinary Medical Association in dealing with investigations of pharmaceutical violations. and
- 6) To participate in educational opportunities for veterinary practitioners and students to promote veterinary wellness, inclusive of assistance with addiction issues as well as mental health issues.

Respectfully prepared and submitted by:

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