

# The Ohio Veterinary Medical Licensing Board

## Annual Report FY 2019

*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) met the second Wednesday of the month and held 11 meetings in Fiscal Year 2019.

### Board Members:

Dr. Cynthia Kidd, DVM, President	Jackson – term ends 12/31/2020
Dr. Matthew Verbsky, DVM, Vice-President	West Liberty – term ends 12/31/2021
Dianne “Annie” Jones, RVT, Secretary	Ostrander – term ends 12/31/2021
Dr. Tim Kolb, DVM	Delaware - term ended 12/31/2018
Dr. Craig Miesse, DVM	Celina – term ends 12/31/2019
Dr. Nancy O’Connor, DVM, President	Akron – term ends 12/31/2021
Dr. Kim Riker Brown, DVM	Toledo – term ends 12/31/2019
Richard Heston, public member	Westerville – term ended 12/31/2018

### Board Staff:

Theresa Stir, Esq	Executive Director
Joseph McClain	Licensure Coordinator
Andrea Jones	Clerk

### Fiscal

The Board is self-sustained fiscally through licensure fees. The Board was allotted \$ 439,369 for FY 2019. To date, the Board has paid \$ 106,092.41 in operating expenses and \$270,586 in payroll expenses for FY19. The Board generated \$ 330,220 in Revenue for FY19. Of the total revenue in FY19, \$ 1070.00 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 FY18 and again, has surpassed the requirements for FY19.

### Policies, Law & Rules

The Board revised the continuing education rule to mirror the national accrediting body’s language as well as setting the online hours to a maximum of six (6) hours. 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 126<sup>th</sup> 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 \$ 1070.00 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, 2018 to June 30, 2019. (Only Veterinarians holding a Limited License renew in the odd year).

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, 2019.

For FY 19, no eligible candidates submitted applications for consideration by the Board for the Veterinary Student Loan.

## Licensure

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 4697 veterinarians, 4277 registered veterinary technicians, 177 limited licensed veterinarians (whose practice is limited to an academic institution, governmental laboratory, or performing a residency in veterinary medicine), and 154 business facility licenses. The number of practitioner licensees varies slightly from year to year as indicated here:

### RVTs:

FY15 New:	316	Total:	3384
FY16 New:	358	Total:	3782
FY17 New:	361	Total:	3838
FY18 New:	348	Total:	4289
FY19 New:	348	Total:	4277

### Veterinarians:

FY15 New:	245	Total:	4494
FY16 New:	233	Total:	4135
FY17 New:	244	Total:	4397
FY18 New:	267	Total:	4429
FY19 New:	266	Total:	4697

## Complaint & Disciplinary Process

During FY 19, the Board received 175 complaints. The Board collected \$ 7950.00 in Disciplinary Fines.

### Summary of Board Disciplinary Actions FY 2019

Surrendered license in lieu of discipline	0
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	213
30 day follow up letters to compliance inspections	32
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. There was a decrease in inspections due to staffing issues, however, the Ohio Department of Agriculture have trained enforcement investigators and were able to complete 213 inspections and 8 re-inspections in FY2019.

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 April. 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.

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, 2018. Board members, Dr. Cindy Kidd, DVM and Dr. Riker-Brown, DVM presented on current board issues of the Veterinary Medical Practice Act at the Ohio Veterinary Medical Association's 2019 Midwest Veterinary Conference. Dr. Tim Kolb, DVM, Board Member, and Theresa Stir, Executive Director, presented on Board licensing issues and veterinary wellness to the third-year veterinary students at The OSU College of Veterinary Medicine in April, 2019.

### **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.

### **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 served on the AAVSB Nominating Committee. Ms. Stir, the Executive Director, serves on the AAVSB Regulation Policy Task Force.

**Priorities for FY20-21**

- 1) To continue participation in the new State E-Licensing program for Licensure and Renewal of applicants in the practice of veterinary medicine in the State of Ohio.
- 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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