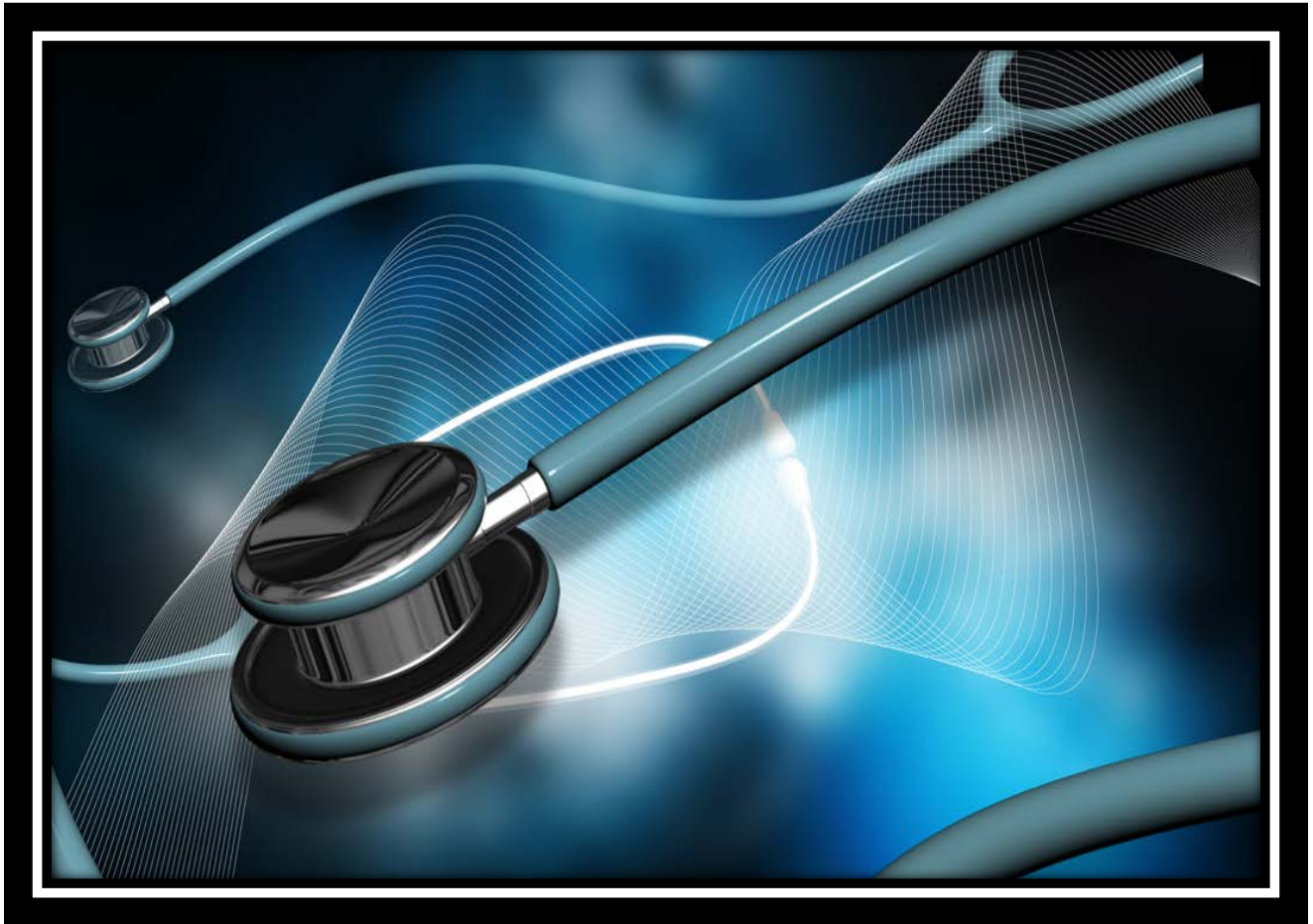




State Medical Board of

Ohio



Annual Report

Fiscal Year 2018

State Medical Board of Ohio
Annual Report - Fiscal Year 2018 (FY18)
July 1, 2017 – June 30, 2018

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Published – July 31, 2018

Agency Mission & Goals

The State Medical Board of Ohio issues licenses and oversees the practice of allopathic physicians (MD), osteopathic physicians (DO), podiatric physicians (DPM), massage therapists (LMT), and cosmetic therapists (CT) under the authority of the Medical Practices Act, Chapter 4731, Ohio Revised Code (ORC). The Medical Board continues to regulate naprapaths and mechanotherapists licensed by the Board before March 1992.

