



FY15 Annual Report

July 1, 2014 – June 30, 2015

State Medical Board of Ohio FY15 Annual Report

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Agency Mission & Goals

The Medical Board issues licenses and oversees the practice of medicine and its branches under the authority of the Medical Practices Act, Chapter 4731, Ohio Revised Code (“O.R.C.”), and related law. The Board has jurisdiction over allopathic physicians (MD), osteopathic physicians (DO), podiatric physicians (DPM), physician assistants (PA), anesthesiologist assistants (AA), radiologist assistants (RA), acupuncturists (L.Ac.), oriental medicine practitioners, massage therapists (LMT), cosmetic therapists (CT), and genetic counselors. The Medical Board continues to regulate naprapaths and mechanotherapists licensed by the Board before March 1992.

The Medical Board’s regulatory responsibilities include investigating complaints against applicants and licensees, and taking disciplinary action against those who violate the public health and safety standards set by the General Assembly and the Medical Board.

Agency Mission

To protect and enhance the health and safety of the public through effective medical regulation.

Agency Goals

- ❖ Ensure that persons practicing medicine meet sufficient standards of education, training, competence and ethics.
- ❖ Define and advocate for standards of safe medical practice.
- ❖ Rehabilitate, when possible, persons who are impaired or who practice medicine unethically or below minimal standards of care, and prohibit persons who have not been rehabilitated from practicing medicine.
- ❖ Prohibit persons from practicing medicine whose violations are so egregious as to forfeit the privilege or who otherwise lack the legal authority.
- ❖ Provide information about the licensees of the Medical Board, the Board’s functions and operations, and the laws governing the practice of medicine.
- ❖ Achieve and maintain the highest possible levels of organizational efficacy.

About the Medical Board

Composition: The Medical Board is comprised of twelve members: nine physicians (seven MD, one DO, and one DPM) and three non-physician public members. All of the Board members are appointed by the Governor and serve five-year terms. Appointment terms are staggered to provide continuity and Board members may be reappointed. Two members are selected by their peers on the Board to serve as the Board's Secretary and Supervising Member who oversee the Board's investigatory and enforcement processes.

During FY15, the Medical Board met each month in the Administrative Hearing Room on the 3rd floor of the Rhodes Office Tower, 30 East Broad Street, Columbus, Ohio. Meeting agendas and minutes are available on the Board's website: www.med.ohio.gov.

In addition to the regularly scheduled monthly meetings in FY15, the Board met two times by telephone conference to issue summary suspensions or accept a voluntary surrender of a license.

Board Committees: The Medical Board addresses a variety of policy issues through its standing committees. Committees formulate recommendations that are forwarded to the full Board for action.

Committee meetings are held the day of the monthly Board meeting and committee agendas are posted on the Medical Board's website. Board actions on committee recommendations are included in the Board meeting minutes.

Physician Assistant Policy Committee: The Physician Assistant Policy Committee (PAPC) is the only statutorily required committee of the Medical Board. In compliance with Section 4730.05, O.R.C., the PAPC meets at least four times per calendar year to review and make recommendations concerning the education and licensure requirements for physician assistants; existing and proposed rules pertaining to the practice of physician assistants and the supervisory relationship between physician assistants and supervising physicians; application forms and procedures; and physician-delegated prescriptive authority for physician assistants in accordance with Section 4370.38, O.R.C. Recommendations made by the PAPC are forwarded to the Board's Physician Assistant/Scope of Practice Committee for further review and recommendation to the full Board.

Massage Therapy Advisory Committee (MTAC): The Massage Therapy Advisory Committee meets as needed. The Committee discusses education, testing, and registration requirements for massage therapists, as well as issues related to the scope of practice of massage therapy. MTAC recommendations are forwarded to the Board's Physician Assistant/Scope of Practice Committee for further review and recommendation to the full Board.

Agency Staffing and Funding: The Executive Director oversees day-to-day operations of the agency. During FY15, staffing levels included 82.5 full time positions. Medical Board operations are funded exclusively through licensing-related fees that are non-general revenue fund sources.

