

Ohio Veterinary Medical Licensing Board Newsletter

2019 Fall Edition

Current Board Members

Cindy Kidd, DVM

President
Jackson, OH
Term: 8/8/12-12/31/20

Matthew Verbsky, DVM

Vice-President
West Liberty, OH
Term: 1/8/19-12/31/2021

Dianne “Annie” Jones, RVT

Secretary
Ostrander, OH
Term: 3/12/15-12/31/21

Craig Miesse, DVM

Celina, OH
Term: 4/24/17-12/31/19

Nancy O’Connor, DVM

Akron, OH
Term: 2/19/16-12/31/21

Kim Riker-Brown, DVM

Toledo, OH
Term: 7/13/15-12/31/19

Public Member

Vacant

Board meetings are open to the public to listen to discussion on Agenda items.

Board Staff:

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Joseph McClain, Licensure Coordinator
Andrea Jones, Clerk

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The Board office is closed on state holidays.

President’s Report

Wow, another year has nearly come and gone. Here we are preparing for year end, ensuring our inventory is current, our budget is realistic and attainable, and growth is inevitable. As we all grow a few more gray hairs I am sure you all find yourself thinking how you can serve your community and your profession or make someone’s life a little better by giving back. Sadly, my term is coming to an end on the Ohio Veterinary Medical Licensing Board in 2020 and as I reflect on the years of experience I realize that I was given an opportunity of a lifetime. While I was asked to serve, I gained so much more from the expertise of the leaders involved on the board. Studying the laws and rules was quite overwhelming and at times, frightening, because I always put myself in the shoes of those that were brought before the board. It always makes me question my methods of practice and change has always been inevitable after each monthly meeting. My staff cringes when they know I will return with the newest change based on some item in a complaint that makes me rethink how practice can go wrong and how change can make our practice run more smoothly.

My point to all this rambling is that we all need to be open to change and keep up with the laws and rules in order to avoid a complaint to the board. Many times a complaint results in an inspection of the facility in question. Compliance is key and the OVMLB website clearly defines these for us. Simple things like removing outdated medications from our inventory, securely storing and logging the controlled substances properly, and reading the required inspection list will make the day seem like a day in the park. Avoiding complaints would be the real goal however. Good communication, maintaining good medical records, and of course, practicing up to date medicine and surgery will not prevent a complaint, however, it does help in the event it does happen. Most complaints result in fines, inspections, medical records violations, and may even result in the revocation of a license.

There are many new and updated rules. Many are included in the newsletter. **Checking in on the OVMLB website monthly for updates is highly recommended!** Take note regarding the new Pharmacy Board rules specifically for veterinarians pertaining to patient specific drug transactions and the requirement to redact such information when a medical record is requested by someone other than the pet owner or subsequent licensed veterinarian entitled to the medical records. An example of this might be a boarding facility requesting vaccination records. Check out the specific rule for more information.

Service on the Ohio Veterinary Licensing Board requires that we remove our proverbial “hat” as a veterinarian and don the “hat” as a regulator of veterinary medicine and a public protector. I have enjoyed every moment serving you and the citizens of our state. The spirit of giving is not only rewarding, but creates civic engagement no matter what the service. Thank you for this opportunity.

[For those interested in applying to serve on the Board, the link for the application from the Governor’s office is: <https://governor.ohio.gov/wps/portal/gov/governor/administration/boards-and-commissions/boards-and-commissions-application>]

Veterinarian Renewal

The Board staff have been made aware that veterinarians are providing their staff their username and passcodes to renew the veterinarian’s license. This practice is unacceptable. The veterinarian is responsible for completing the renewal application and the legal attestation for the renewal. Additionally usernames and passwords should never be shared even with your “trustworthy” staff who may someday leave the practice by choice or not.



Renewals—Veterinary Licenses

Veterinary licenses expire on March 1, 2020. Which means that 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. After this renewal cycle, **all** License renewal communications will be sent via email notification only. It is important to notify the Board of any email changes!