The Medical Board also regulates Physician Assistants, ORC Chapter 4730, Dietitians, ORC Chapter 4759, Anesthesiologist Assistants, ORC Chapter 4760, Respiratory Care Professionals, ORC Chapter 4761, Acupuncture & Oriental Medicine, ORC Chapter 4762, ORC, Radiologist Assistants, ORC Chapter 4774, and Genetic Counselors, ORC Chapter 4778.

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 persons practicing medicine meet sufficient standards of education, training, competence and ethics.
- Define and advocate for standards of safe medical practice.
- 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.

Board Consolidation

In January of 2018, the Ohio Board of Dietetics and Ohio Respiratory Care Board were merged with the State Medical Board of Ohio as outlined in the State of Ohio Biennial Budget (House Bill 49). Substitute House Bill 145, effective February 8, 2018, further aligned operating procedures of the boards, such as license renewal cycles and investigation processes. The Medical Board acquired three full-time positions because of the merger, relocating existing board staff members to the Medical Board offices. HB 49 also created the Dietetics Advisory Council and Respiratory Care Advisory Council. The advisory councils are a means for members to make recommendations to the Board regarding policies and rules relating to the practice, including:

- Policies and requirements for license issuance, renewal and fees
- Existing and proposed rules
- Standards for approval of educational programs and continuing education
- Scope of practice, ethical conduct and minimal standards of care for the safe and effective practice of the profession.

More information on the duties and structure of the council can be found in ORC 4759.051 (dietetics) and 4761.032 (respiratory care).

About the Medical Board

Composition: The State Medical Board of Ohio is comprised of twelve members: nine physicians (seven MD, one DO, one DPM) and three non-physician public members. 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 FY18, 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, med.ohio.gov. The Board also met on 2/3/2018 by telephone conference to accept a voluntary surrender of a license and held one retreat to discuss specific issues.

Board members during FY18:

Robert Giacalone, RPh, JD
President
Dublin – Public Member
Term: 10/29/2013 – 7/31/2018

Andrew Schachat, MD
Vice President
Cleveland – Ophthalmology
Term: 7/2/2014 – 3/18/2019

Kim G. Rothermel, MD
Secretary
Columbus – Pediatrics
Term: 5/19/2014 – 3/18/2022

Bruce Saferin, DPM
Supervising Member
Toledo – Podiatry
Term: 9/10/2013 – 12/27/2022
Reappointed – 12/2017

Richard Edgin, MD
Columbus – Gastroenterology
Term: 8/11/2015 – 3/18/2020

Michael Gonidakis, JD
Columbus – Public Member
Term: 10/29/2012 – 7/31/2022
Reappointed – 7/2017

Sherry L. Johnson, DO
Cincinnati – OB/GYN
Term: 5/3/2018 – 4/25/2023

Betty Montgomery, JD
Columbus – Public Member
Term: 11/15/17 – 7/31/2022

Amol Soin, MD, MBA
Dayton – Pain Management
Term: 4/17/2013 – 3/18/2023
Reappointed – 3/2018

Michael Schottenstein, MD
Columbus – Psychiatry
Term: 6/12/2015 – 3/18/2023
Reappointed – 3/2018

Ronan Factora, MD
Cleveland – Geriatrics
Term: 8/12/2016 – 3/18/2019

Mark A. Bechtel, MD
Columbus – Dermatology
Term: 1/3/2017 – 3/18/2021

Dr. Soin served as Board president **7/1/2017 through 12/31/2017.**

Mr. Giacalone served as Board president **1/1/2018 through 6/30/2018.**

Appointments to Board: On 11/5/2017 Gov. John R. Kasich appointed Betty Montgomery to a public member position on the Board for a term ending 7/31/2022. She replaces Donald R. Kenney, Sr., who completed a five-year term on 7/31/2017. Sherry L. Johnson, DO, was appointed by Gov. Kasich on 5/3/2018 to serve as the osteopathic representative on the Board for a term ending on 4/25/2023. She succeeds Anita M. Steinbergh, DO, who ended 25 years of service on the Medical Board on 4/25/2018.