Fiscal Report

FY15 Revenue

Medical Board operations are funded exclusively through licensing fees. The Board receives no funding from the state's general revenue sources. Spending authority is authorized by the legislature through the biennial budget process. FY 15 revenue totaled \$ 8,796,522.

BY REVENUE CATEGORY:	FY 2015
(410000) HOLDING Account	\$
(421525) Other Fees	\$
(422005) Renewal	\$ 6,253,600
(426095) Reinstatement	\$ 222,340
(426096) Restoration	\$ 33,865
(426097) Certificate of License	\$ 1,075,990
(426098) Training Certificate	\$ 179,490
(426099) Training Cert Renewal	\$ 157,080
(426100) Pre-Ed Certificate	\$ 93,250
(426101) Exam	\$ 2,070
(426102) Re-Exam	\$ 625
(426104) Supervisory Agreement	\$ 53,850
(426105) Supervisory Agreement Renewal	\$ 198,225
(426106) Duplicate Certificates/Wallet cards	\$ 21,508
(426107) Clinical Research Faculty	\$ 375
(426108) Special Activity	\$ 3,875
(426109) Telemedicine	\$ 3,600
(426110) Telemedicine Renewal	\$ 18,810
(426114) Provisional Certificate to Prescribe	\$ 25,900
(426115) Certificate to Prescribe	\$ 30,600
(426116) Certificate to Prescribe Renewal	\$ 550
(426119) Reinstatement Penalty	\$ 42,225
(426120) Restoration Penalty	\$ 13,015
(426121) Cert of Good Standing Verification	\$ 364,695
(450022) Penalty	\$
(452518) Public Records	\$ 58
(452525) Reimbursement-Variou	\$ 926
(470800) Adjustments	\$
TOTAL:	\$ 8,796,522

Fiscal Report

FY 15 Revenue

BY LICENSEE TYPE:	FY 15
<i> Holding Account</i>	\$
AA – Anesthesiologist Asst.	\$ 2,625
AC – Acupuncturist	\$ 2,350
CCE – Conceded Eminence	\$ 6,000
CRF – Clinical Research Faculty	\$ 3,375
CT – Cosmetic Therapist	\$ 12,285
DO – Osteopathic Medicine	\$ 961,980
DPM – Podiatric Medicine	\$ 151,400
GC – Genetic Counselor	\$ 9,000
MD – Medicine	\$ 6,112,720
MDEXP - MD Expedited	\$ 90,000
MT – Massage Therapist	\$ 677,580
OM – Oriental Medicine	\$ 1,000
PA – Physician Assistant	\$ 378,225
RA – Radiology Assistant	\$ 400
LICS – Misc./Mechano./Limited Br.	\$ 386,598
PUBL – Public Records (copies)	\$ 58
Subtotal - Licensure Fees	\$ 8,795,596
STAFF/OTHER Reimbursements	\$ 926
Grand Total All Revenue	\$ 8,796,522

Operating Fund CASH BALANCE:	\$ 4,707,442
Physician Loan Repayment Program :	\$ 416,640

Physician Loan Repayment Program (PLRP): Physician licensure biennial renewal fees are \$305 and \$285 of the fee supports Medical Board operations. The remaining \$20 is deposited in the state treasury to the credit of the Physician Loan Repayment Fund as required in Section 4731.281(B)(1)(h), O.R.C., to support the PLRP managed by the Ohio Department of Health.

The Physician Loan Repayment Program is designed to recruit or retain primary care physicians for underserved communities and populations. In exchange for loan repayment assistance, the physicians commit to a minimum of two years of practice at an eligible site in a Health Professional Shortage Area (HPSA) or Health Resource Shortage Area, accept Medicare and Medicaid, and see patients regardless of ability to pay.