Please provide any changes of address in writing to the Board office by email, fax or via mail ASAP to make sure that renewal information is received in a timely manner. For those who have not already established a username and password, renewal information instructions will be sent out in November 2019. Instructions for the ELicensing system are on the Board's web site. **No paper applications or checks will be accepted.**

When an applicant logs in to eLicense (www.license.ohio.gov) for the first time, they will be asked to enter the following information: Email Address (the one on file with the Board), Security code, Social Security Number, and Date of Birth. Most veterinarians will already have established a user name and password with the TDDD license renewals through the Ohio Board of Pharmacy. Those veterinarians will log in under "Existing Users."

A few pointers for the new ELicensing system:

- A computer with use of Google Chrome, Safari or Firefox are recommended. The system does not function 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.

Verifying a License

Licensees will no longer receive a small certificate upon initial licensure or upon renewal of licensure. Licensees will receive an email validating the license/renewal which should be maintained for recordkeeping purposes. It is not necessary to display the email.

Employers and Pharmaceutical companies can validate a license through the [Licensure Verification](#) port on the Board's web site or the ELicense site. (license.ohio.gov) The Licensure Verification will now have the initial licensure date as well as disciplinary action. Please enter VET.## or RVT.## (## = license number) when validating a license by license number rather than name.

Transaction Fee

When passing the state's budget bill on June 30, 2017, the Ohio Legislature authorized a \$3.50 transaction charge for all users of the state's Ohio eLicense system. Therefore, there will be an additional \$3.50 charge to cover the costs associated with the state being able to maintain a secure Ohio eLicense system for license information. The transaction fee will be charged for ALL new applications for licensure and renewal of licenses.



New Rules Specific to Veterinary Practice

The Ohio Board of Pharmacy has developed a separate section of rules that applies to the veterinarian and the veterinary clinics. The following rules were refiled in August 2019:

Rule [4729:5-20-01](#)—Definition section for veterinary clinics

Rule [4729:5-20-02](#)—Establishes the requirements for a veterinarian who personally furnishes dangerous drugs.

Rule [4729:5-20-03](#)—Provides the requirements of the responsible person on the license which includes establishing standards for security, control and storage of dangerous drugs and hypodermics. The rule requires a lockable cabinet or other secure storage area to store dangerous drugs and hypodermics, requires performing monthly checks if drugs are refrigerated or frozen and ensuring that multiple use vials are appropriately labeled to ensure that they are not expired or adulterated.

Rule [4729:5-20-04](#)—Provides the requirements for record keeping for veterinary clinics. There is a requirement for maintaining records of personally furnishing dangerous drugs to a client, as well as the other required records.

The proposed rules can be found on the Ohio Board of Pharmacy's web site: www.pharmacy.ohio.gov or on the Register of Ohio's web site at: <http://www.registerofohio.state.oh.us/rules/search>

Compounded Drugs

For those veterinarians that utilize compounded drugs, there is a revised rule (with a new rule number) proposed by the Ohio Board of Pharmacy. Proposed [Rule 4729:7-2-05](#) of the Ohio Administrative Code is entitled "Drugs compounded for veterinarian office use." This rule replaces Rule 4729-16-12 OAC regarding the same subject.

Flushing of Hazardous Pharmaceuticals prohibited by EPA

(excerpt from the State of Ohio Board of Pharmacy E-News Update July, 2019)

U.S. EPA's final rule for Hazardous Waste Pharmaceuticals prohibits healthcare facilities (including veterinary clinic and hospitals) from flushing, pouring, or draining hazardous pharmaceutical wastes down a toilet, sink, tub, or other drains as a disposal option. This new rule became effective in Ohio on August 21, 2019. More information can be found by reading Ohio EPA's "[Flushing of Hazardous Waste Pharmaceuticals is Prohibited](#)" fact sheet or by accessing the U.S. EPA's resources beginning on page 19: <https://www.hercenter.org/hazmat/tenstepblueprint.pdf>.

Recent enactment of Hemp Bill (portion from the State of Ohio Board of Pharmacy E-News Update July, 2019)

Recent change to Ohio law removed hemp and hemp products containing no more than three-tenths of a percent THC from the state's definition of marijuana. Hemp products, including hemp derived CBD (cannabidiol) can now be sold outside of a licensed medical marijuana dispensary.