About the Medical Board

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

Compliance Committee

Michael Schottenstein, MD, Chair
Ronan M. Factora, MD
Robert Giacalone, RPh, JD
Amol Soin, MD, MBA

Physician Assistant Scope of Practice Committee

Andrew P. Schachat, MD, Chair
Mark A. Bechtel, MD
Robert Giacalone, RPh, JD

Dietetics Advisory Council

Carmen Clutter, MS, RDN, LD, CLC
Susan Finn, PhD, RDN, LD
Amie N. Heap, MPH, RDN, LD
Judy Nagy, MEd, RDN, LD
Joseph Nigh, JD
Ashley Pax, RDN, LD, MFCS
Rachael Pohle-Krauza, PhD, RDN, LD

Physician Assistant Policy Committee

Curtis Gingrich, MD, Chair
Scott Cackler, PA
Josh Cox, PharmD
Kindra Engle, DO
Jessica Thurman, PA
Robert Zaayer, PA

Finance Committee

Michael Schottenstein, MD, Chair
Richard A. Edgin, MD
Michael L. Gonidakis, JD
Bruce R. Saferin, DPM

Policy Committee

Amol Soin, MD, MBA, Chair
Mark A. Bechtel, MD
Robert Giacalone, RPh, JD
Betty Montgomery, JD
Andrew P. Schachat, MD

Licensure Committee

Bruce R. Saferin, DPM, Chair
Richard Edgin, MD
Ronan M. Factora, MD
Kim G. Rothermel, MD

Respiratory Care Advisory Council

Ronan Factora, MD
Sanja Keller, RRT
Roy Neely, RRT
Robert Pelfry, RRT
Amy Rodenhausen, RRT
Edward Warren, MD

Agency Staffing and Funding: The Executive Director oversees day-to-day operations of the agency. During FY18, staffing levels included 84.5 positions. Medical Board operations are funded exclusively through licensing and other authorized fees that are non-general revenue fund sources.

Staffing Strategy: Whenever a vacancy occurs, the Board re-examines the need for the specific duties and priorities before backfilling the position. In many cases a vacant position is repurposed to another area of higher need. During FY18 the Board continued to operate within its personnel ceiling of 84.5 positions. Temporary services were used as needed to address any gaps in workflow.

Fiscal Report

FY18 Revenue by Revenue Category

Medical Board operations are funded exclusively through licensing and other authorized fees. The agency receives no funding from the state’s general revenue sources. The Board received a record high \$11,037,250 in revenue in FY18; 13% higher than its previous high in FY16 of \$9,768,451.

Approximately \$1.2 million came from renewals of Respiratory Care Professionals and Dietitians. These two professions renew at the same time (are not staggered) and this will happen again in FY20. Another significant portion of the increase included just over \$222,000 in fines received.

The Board finished the year well under its \$10,163,504 budget. Final numbers will not be available until November 2018, when the Board finishes spending from its FY18 encumbrances (purchase orders).

FY19 began July 1, 2018 with a budget of \$11,064,757.

In January 2018 the Medical Board acquired the former Respiratory Care and Dietetics Boards’ responsibilities and licensees. This resulted in increased revenue of over \$1 million during the fiscal year.

By Revenue Category	FY18
(422005) Renewal	\$ 7,676,185
(423528) Reactivation	\$ 500
(426095) Reinstatement	\$ 394,300
(426096) Restoration	\$ 63,655
(426097) Certificate of License	\$ 1,577,779
(426098) Training Certificate	\$ 297,398
(426099) Training Cert Renewal	\$ 312,600
(426100) Pre-Ed Certificate	\$ 14,035
(426106) Dup Certificates/Wallets	\$ 13,945
(426108) Special Activity	\$ 3,000
(426119) Telemedicine	\$ 6,700
(426110) Telemedicine Renewal	\$ 15,650
(426119) Reinstatement Penalty	\$ 11,650
(426120) Restoration Penalty	\$ 8,175
(426121) Cert of Verification	\$ 419,380
(450022) Fines	\$ 222,271
(452518) Public Records	\$ 10
(452525) Reimbursement-Various	\$ 17
Total	\$ 11,037,250

Fiscal Report

FY18 Revenue by License Type

By License Type	FY18
MD -- Medicine	\$ 6,136,333
DO -- Osteopathic Medicine	\$ 1,120,700
DPM -- Podiatric Medicine	\$ 154,275
MDEXP -- MD Expedited	\$ 324,301
DOEXP -- DO Expedited	\$ 35,000
CCE -- Conceded Eminence	\$ 5,000
CRF -- Clinical Research Faculty	\$ 4,875
MT -- Massage Therapist	\$ 630,001
LICS -- Misc./Mechano./Limited Br.	\$ 433,388
PA -- Physician Assistant	\$ 933,951
AC -- Acupuncturist	\$ 23,925
AA -- Anesthesiologist Assistant	\$ 33,200
CT -- Cosmetic Therapist	\$ 12,925
GC -- Genetic Counselor	\$ 49,050
LD -- Licensed Dietitian	\$ 611,275
Limited Permit --Dietitian	\$ 1,820
OM -- Oriental Medicine	\$ 5,000
RA -- Radiology Assistant	\$ 3,225
RCP -- Respiratory Care Professional	\$ 510,427
L1 -- Limited Permit – Respiratory Care	\$ 8,383
Interest/Penalties	\$ 169
PUBL -- Public Records (copies)	\$ 10
STAFF/OTHER Reimbursements	\$ 17
Total	\$ 11,037,250