Fiscal Report

FY15 Expenditures

BY EXPENSE CATEGORY	FY15
Payroll	\$ 6,596,019
Contractor/Training/Subpoenas	\$ 315,878
Operating	\$ 893,061
Travel Reimbursements	\$ 82,684
Equipment	\$ 13,524
Refund/Transfers/Reimbursements	\$ 2,700
Total Expenditures	\$ 7,903,866

BY DIVISION	FY 15
(355) Board Members (& PAPC)	\$ 108,951
(203) Communications	\$ 165,380
(253) Compliance	\$ 255,534
(254) Enforcement	\$ 798,106
(100) Executive	\$ 281,308
(300) Hearing Unit	\$ 380,235
(252) Investigations	\$ 2,028,527
(120) Legal & Policy	\$ 781,833
(202) Licensure/Renewal/IT	\$ 1,445,446
(255) Quality Intervention	\$ 564,028
(152) Operations (HR/Fiscal/Overhead)	\$ 1,094,518
Total Expenditures	\$ 7,903,866

Licensure Activities

The licensure responsibilities of the Medical Board ensure that those practicing medicine and the other professions regulated by the agency meet sufficient standards of education, training, competency and ethics. The training, education and other requirements for licensure for each profession established through Ohio law are available on the Medical Board's website.

Licensees Regulated by the Medical Board

License Type	Total Active Licensees as of June 30, 2015	Total Active Licensees as of June 30, 2014
Cosmetic Therapist – CT	177	179
Massage Therapist – LMT	12,350	12,199
Osteopathic Physician – DO	5,931	5,685
Allopathic Physician – MD	40,222	39,108
Podiatric Physician – DPM	984	989
Mechanotherapist – DM	18	24
Naprapath – NAP	1	1
Physician Assistant – PA	2,962	2,639
Radiologist Assistant – RA	12	9
MD Training Certificate	4,341	4,441
DO Training Certificate	1,147	1,145
DPM Training Certificate	125	124
Acupuncturist – L.Ac.	234	205
Oriental Medicine Practitioner	24	17
Genetic Counselor	171	130
Anesthesiologist Assistant - AA	205	198
Telemedicine Licenses	168	167
GRAND TOTAL	69,072	67,260

Includes in-state and out-of-state licensees

Licensure Activities

Physician Assistant Certificates to Prescribe

The Medical Board has issued two types of certificates to qualified physician assistants permitting physician-delegated prescriptive authority since October 2007.

Types of PA Certificates to Prescribe	New certificates Issued in FY15	New certificates Issued in FY14
Provisional certificate to prescribe	244	260
Certificate to prescribe	304	321
	FY15	FY14
Total number of PAs with active certificates to prescribe	1,960	1,651

Initial Licenses Issued

The following table illustrates the number and types of initial licenses to practice issued by the Medical Board during FY14 and FY15.

Type of License	Issued in FY15	Issued in FY14
Allopathic Physician (MD)	2,427	2,386
Osteopathic Physician (DO)	461	461
Podiatric Physician (DPM)	29	42
Physician Assistant	309	275
Anesthesiologist Assistant	23	9
Massage Therapist	629	624
Cosmetic Therapist	13	6
Genetic Counselor	43	130
Acupuncturist	27	15
Oriental Medicine Practitioner	7	16
Radiologist Assistant	3	0
TOTAL	3,971	3,964

Licensure Activities

FY15 License Processing Timelines

Processing time of application without a complaint

License Type	Total Issued	Median Processing Days – no complaint	Percentage of applications one Standard Deviation above median	Percentage of applications one Standard Deviation below median
MD and DO	2,611	48	10%	6%
DPM	26	41	15%	0%
Allied Practitioners	879	38	8%	0%

Processing time of application with a complaint

License Type	Total Issued with resolved complaint	Median Processing Days with complaint
MD and DO	277	71
DPM	3	76
Allied Practitioners	175	85

An application with complaint means that a potential violation of the statutes and/or rules enforced by the Medical Board has been identified in the application materials and further review by the Board's Secretary and Supervising Member was required.

Allied practitioners include: anesthesiologist assistants, physician assistants, radiologist assistants, massage therapists, cosmetic therapists, genetic counselors, acupuncturists, and oriental medicine practitioners.

