

The Ohio Veterinary Medical Licensing Board

Annual Report FY 2022

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 2022.

Board Members:

Dr. Kim Riker Brown, DVM, President	Toledo – term ends 12/31/2022
Dr. Scott Myers, DVM	Sharon Center – resigned 2/2022
Dianne “Annie” Jones, RVT, Secretary	Ostrander – term ends 12/31/2024
Dr. Nancy O’Connor, DVM, Vice-President	Akron – term ends 12/31/2024
Dr. Matthew Verbsky, DVM	West Liberty – term ended 12/31/2021
Dr. Tim Kolb, DVM	Delaware – term ends 12/31/2024
Dr. John Walkenhorst, DVM	Lebanon – term ends 12/31/2022
Susan Pohler JD, Consumer Member	Columbus - term ends 12/31/2024

Board Staff:

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

Fiscal

The Board is self-sustained fiscally through licensure fees. The Board was allotted \$ 435,046 for FY 2022. To date, the Board has paid \$ 137,113 in operating expenses and \$275,756 in payroll expenses for FY22 from the 4K90 Fund. The Board generated \$893,137 in Revenue for FY22. Of the total revenue in FY22 \$46,020 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 21 and again, has surpassed the requirements for FY22.

Policies, Law & Rules

HB 67 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 will issue its first awards in 2023 as required in the new law.

Rules

The Board completed its mandatory five year review with two amendments. Rule 4741-1-21 OAC was amended to include the route of administration of a drug to a patient.

In response to the COVID-19 pandemic, the Board issued, at their June 2020 board meeting, a Resolution waiving the limit on online continuing education hours required for license renewal. The Resolution ended after the Veterinarian renewal in March 2022. Rule 4741-1-11 OAC related to continuing education increased the number of online hours for veterinarians from six hours to 15 hours permitted for renewal.

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 \$46,020 to the Veterinary Student Loan Repayment fund (ALI 888-602) in FY22 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, 2022.

For FY 22, there were two eligible candidates who submitted an application for consideration by the Board for the Veterinary Student Loan. A \$10,000 award was offered to Dr. Chelsea Naylor, DVM working in Hancock County of Ohio for a service commitment of one year. However, Dr. Naylor did not take advantage of the offer. The second veterinarian, Dr. Hannah Jarvis, DVM

was also offered a \$10,000 award for a service commitment of year serving in Hillsboro, Ohio, Both veterinarians are eligible to apply for another award next year.

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 has successfully renewed all types of licenses through the ELicensing system and has implemented the new temporary Military license in the system.

The Board is currently responsible for the licensure requirements of 4813 veterinarians, 4795 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 221 business facility licenses. The number of practitioner licensees varies slightly from year to year as indicated here:

<u>RVTs:</u>			<u>Veterinarians:</u>		
FY18 New:	348	Total: 4289	FY18 New:	267	Total: 4429
FY19 New:	348	Total: 4277	FY19 New:	266	Total: 4697
FY20 New:	288	Total: 4621	FY20 New:	262	Total: 4612
FY21 New:	289	Total: 4506	FY21 New:	295	Total: 4895
FY22 New:	252	Total: 4795	FY22 New:	257	Total: 4813

Complaint & Disciplinary Process

During FY 22, the Board received 202 complaints. The Board collected \$ 13,067 in Disciplinary Fines.

Summary of Board Disciplinary Actions FY 2022

Surrendered license in lieu of discipline	1
Adjudication Orders issued	2
Settlement Agreements Entered	30
Notices issued	30
Referrals to Prosecutor and/or other state agencies	2
Advisory Letters	49
On site investigations	11
Compliance Inspections as a result of complaint	4
30 day follow up letters to compliance inspections	0
No Jurisdiction of the subject matter	20

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.

The Board determined that they would like to increase the number of compliance inspections performed as permitted within the allotted budget. 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 FY22, there was a decrease in inspections performed due to staffing issues and the veterinary facilities having limited hours or staffing due to continuing COVID effects. The inspectors were able to complete 50 random inspections in different regions of the state.

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 122 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 February. The newsletters are posted on the Board website. Additionally, the Board has updated 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. As a result of the COVID pandemic, the Board decided to review and modify the limit of online continuing education. The Resolution ended March 1, 2022. However, the Board modified Rule 4741-1-11 OAC to permit 15 hours of online CE for the veterinarian renewal.

The Board Members and staff completed the annual Ethics Training as prepared by the Ohio Ethics Commission in compliance with Executive Order 2019-11D. Board Members and Staff completed all required trainings.

In February, 2022, Dr. Riker-Brown, DVM, President of the Board, presented at the Ohio Veterinary Medical Association's Midwest Veterinary Conference on current issues of the Board as well as on another panel regarding Rabies.

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. Two previous board members are currently serving on the AAVSB board as members with Dr. Redman currently serving as the past AAVSB President. Dr. Nancy O'Connor currently serves on the AAVSB RACE Committee. Dr. Verbsky, DVM serves on the AAVSB Nominating Committee. Dr. Riker-Brown serves on the Finance Committee. 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, serves on the AAVSB Regulation Policy Task Force.

Priorities for FY 22-23

- 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:

Theresa Stir, Executive Director
Ohio Veterinary Medical Licensing Board
77 So. High St., 16th Floor
Columbus, OH 43215
www.ovmlb.ohio.gov
614-644-5281