Ohio Physician Loan Repayment Program (OPLRP)

Ohio physician loan repayment program contribution:
\$396,390

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 for the Ohio Physician Loan Repayment Fund as required in ORC 4731.281(A), to support the OPLRP managed by the Ohio Department of Health. The OPLRP is designed to increase access to primary care for underserved communities and populations. In exchange for loan repayment assistance, physicians commit to practice for a minimum of two years 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

FY18 Expenditures

The Medical Board's spending authority is authorized by the legislature through the biennial budget process.

By Expense Category	FY18
Payroll	\$ 7,797,920
Purchased Personal Services	\$ 251,079
Operating Expenses	\$ 938,514
Travel Reimbursements	\$ 42,985
Equipment	\$ 10,975
Refund/Transfers/Reimbursements	\$ 250
Total	\$ 9,041,723

By Division	FY18
(355) Board Members (& Advisory Councils)	\$ 139,592
(203) Strategic Services	\$ 1,177,150
(253) Compliance	\$ 188,968
(254) Enforcement	\$ 1,029,321
(100) Executive	\$ 434,936
(300) Hearing Unit	\$ 334,262
(252) Investigations	\$ 2,291,879
(120) Legal & Policy	\$ 875,773
(202) Licensure/Renewal	\$ 1,085,482
(255) Quality Intervention/Standards Review	\$ 334,803
(152) Operations (HR/Fiscal/Overhead)	\$ 1,149,556
Total	\$ 9,041,723

The State Medical Board of Ohio continues to be financially solvent, with a cash balance of \$ 4,869,161 as of June 30, 2018. During FY18, the Department of Administrative Services transferred \$1,114,680 from the Board's cash balance for the Medical Board's share for development of the eLicense project.

Operating fund
cash balance:
\$ 4,869,161

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. The count includes Ohio license holders living both in-state and out-of-state.

Licensees Regulated by the Medical Board	Total Active Licenses as of				
	6/30/18	6/30/17	6/30/16	6/30/15	6/30/14
Allopathic Physician – MD	42,265	41,533	40,665	40,222	39,108
Osteopathic Physician – DO	6,676	6,430	6,164	5,931	5,685
Podiatric Physician – DPM	956	977	969	984	989
Training Certificate – MD	4,589	3,989	3,594	4,341	4,441
Training Certificate – DO	1,409	1,162	1,071	1,147	1,145
Training Certificate – DPM	148	93	96	125	124
Telemedicine Licenses (MD-DO)	167	157	134	168	167
Acupuncturist – LAc	226	243	242	234	205
Anesthesiologist Assistant – AA	249	262	241	205	198
Cosmetic Therapist – CT	169	177	183	177	179
Dietitian – LD	4,275	NA	NA	NA	NA
Limited Permit Dietitian – LD	23	NA	NA	NA	NA
Genetic Counselor	288	265	221	171	130
Massage Therapist – MT	12,090	11,947	11,560	12,350	12,199
Mechanotherapist – DM	11	14	15	18	24
Naprapath – NAP	1	1	1	1	1
Oriental Medicine Practitioner– LOM	47	41	32	24	17
Physician Assistant – PA	3,706	3,506	2,720	2,962	2,639
Radiologist Assistant – RA	16	15	14	12	9
Respiratory Care Professional – RCP	8,633	NA	NA	NA	NA
L1 Limited Permit – Respiratory Care	375	NA	NA	NA	NA
L2 Limited Permit – Respiratory Care	8	NA	NA	NA	NA
Total	86,327	70,638	67,922	69,072	67,260

Licensure Activities

Initial Licenses Issued

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

Type of License	FY18	FY17	FY16	FY15	FY14
Allopathic Physician (MD)	2,539	2,703	2,299	2,427	2,386
Osteopathic Physician (DO)	525	577	466	461	461
Podiatric Physician (DPM)	43	46	33	29	42
Acupuncturist	15	9	19	27	15
Anesthesiologist Assistant	17	25	24	23	9
Cosmetic Therapist	9	7	7	13	6
Genetic Counselor	58	62	55	43	130
Dietitian	282	NA	NA	NA	NA
Limited Permit – Dietitian	30	NA	NA	NA	NA
Massage Therapist	517	573	617	629	624
Oriental Medicine Practitioner	8	7	10	7	16
Physician Assistant	475	411	344	309	275
Radiologist Assistant	1	3	2	3	0
Respiratory Care Professional	382	NA	NA	NA	NA
L1 Limited Permit – Respiratory Care	258	NA	NA	NA	NA
L2 Limited Permit – Respiratory Care	0	NA	NA	NA	NA
Total	5,159	4,420	3,876	3,971	3,964