The Medical Board also issues the following types of certificates to practice:

Other Types of Licenses	Issued in FY15	Issued in FY14
Training Certificates – MD, DO, DPM	2,850	2,782
Telemedicine Certificates	16	32
Special Activity Certificates	26	24
Clinical Research Faculty Certificates	12	10
Conceded Eminence Certificate	3	2

Emeritus Registration: Physicians, massage therapists and cosmetic therapists who have been licensed in Ohio for at least 10 years and who have retired from active practice qualify for emeritus registration. Emeritus practitioners are no longer entitled to engage in the practice of medicine, massage therapy or cosmetic therapy. There were 136 Emeritus registrations issued in FY15.

Volunteer's Certificates: Section 4731.295, O.R.C., allows the Board to issue a volunteer's certificate to an MD or DO who has retired from active practice so that the doctor may provide medical services to indigent or uninsured persons. A volunteer's certificate holder may not accept any form of remuneration for providing medical services. The certificate is valid for three years and may be renewed. One volunteer certificate was issued in FY15.

Licensure Activities

Licensure Examinations

Licensure examinations for allopathic physicians (MD), osteopathic physicians (DO), and podiatric physicians (DPM) are administered by national examining boards and are offered throughout the year in a computerized format. Successful completion of national certification examinations are required for those applying for licensure as an anesthesiologist assistant, radiologist assistant, physician assistant, massage therapist, acupuncturist or oriental medicine practitioner.

The Medical Board administers a licensure examination for cosmetic therapy applicants. The cosmetic therapy licensure exam was offered to nine candidates on August 1, 2014 and to five candidates on March 20, 2015. Successful completion of the Ohio exam is required for cosmetic therapy licensure.

Licensure Renewal

The Medical Board uses a “staggered” system for the biennial licensure renewal of allopathic physicians, osteopathic physicians, podiatric physicians, massage therapist and cosmetic therapists. Instead of a single expiration date, license expiration dates are variable. The first letter of the licensee’s last name determines if the license expires on January 1, April 1, July 1, or October 1, in either even numbered or odd numbered years.

Number of renewals processed and the percentage of on-line renewals by license type

License Type	Number renewed in FY15	% renewed on-line
Physicians (MD,DO,DPM)	19,962	99%
Training Certificate (annual renewal July)	4,410	100%
Massage Therapist/Cosmetic Therapist	4,968	97%
PA Supervision Agreement (January odd numbered years)	7,863	100%

Anesthesiologist assistants, physician assistants and physician assistant prescriptive authority certificates, radiologist assistants, genetic counselors, acupuncturists, and oriental medicine practitioners licenses expire in January of even-numbered years.

Number of late renewals processed

FY15 Late Renewals	
Physicians (MD, DO, DPM)	480
Massage Therapist/ Cosmetic Therapist	621
Total	1,101

Licensure Activities

Limited Branch Schools

The Medical Board grants Certificates of Good Standing to offer courses in massage therapy or cosmetic therapy to schools satisfying the statutory requirements for curriculum content and instruction hours. Graduation from an approved school satisfies one of the licensure eligibility requirements for massage therapy or cosmetic therapy. The complete list of approved limited branch schools is available on the Medical Board's website.

Investigations, Compliance, Enforcement & Hearings

The Medical Board protects the public through effective medical regulation. The Board investigates complaints, takes disciplinary actions against those who violate the Medical Practices Act and other applicable statutes and rules, and monitors licensees on probation.

Complaints: Complaints inform the Board of potential problems with a licensee's practice. Complaints are received from a variety of sources, including the public, agency staff, state and national regulatory agencies, physicians, self-reports from licensees, hospitals, and others such as law enforcement and the media.

Types of complaints received include patient care concerns, inappropriate prescribing issues, discrepancies in licensure application information, criminal activity, impairment due to chemical dependency, ethical violations, office practice management concerns, and other issues.