A hemp product under Ohio law is defined as: Any product, containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths percent, that is made with hemp. "Hemp product" includes cosmetics, personal care products, dietary supplements or food intended for **animal** or human consumption, cloth, cordage, fiber, fuel, paint, paper, particleboard, and any other product containing one or more cannabinoids derived from hemp, including cannabidiol. The OVMLB recommends caution and much research when recommending or providing CBD oil or products.

OVMLB Note: Currently there are no FDA approved CBD products for pets.

Safe Handling of Hazardous Drugs

NIOSH (National Institute for Occupational Safety and Health) has a [publication](#) specific to veterinarians and the safe handling of dangerous drugs. NIOSH recommends establishing a program to provide appropriate protective measures for veterinary healthcare workers exposed to hazardous drugs. Hazardous drugs are defined as having specific health effects (such as skin rashes, cancer, and reproductive effects) and high toxicity at low doses. Most hazardous drugs in veterinary medicine are used to treat animal illnesses such as cancer. The publication has recommendations for policies and procedures, training, storage, preparation, administration, disposal, and spill control.

For information about hazardous drugs and safe handling, visit the NIOSH Web site: <http://www.cdc.gov/niosh/topics/hazdrug/> To obtain information about other occupational safety and health topics, contact NIOSH at Telephone: 1-800-CDC-INFO (1-800-232-4636) TTY: 1-888-232-6348 ■ E-mail: cdcinfo@cdc.gov or visit the NIOSH Web site at www.cdc.gov/niosh

USP Chapters 795, 797, and 800 are another resource for compounding and the safe handling of hazardous drugs. Courtesy copies are available with registration from www.usp.org.

Public Records Policy and Confidentiality of Patient Records

As a result of recent implementation of Ohio Board of Pharmacy Rule [4729:5-3-05 OAC](#), the Board's policy on Public Records required revision. Rule 4729:5-3-05 states in part: "Records relating to the practice of pharmacy, the administration of drugs, or any patient specific drug transaction are not a public record." Therefore complaint files and investigations that contain medical records with reference to administration of drugs are no longer available as a public record. This applies to veterinarian patient records!

There are exceptions contained in the rule regarding provision of copies of medical records with the first exception stating "The patient, or **owner if the patient is an animal**, for whom the prescription or medication order was issued." and another stating "An agent of an Ohio licensing agency that is responsible for the licensure or registration of a health professional authorized to prescribe drugs....when enforcing that agency's chapter of the Revised Code." A subsequent veterinarian is also entitled to the medical records.

Please review [Rule 4729:5-3-05 OAC](#) entitled *Confidentiality of patient records* as it applies to your veterinary practice.

Excerpt from Board of Pharmacy August Newsletter

English Language Proficiency Requirements OAC [4729:3-2-01](#) and Board policy requires any pharmacy technician or trainee applicant who has a foreign school diploma equivalent to a United States high school diploma to demonstrate English language proficiency by either: 1. Submitting evidence of successful completion of the Test of English as a Foreign Language Internet based Test, which is known as the TOEFL iBT; or 2. Submitting a diploma or transcript demonstrating completion of an associate's degree or higher from an accredited college, junior college, community college, or university in the US. At the August 2019 Board meeting, the Board approved a resolution that would allow pharmacy technician applicants who have completed an approved training program by a health care licensing board (Ohio State Dental Board, **Ohio Veterinary Medical Licensing Board**, State Medical Board of Ohio, or Ohio Board of Nursing) and obtained licensure with that board, to not be required to submit successful completion of the TOEFL iBT. In lieu of TOEFL scores, the applicant shall submit a verification of licensure. To assist applicants with this requirement, the Board has developed a frequently asked questions document.

Board Agenda:

The Ohio Veterinary Medical Licensing Board prepares the Agenda approximately two weeks prior to the Board meeting to enable the board members time to review the materials thoroughly. Board meetings are open to the public, except for when the board goes into executive session to discuss pending legal matters, investigations, and personnel matters in accordance with Revised Code 121.22(G). If an interested party would like to be placed on the Board's agenda to discuss a topic of interest, please email info@ovmlb.state.oh.us or fax the request to 614-644-9038. Indicate the topic of interest or concern, the organization being represented, if any, and an approximate length of time for the presentation. [Please note that individuals are not permitted to discuss a complaint that is or has been before the board for determination.] The request will be presented to the Board President for consideration when developing the Agenda.

