

The Ohio Veterinary Medical Licensing Board

Annual Report FY 2015

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

Overview

The Ohio Veterinary Medical Licensing Board (Board) met the second Wednesday of the month and held 9 meetings in FY15.

Board Members:

Tim Kolb, DVM, President
Cynthia Kidd, DVM, Vice-President
Renee Jessen, RVT
Diane "Annie" Jones, RVT
Roger Redman, DVM
Rebecca Salinger, DVM
John Brandt, public member
Kimberly Riker-Brown, DVM
Vacant Public member position

Delaware - term ends 12/31/2015
Jackson – term ends 12/31/2017
Berkey – term ended 12/31/2014
Hilliard – term ends 12/31/15
Wooster-term ends 12/31/2016
Ashtabula – term ends 12/31/2015
Westerville – resigned 5/28/15
Toledo – term ends 12/13/2016

Board Staff:

Theresa Stir, Esq.
Joseph McClain
Darcy Griffin-Kamerer

Executive Director
Licensure Coordinator
Clerk

Fiscal

The Board is self-sustained fiscally through licensure fees, late fees, and fines. The Board was allotted \$ 331,695 for FY 2015. The Board had \$79,419.38 in operating expenses and \$214,239 in payroll expenses for FY15. The Board generated \$ 264,448 in Revenue for FY15. Of the total revenue in FY15, \$240 has been transferred to the Veterinary Student Loan Repayment Program in accordance with ORC 4741.17(A)(7). The Board was in compliance with the MBE and EDGE set-aside requirements by achieving 28.25% for MBE and 8.88% for EDGE.

Policies, Law & Rules

Through the Budget Bill (HB64), the Board requested to remove an extra hurdle of initial licensure that the new graduate must go through in order to take the national veterinary examination required for licensure in the State of Ohio. Currently, the Board members approve the applicant for examination through an application and \$50 fee process. The applicant must also apply with the National Board of Veterinary Medical Examiners (NBVME). Once the individual takes the examination, the scores are then tabulated and sent to the Ohio Board for distribution. The budget bill language, once effective, will eliminate this step of approval and score dissemination. Therefore, the individual candidate can access NBVME's database for their results which is quicker and more efficient. Since the current process required a \$50 fee for the

NASVLE applicant, the initial license fee was reduced by \$50. However, now that there is no need for the examination applicant to pay \$50 for the examination application, all applicants, including those receiving a license by reciprocity, will pay the same initial Ohio veterinary license fee. Ohio was only one of three states in the United States that still pre-approved the NAVLE candidates.

Additionally, through the Budget Bill, the Board sought legislation to increase the ability for a foreign graduate to obtain a license in Ohio by recognizing the American Association of Veterinary Board's accrediting examination called the Program for the Assessment of Veterinary Education Equivalence (PAVE). Both enacted legislative actions will enable all qualified veterinary candidates to obtain a license to practice veterinary medicine in the State of Ohio more efficiently and thus will increase revenue for the Board.

In an attempt to address an area of deficiency in the Veterinary Practice Act, the Board also sought language which would permit the Board, based on clear and convincing evidence, to automatically suspend a veterinary license or registration for serious and immediate threats to the public. The language is similar to other regulatory board laws in that the language also permitted automatic suspension on an individual's conviction of the more serious felonies (i.e. murder).

During the mandatory five year review, the Board filed no change rules with two revised rules. The following rules were amended:

OAC Rules 4741-4-04 was modified to include the most recent effective dates of federal statutes referred to in this confidentiality rule.

Rule 4741-1-18 OAC was modified to reflect recent changes in the law related to military service. The Board worked with the Governor's office regarding licensees in military service. Through ORC 4741.16 and OAC Rule 4741-1-18, the Board already waives renewal fees and continuing education requirements for licensees in military service and issues licenses within 24 hours of a completed application. The Board modified the rule to include the definition of "Military" and "Veteran" as required in recently-enacted HB 98. The Board also created a section on its website devoted to resources for licensees serving in the military.

With the enactment of HB 64, the Board needs to amend Rule 4741-1-04 regarding the licensure of veterinarians in the State of Ohio. The Board has already begun the process for notifying interested parties in compliance with the requirements of the Common Sense Initiative of the Lt. Governor's Office.

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 \$240 to the Veterinary Student Loan Repayment fund (ALI 888-602) in FY 15 to reflect \$10.00 from each veterinary license renewal from July 1, 2014 to June 30, 2015.

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, 2015.