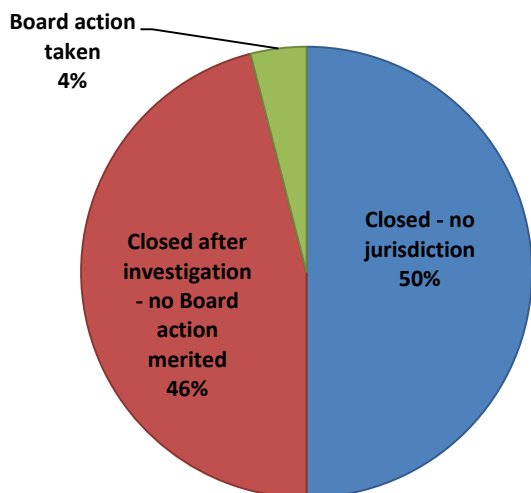
Two Medical Board members, the Secretary and the Supervising Member, oversee the agency's investigative and enforcement activities. Complaints are reviewed to determine if the Board has jurisdiction over the subject of the complaint, and if so, if the allegations violate a section of Ohio law or a rule enforced by the Medical Board.

The complaints received and investigations conducted by the Board are confidential per Section 4731.22 (F), Ohio Revised Code.

FY15 Complaint metrics	
New complaints received	4,428
Closed complaints includes disposition of complaints received prior to FY15	6,581
Median number of processing days from receipt of complaint to closure	157

Investigations, Compliance, Enforcement & Hearings

FY15 Medical Board Complaint Disposition



Of the 6, 581 complaints closed in FY15, 50% were closed because the Board had no jurisdiction. These complaints involved facilities or other persons the Board does not regulate.

There were 46% closed after investigation as the information obtained regarding the allegation did not support disciplinary action.

The remaining 4% of complaints resulted in disciplinary action by the Board.

Field Investigations: The Medical Board employs 20 field investigators who are based throughout the state.

FY15 Investigation Metrics	
Investigations completed	1,135
Subpoenas issued by investigation division	169
Median number of calendar days from referral of a case to the investigation division until the date the initial report of investigation is submitted	124 days
Median number of calendar days for all cases referred back to the investigation division for follow-up from the date the case is referred back to the date that the subsequent report of investigation is submitted	42 days

Compliance Monitoring: The Medical Board’s compliance staff monitored 355 licensees on probation due to a Board Order or a Consent Agreement in FY15. Probationers are usually required to attend periodic office conferences with the Board Secretary or designee to verify that the licensee is fulfilling the specific requirements of the Board Order or Consent Agreement. Compliance staff members participate in nearly 45 such conferences each month.

The compliance staff is also responsible for verifying that treatment providers, approved by the Board to provide services to licensees with chemical dependency issues, maintain compliance with the requirements in Section 4731.25, O.R.C., and in Chapter 4731-16, Ohio Administrative Code. The list of approved treatment providers is available on the Medical Board’s website.

Investigations, Compliance, Enforcement & Hearings

Enforcement: Enforcement attorney staff review the cases referred to the section by the Board’s Secretary and Supervising Member and prepare the cases for possible disciplinary action. Enforcement attorneys prepare citations, as well as Summary Suspensions, Immediate Suspensions and Automatic Suspensions. They also negotiate Consent Agreements and Voluntary Surrenders.

In FY15, the Enforcement section completed 476 cases resolving 873 complaints. A case may include more than one complaint.

Enforcement Case Priority Codes	Complaints resolved	Median Days from referral to completion
1: Actions required by statute/rule; identified pill mills; impairment; licensure	239	86
2: Actions against physicians by other boards/entities; criminal convictions of physicians	203	26
3: Standards of care cases with risk of serious harm; violation of a Board Order or Consent Agreement; actions against non-physicians by other boards/entities; criminal convictions of non-physicians	138	111
4: Inappropriate prescribing of controlled substances; standards of care cases with mid-level risk of harm	130	360
5: Standards of care cases with low risk of harm; sexual touching/physical contact with patients	67	171
6: Inappropriate prescribing other than controlled substances; illegal or unlicensed practice; aiding/abetting unlicensed practice; improper delegation	26	94
7: Criminal acts not being prosecuted; financial fraud	17	143
8: Sexual comments, gestures or non-touching conduct; unethical or unprofessional conduct; malpractice reports	42	143
9: Technical violations of statutes/rules; technical prescription violations; medical records requests; inmate complaints	11	831