Board meeting agendas are posted on the Board web site under Board Information approximately ten days prior to the board meetings which are held the second Wednesday of the month.

Visiting the Board office or Attending the Board Meeting

If visiting the Board, please be aware of certain restrictions upon entering the Government buildings. The Board office and meetings are located in the Vern Riffe Center.

Backpack prohibition: Visitors are prohibited from bringing backpacks into the Vern Riffe Center.

Check-in Required: Riffe Center visitors are required to register and obtain a visitor's badge at the security desk at the High Street entrance. To obtain a visitor's badge, visitors must provide a government issued photo ID (e.g., driver's license or ID card issued by a state's bureau of motor vehicles, state-issued ID card, passport, U.S. military ID, permanent resident card or any municipality, county or federally issued ID). The visitor will then be required to be screened through a metal



American Animal Hospital Association (AAHA)

The ConsumersAdvocate.org published a major feature story on AAHA recently. They have asked us to share the link <https://www.consumersadvocate.org/features/aaha-the-league-of-champions> to the article. The Editor describes the article as a “top to bottom look at one of North America’s greatest associations that really hits the mark on accreditation. AAHA accreditation in the State of Ohio is an acceptable alternative to the random compliance inspection performed by the Board unless a written complaint has been received regarding the facility’s sanitary conditions.



Chiropractic Services in Veterinary Medicine

It has come to the attention of the Board that inaccurate information may have been given related to Veterinary medicine and Chiropractors. In simple terms, Chiropractors can only practice on animals under the Direct Supervision of a Veterinarian. Chiropractors are defined in the Veterinary Practice Act (ORC [4741.01](#)) as Allied medical support. ORC [4741.19\(F\)](#) states the following:

- (F) Allied medical support may assist a licensed veterinarian to the extent to which the law that governs the individual providing the support permits, if all of the following apply:
- (1) A valid veterinary-client-patient relationship exists.
 - (2) The individual acts under direct veterinary supervision.
 - (3) The veterinarian maintains responsibility for the patient and keeps the patient’s medical records.

Direct supervision is defined in ORC [4741.01](#) to mean that a licensed veterinarian is in the immediate area and within audible range, visual range, or both, of a patient and the person administering to the patient.

Please note that the Ohio Veterinary Medical Licensing Board only has jurisdiction over licensed veterinarians, registered veterinary technicians, and veterinary business facilities. The Board does not have jurisdiction over any other licensed professional or unlicensed individual. The Board has issued Advisory Letters to individuals as educational tools, but they do not carry the weight of the law. Those situations where an unlicensed person is practicing veterinary medicine may be referred to local law enforcement and/or the local prosecutor as detailed in ORC [4741.99](#).

Change of Employment Reminder

ORC [4741.171](#) requires a licensed veterinarian to notify the Board of any change in the veterinarian’s office or employment within ninety days after the change has taken place. To view/update your contact information, log into your eLicense.ohio.gov profile using your email address and password and click Change Address on the Options Page. The public address is typically displayed as your business address unless you designate otherwise. Or you can submit the change via email to info@ovmlb.state.oh.us

ORC [4741.19\(C\)](#) requires a registered veterinary technician to notify the Board of any change in the RVT’s office address or employment within ninety days after the change has taken place. To view/update your contact information, log into your eLicense.ohio.gov profile using your email address and password and click Change Address on the Options Page. The public address is typically displayed as your business address unless you designate otherwise. Or you can submit the change via email to info@ovmlb.state.oh.us

Veterinary Student Loan Program

The student loan program was developed 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 veterinarian could potentially receive \$10,000 for a one year commitment to practice in a large animal or public health environment with a maximum of a \$20,000 per two year award. There were NO applications submitted in 2019 for the student loan program. Applications for 2020 are due May 1, 2020 and can be found online under [Student Loan Program](#). Only new graduates or those within three years of having graduated are eligible to apply. Please review ORC [4741.40](#), [4741.41](#) [4741.42](#) and [Chapter 3](#) of the 4741 Ohio Administrative Code for more information.