

Ohio Veterinary Medical Licensing Board Newsletter

2020 Spring Edition

Current Board Members

Matthew Verbsky, DVM
President
West Liberty, OH
Term: 1/8/19-12/31/2021

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

Dianne "Annie" Jones, RVT
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Ostrander, OH
Term: 3/12/15-12/31/21

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

Cindy Kidd, DVM
Jackson, OH
Term: 8/8/12-12/31/20

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

Email:
info@ovmlb.state.oh.us

Website:
www.ovmlb.ohio.gov

Phone (614) 644-5281
Fax: (614) 644-9038

The Board office is closed on state holidays.

Creating a Culture of Safety

The mission of the Ohio Veterinary Medical Licensing Board (Board) is to insure that the citizens of Ohio are served by professional, trustworthy and competent veterinarians and veterinary technicians. One of the ways the Board accomplishes this mission is by investigating written complaints submitted to the Board and completing random compliance inspections. In the past couple of years, there have been several incidents where the wrong surgery or procedure was performed. In all of the cases presented to the Board, the veterinarian/surgeon relied on another staff person to tell them what surgery/procedure was being performed without double checking the records or with the owner of the animal.

Each situation described above could have been avoided. In human medicine, there is much emphasis placed on Quality Assurance and Risk Management. While many veterinary facilities are becoming more stringent with procedures and checklists to reduce the risk of adverse outcomes, other facilities want to continue as they have been for years, despite the risks.

Much like the air traffic industry where a pilot must go through a required checklist prior to take-off, a surgeon should do the same. Veterinarians are human. Interruptions occur, people get distracted. Having a system in place to validate that the correct steps and measures are in place is beneficial for the veterinary practitioners as well as increasing patient safety. The most common way of assessing the health and safety risks to your practice is by way of a formal risk assessment. There is no prescribed format for a risk assessment but generally the process has a number of steps starting with identification of the risks involved.

So what happens when a deficiency occurs that could compromise the safety of the patient? It could be anything from the wrong medication being administered to the wrong surgery being performed. Regardless of what action the Board (or Court) might take, the facility should immediately review the error, analyze how it happened and what measures are in place or what corrections should be implemented so that the incident does not occur again. This review should be reviewed objectively and without pointing fingers at any one person and viewed as a process for improvement. Then a process for education of veterinary staff should also occur.

Education of the quality medical process is valuable. Veterinary staff should not be fearful of reporting a wrong medication given or any mistake made in the treatment of an animal. As a hospital's safety culture and awareness improve, the number of incidents reported is likely to increase. This may be misinterpreted as an increase in errors in the veterinary hospital but could actually be a decrease in incident frequency.

There are multiple publications and organizations that can provide information on such topics as patient safety, employee safety, risk management or other measurement standards of compliance. The American Veterinary Medical Association (avma.org) or The American Animal Hospital Association (AAHA www.aaha.org) are excellent resources.

Controlled Substances

Another area that the Board has seen a prevalence of complaints are veterinary practices permitting unlicensed individuals access to controlled substances. As a reminder, **ONLY** licensed veterinary practitioners (veterinarians and registered veterinary technicians) may access controlled substances.

For additional information please review Rule 4729:5-20-02 and Rule 4729:5-20-03 of the Ohio Administrative Code (under the Ohio Board of Pharmacy's law and rules) which are effective March 1, 2020. See page 2 for the Veterinary Clinic Inspection Guide as a result of the implementation of the rules specific to Veterinary Clinics holding a TDDD license.

This Notification was recently sent out to our Veterinary Listserve regarding approved rules from the Ohio Board of Pharmacy. The final filed rules are also available for viewing through the guide site.



Non-Pharmacy Terminal Distributor Rules Effective March 1, 2020

Effective March 1, 2020, the following terminal distributor rule chapters go into effect:

Pain Management Clinics - 4729:5-11
First Aid Departments - 4729:5-13
Animal Shelters - 4729:5-15
Laboratories - 4729:5-16
Office-Based Opioid Treatment Facilities - 4729:5-18
Clinics and Prescriber Offices - 4729:5-19
Veterinary Clinics - 4729:5-20
Opioid Treatment Programs - 4729:5-21
Non-limited Facilities - 4729:5-22
Limited Facilities - 4729:5-23

REMINDER: The above rule chapters **do not apply** to pharmacies, EMS agencies, drug distributors (wholesalers, manufacturers, etc.), and institutional facilities.