FY15 Enforcement Metrics	
New cases assigned to Enforcement	552
Cases completed by Enforcement	476
Subpoenas issued by Enforcement	291
Depositions conducted by Enforcement	25
Interrogatories generated by Enforcement	107

Investigations, Compliance, Enforcement & Hearings

The Medical Board imposed 156 disciplinary sanctions and issued 100 citations in FY15.

Types of Actions Imposed	FY15	FY14
Total Actions	156	196
Revocations	41	64
Indefinite Suspensions	37	33
Definite Suspensions	2	4
Probations	44	45
Reprimands	6	1
Practice Limitations	1	4
Surrenders/Retirements	3	5
Disciplinary Licensure Denials or Withdrawals	11	22
Summary Suspensions	8	11
Automatic Suspensions	2	2
Immediate Suspensions	1	2
No Penalty Imposed/No further action	0	3

Top Reasons for Disciplinary Action:

FY15 Reasons for Board Action	FY14 Reasons for Board Action
Impairment - 35%	Impairment - 31%
Prescribing Issues - 19%	Prescribing Issues - 21%
Criminal Acts/Convictions - 12%	Criminal Acts/Convictions - 18%
Actions by other Boards or agencies - 11%	Actions by other Boards or agencies - 6%

Hearing Unit: The Medical Board's Attorney Hearing Examiners conduct the administrative hearings of practitioners who requested a hearing regarding the charges issued by the Medical Board. Following the conclusion of the administrative hearing, the Attorney Hearing Examiner prepares a Report & Recommendation that includes the basis for the hearing, the findings of fact, conclusions of law and a proposed disciplinary sanction for consideration by the Board members. During FY15, 69 administrative hearings were held.

The Attorney Hearing Examiners also preside at public rules hearings regarding administrative rules promulgated by the agency. They prepare a report of the hearing for consideration by the Board members.

FY15 Hearing Unit Metrics	
Median calendar days from hearing request to first day of hearing	119
Median calendar days from close of hearing record to filing Report & Recommendation	27
Median calendar days from filing Report & Recommendation to effective date of final order	49

Quality Intervention Program (QIP)

The Quality Intervention Program (QIP) is part of the Medical Board’s confidential investigatory processes and is designed to address quality of care complaints that do not appear to warrant intervention via formal disciplinary action. QIP focuses on cases in which poor practice patterns are beginning to emerge or the licensee has failed to keep up with changes in practice standards. With a successful intervention, the licensee benefits by improving practice methods; patients benefit from having a better practitioner available to address their healthcare needs; and the Medical Board protects the public without an adverse impact on the availability of care in the community. Section 4731.22(O), O.R.C., requires licensees participating in an individual education program recommended by the QIP to pay any costs related to that educational program.

Educational Outreach Activities

The Board continues its efforts to continually improve the information provided to licensees, the public, stakeholders, the media and other interested parties. In FY15, the Medical Board’s website underwent an overhaul in design and content to allow users to easily apply for a license, renew a license, file a complaint or look up a licensee.

During FY15, 92 presentations were provided by Board members and/or senior staff to state and national audiences.

Topic	Presentations by staff
Medical Board Overview and Updates	44
Prescribing Practices	29
Licensure Process	6
Telemedicine	3
Scope of Practice	3
Professional Ethics	3

Public Records

The Medical Board receives numerous requests for copies of public records each year. While many documents are available through the Medical Board’s website, requests for more complex records are provided by the agency.

Requests for disciplinary action files, licensure files and Board meeting materials are the most frequently requested documents. A response to a public records request may require providing hundreds, and in a few cases, thousands of pages of material.

Public Records Metrics	
Requests received	362
Median Days to completion	2 days