

The Ohio Veterinary Medical Licensing Board

Annual Report FY 2018

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 11 meetings in FY18.

Board Members:

Dr. Nancy O'Connor, DVM, President	Akron – term ends 12/31/2018
Dr. Cynthia Kidd, DVM, Vice President	Jackson – term ends 12/31/2020
Dianne “Annie” Jones, RVT, Secretary	Ostrander – term ends 12/31/18
Dr. Kim Riker Brown, DVM	Toledo – term ends 12/31/2019
Dr. Tim Kolb, DVM	Delaware - term ends 12/31/2018
Dr. Craig Miesse, DVM	Celina – term ends 12/31/2019
Richard Heston, public member	Westerville – term ends 12/31/2018

Board Staff:

Theresa Stir, Esq	Executive Director
Joseph McClain	Licensure Coordinator
Darcy Griffin-Kamerer	Clerk

Fiscal

The Board is self-sustained fiscally through licensure fees, late fees, and fines. The Board was allotted \$ 396,369 for FY 2018. To date, the Board has paid \$113,765.32 in operating expenses and \$ 263,076 in payroll expenses for FY18. The Board generated \$1,053,171.30 in Revenue for FY18. Of the total revenue in FY18, \$43,090.00 has been transferred to the Veterinary Student Loan Repayment Program in accordance with ORC 4741.17(A)(7).

The Board received acknowledgement from the Governor's office for meeting the statutory requirements for expenditures with MBE and EDGE vendors in FY17 and again, has surpassed the requirements for FY18.

Policies, Law & Rules

The Board needed to revise certain rules to accommodate the new Ohio Department of Administrative Services (DAS) ELicensing System which utilizes on-line applications and renewals. Another change was made to the Livestock Management Rule to mirror changes made by the Ohio Department of Agriculture to prohibit the tail docking of dairy cattle unless by a veterinarian and medically necessary.

Several bills have been introduced in this General Assembly which may necessitate further rule changes in the next fiscal year.

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 \$43,090 to the Veterinary Student Loan Repayment fund (ALI 888-602) in FY 18 to reflect \$10.00 from each veterinary license renewal from July 1, 2017 to June 30, 2018.

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, 2018.

Two eligible candidates submitted applications for consideration by the Board at their May 2018 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 two second-year \$10,000 grants for a service commitment of one year to Dr. Charles Robison, DVM of Tiffin and to Dr. Austin Clark, DVM of Ashland.

Licensure

The Board utilized on-line renewal through the state E-licensing system for the veterinarians in FY 2018. In April, 2018, the Board transitioned to the new DAS ELicensing system which requires all initial applications and renewal of licenses to occur through the online portal.

The Board is currently responsible for the licensure requirements of 4429 veterinarians, 4289 registered veterinary technicians, 176 limited licensed veterinarians (whose practice is limited to an academic institution, governmental laboratory, or performing a residency in veterinary medicine), 78 Specialty licenses and 107 business facility licenses. The number of practitioner licensees varies slightly from year to year as indicated here:

RVTs:

FY14 New:	331	Total:	3420
FY15 New:	316	Total:	3384
FY16 New:	358	Total:	3782
FY17 New:	361	Total:	3838
FY18 New:	348	Total:	4289

Veterinarians:

FY14 New:	237	Total:	4035
FY15 New:	245	Total:	4494
FY16 New:	233	Total:	4135
FY17 New:	244	Total:	4397
FY18 New:	267	Total:	4429

Complaint & Disciplinary Process

During FY 18, the Board received 137 complaints. The Board collected \$ 5500.00 in Disciplinary Fines.

Summary of Board Disciplinary Actions FY 2018

Surrendered license in lieu of discipline	1
Adjudication Orders issued	0
Settlement Agreements Entered	19
Notices issued	23
Referrals to Prosecutor and/or other state agencies	3
Advisory Letters	46
On site investigations	4
Compliance Inspections	85
30 day follow up letters to compliance inspections	7
No Jurisdiction of the subject matter	8

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 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 FY15, there were 50 compliance inspections performed. In FY16, there were 257 random compliance inspection performed. In FY17, there were 211 compliance inspections performed. The number of inspections performed in FY 18 are significantly less due to the retirement of investigators. There were 85 inspections performed in FY18. There were 9 correction letters issued and 2 re-inspections performed as a result of deficiencies discovered during the inspection.

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 120 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 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 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.

Ms. Annie Jones, RVT Board Member, presented on current Board issues and compliance processes to attendees at the Ohio Association of Veterinary Technicians conference in October, 2017. Board members, Dr. Cindy Kidd, DVM and Dr. Tim Kolb, DVM presented on current board issues and one on Shelter Medicine and issues of the Veterinary Medical Practice Act at the Ohio Veterinary Medical Association's 2018 Midwest Veterinary Conference. Dr. Tim Kolb, DVM, Board Member, 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, 2018.

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 2011-03K. Board Members and Staff

completed the required Sexual Harassment Awareness training and Active Aggressor training. The Director attended the Domestic Violence Awareness for In-House Attorneys sponsored by the Barbara Warner Committee on Workplace Domestic Violence and the Attorney General's Office.

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. Tim Kolb, DVM is currently serving a term as an AAVSB board member and is on the AAVSB Leadership Development Task Force. Dr. Cindy Kidd, DVM and Dr. Nancy O'Connor currently serve on the AAVSB RACE Committee. Dr. Riker-Brown, DVM serves on the AAVSB Nominating Committee. Ms. Stir, the Executive Director, serves on the AAVSB Regulation Policy Task Force.

Respectfully prepared and submitted by:

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