Inspection Guides

To assist licensees in complying with the new rule chapters, the Board recently published inspection guides for each license type. The inspection guides align with internal guidance used by Board inspectors, allowing licensees the opportunity to conduct self-inspections in order to ensure compliance.

Guides also include links to the new rule chapters, important definitions, and reminders of when a licensee is required to submit notification or additional information to the Board.

The guides are available on the terminal distributor licensing page and can also be accessed using the short links below:

Pain Management Clinics – www.pharmacy.ohio.gov/PMCinspect
First Aid Departments – www.pharmacy.ohio.gov/FAinspect

Animal Shelters – www.pharmacy.ohio.gov/ASinspect

Laboratories – www.pharmacy.ohio.gov/LABinspect
Office-Based Opioid Treatment Facilities – www.pharmacy.ohio.gov/OBOTinspect
Clinics and Prescriber Offices – www.pharmacy.ohio.gov/CPOinspect

Veterinary Clinics – www.pharmacy.ohio.gov/VETinspect

Opioid Treatment Programs – www.pharmacy.ohio.gov/OTPininspect
Non-limited Facilities – www.pharmacy.ohio.gov/NLFinspect
Limited Facilities – www.pharmacy.ohio.gov/LFinspect

Additional guides for other license types (pharmacies, compounding, EMS, institutional, etc.) will be published by early next year.



Ohio Board of Pharmacy Updates

New Rules Specific to Veterinary Practice

The Ohio Board of Pharmacy has introduced new rules for those licensed as a Terminal Distributor of Dangerous Drugs (TDDD license). Pharmacy Rule 4729:5-3-18 impacts terminal distributors who dispense or personally furnish dangerous drugs. The Rule now requires those veterinarians to develop and implement a policy in the event of a manufacturer's recall. Staff will need to quarantine drugs subject to the recall.

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>

From the Board of Pharmacy Newsletter (November 2019)

Verification of Licensure

As a reminder, before a terminal distributor of dangerous drugs may purchase dangerous drugs at wholesale, the terminal distributor is required by Ohio law to verify either of the following: ♦ The seller is licensed to engage in the sale of dangerous drugs in accordance with Section 4729.52 of the ORC (ie, the seller is licensed in Ohio as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, or wholesale distributor of dangerous drugs). ♦ The seller is licensed to engage in the occasional sale or distribution of dangerous drugs at wholesale in accordance with OAC 4729:5-3-09. Verification of licensure requirements for terminal distributors can be found in OAC 4729:5-3-04.

Change in Responsible Person

The Board has received questions about change of responsible person. OAC 4729:5-2-01 requires all locations licensed as a terminal distributor to have a responsible person at all times. When there is a change of responsible person, the licensees must notify the Board within 10 days of the effective date of the appointment of the new responsible person. The change in responsible person must be made using the eLicense system. While it is the responsibility of the terminal distributor or drug distributor to notify the Board, the person who is leaving his or her role as responsible person should verify that he or she is no longer listed on the license.

Wall Certificates

Ohio Revised Code 4741.11 requires the Board to issue a certificate of license to veterinarians which shows that "the successful applicant has qualified under the laws of this state and the requirements of the board and that the applicant is duly licensed and qualified to practice veterinary medicine". The wall certificate is only issued upon **initial** licensure. Another wall certificate may be ordered if the initial wall certificate is damaged or lost. The veterinarian may request the replacement wall certificate by entering their account in the eLicensing system and clicking on options. There is a \$35 fee for replacement of a wall certificate.

Once duly licensed, the veterinarian or any other interested party can verify licensure status through the license verification in the Elicensing system or accessed through the Board's web site. However, if seeking license in another state, a Letter of Good Standing request can be found on the Board web site under license verification and submitted via email, fax or US postal mail.

OVMLB law and rule update

The Board recently approved amended Rule [4741-1-23](#) of the Administrative Code that addresses the fact that the Board of Pharmacy and the OVMLB jointly approved the dangerous drugs to be used in an animal shelter setting for the process of euthanasia. The rule also eliminates the requirement that the lab portion of the euthanasia technician training be performed by a veterinary practitioner who is licensed in Ohio.

OVMA Podcasts

The Ohio Veterinary Medical Association has announced that it has launched a new podcast site on local and national issues of veterinary medicine. The podcast can be found at Fullyvettedpodcast.com.