Eight (8) eligible candidates submitted applications for consideration by the Board at their May 2015 meeting for the Veterinary Student Loan. The Board considered the applications based on their willingness to provide large animal veterinary services in a resource shortage area and/or public health setting. The Board awarded Dr. Sabrina Featheringill, DVM of Willard, Dr. Patricia Parrish of Hebron, and Dr. Alissa Hunter of Milton Center \$6700 grants for a service commitment of one year. The recipients will submit progress reports biannually.

Licensure

The Board continued on-line renewal through the state E-licensing system for the registered veterinary technician in 2015. This was the first year that the Board implemented an all on-line renewal with a few exceptions who requested a paper renewal submission. As predicted, the on-line renewal process was time efficient for the Board staff and eliminated the need for the Board staff to handle individual checks within the office. Additionally, the licensee updates their contact and/or business addresses at the time of renewal within the system. However, most of the on-line users complain about the lack of adequate space and compatibility while entering their continuing education in the current system. The Board continues to wait for the implementation of the new DAS E-Licensing System which should resolve that issue.

The Board is currently responsible for the licensure requirements of 4387 veterinarians, 3384 registered veterinary technicians, 107 limited licensed veterinarians (whose practice is limited to an academic institution, governmental laboratory, or performing a residency in veterinary medicine), 112 Specialty licenses and 50 business facility licenses. The number of licensees varies slightly from year to year as indicated here:

RVTs:

FY11	New: 234	Total: 2476
FY12	New: 245	Total: 2876
FY13	New: 399	Total: 3036
FY14	New: 331	Total: 3420
FY15	New: 316	Total: 3384

Veterinarians:

FY11	New: 209	Total: 4022
FY12	New: 127	Total: 4041
FY13	New: 236	Total: 4255
FY14	New: 237	Total: 4035
FY15	New: 245	Total: 4494

The Board has modified their initial application process by requiring all necessary documents to be submitted with the application excluding the criminal background check which must be submitted to the Board directly from BCI. Once an application is complete, the Board staff issues the license within 24-48 hours.

Complaint & Disciplinary Process

During FY 15, the Board received 121 complaints. The Board collected \$10,487 in Fines as a result of discipline issued.

Summary of Board Disciplinary Actions In FY 2015

Retired license in lieu of discipline	0
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Notice of Opportunity for a Hearing issued	16
Adjudication Orders issued	0
Settlement Agreements Entered	13
Cease & Desist Letters issued	7
Referrals to Prosecutor and/or other state agencies	4
Advisory Letters	27
On site investigations	11
Compliance Inspections	54
No Jurisdiction of the subject matter	13

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 \$54,000 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 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' 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 700 veterinary facilities in Ohio. It is unknown the exact number because the Board does not license veterinary facilities owned by veterinarians. However, the Board would like at a minimum to be able to perform 100 to 125 additional random compliance inspections in addition to the inspections requested as a result of a written complaint. In FY14, the average

cost of a compliance inspection was \$206.35. The average cost of an investigation as a result of a complaint was \$970.00.

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.

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 December and posted the newsletter on the website. Additionally, the Board has updated the website to include recent Board decisions regarding veterinary issues, approved continuing education, and Board disciplines of licensees. Board Agendas and Minutes are also posted on the website. The Board has approved and posted the Public Records Policy in the Board office and on the website.

Renee Jessen, RVT Board Secretary, presented on current Board issues and compliance processes to attendees at the Ohio Association of Veterinary Technicians conference in October, 2014. Dr. Tim Kolb, DVM, Board President, Dr. Cynthia Kidd, DVM and Dr. Roger Redman, DVM presented on current board issues and on the disciplinary and compliance process of the Board at the Ohio Veterinary Medical Association's 2015 Midwest Veterinary Conference. Dr. Tim Kolb, President and Theresa Stir, Executive Director, presented on Board licensing and disciplinary issues to the third year veterinary students at The OSU College of Veterinary Medicine in April, 2015.

IT

The Board contracts with DAS IT for computer services. The Board replaced the desktop hard drives in order to comply with new software being implemented by the DAS-OIT. The Board adopted the revised DAS-IT policy (IT-04) at their June board meeting.

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 does not have a limit on the number of hours that CE can be acquired on-line.

The Board Members participated in an Ethics Training as prepared by the Ohio Ethics Commission in compliance with Executive Order 2011-03K which requires annual ethics training.

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. Dr. Roger Redman, DVM was re-elected to the AAVSB Board of Directors in September, 2014. Dr. Cindy Kidd, DVM currently serves on the AAVSB RACE Committee and Dr. Tim Kolb, DVM serves on the AAVSB Leadership Development Task Force.

Respectfully prepared and submitted by:

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