FY18 Initial License Processing Timelines

License Type	Number Issued	Average Days to Issue
MD/DO	2,714	30
Expedited MD/DO	350	26
DPM	42	38
Allied Professions	2,052	30

Physicians meeting the criteria in ORC 4731.299 may qualify for expedited licensure.

Licensure Activities

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

Special Certificates Issued	FY18	FY17	FY16	FY15	FY14
Training Certificates – MD, DO, DPM	3,270	2,706	2,973	2,850	2,782
Special Activity Certificates	25	15	36	26	24
Telemedicine Certificates (MD-DO)	18	11	13	16	32
Clinical Research Faculty	5	5	12	12	10
Conceded Eminence	1	2	1	3	2
Visiting Clinical Professional Development	1	1	0	0	0

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 216 emeritus registrations issued in FY18.

Volunteer’s Certificates: ORC 4731.295 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 FY18.

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 is also required for those applying for licensure as an anesthesiologist assistant, radiologist assistant, physician assistant, dietitian, genetic counselor, massage therapist, acupuncturist, oriental medicine practitioner or respiratory care professional.

The Medical Board administers a licensure examination for cosmetic therapy applicants. Nineteen candidates sat for the cosmetic therapy licensure exam which was offered seven times during FY18. Successful completion of the Ohio exam is required for cosmetic therapy licensure.

Limited Branch Schools

The Medical Board issues Certificates of Good Standing to schools offering courses in massage therapy or cosmetic therapy that satisfying the statutory requirements for curriculum content and instruction hours. The complete list of approved limited branch schools is available on the Medical Board’s website, med.ohio.gov.

Licensure Activities

Staff continue to engage in continuous improvement efforts that redefine work processes, aligning with the eLicense system capabilities, identifying and resolving system issues as they arise, and identifying system enhancements to improve the user experience. All renewals are now processed and paid via credit card online through the eLicense system except naprapath, mechanotherapist, and restricted cosmetic therapist applications.

Licensure Application Forms Streamlined: During FY18, the Board approved revisions to the Ohio physician licensure and allied health application forms which eliminated material no longer applicable with the conversion to online application forms. Certificates of recommendation, employer recommendations, photographs, and notarized affidavits were eliminated from the application forms.

Physician Licensure Application Fee Reduced: HB49, the State of Ohio Biennial Budget Bill, included a provision that cut the initial license application fee for MD, DO and DPM from \$335 to \$305 effective 9/29/2017.

Training Certificate Valid for Three Years: Until 9/27/2017, training certificates issued to those participating in Ohio medical residency or fellowship training programs had to renew the training certificate annually. Provisions in HB49 changed the length of time a training certificate is valid from one year to three years which syncs the training certificate up to the duration of most residency training programs. For those in extended training programs, training certificates may be renewed one time for an additional three years.

MD-DO-DPM Continuing Medical Education (CME) Cycle Changed: Physicians are required to complete a specific number of CMEs for renewal. Previously, those CMEs had to be completed three months prior to the actual license renewal date. As of 9/29/2017, legislative changes in HB49 aligned the CME cycle with the expiration date of the physician's license.

Certificates to Prescribe Medical Marijuana: House Bill 523, effective 9/8/2016, established the Ohio Medical Marijuana Control Program and tasked the State Medical Board of Ohio with establishing the procedure to issue certificates to physicians wishing to recommend medical marijuana to patients with qualifying conditions. Criteria for certificate to recommend (CTR) issuance are outlined in OAC 4731-32-02. The first group of CTR applications were approved by the Board on 3/19/2018. As of 6/30/2018 there was a total of 139 active CTRs.

Licensure Renewal

The Medical Board uses a staggered system for the biennial licensure renewal of allopathic physicians, osteopathic physicians, podiatric physicians, massage therapists and cosmetic therapists. 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.

The licenses of anesthesiologist assistants, physician assistants, radiologist assistants, genetic counselors, acupuncturists and oriental medicine practitioners expire on January 31 of even-numbered years. Dietitians and Respiratory Care Professionals expire on June 30 of even numbered years.

Licensure Activities

Number of Renewals Processed by License Type

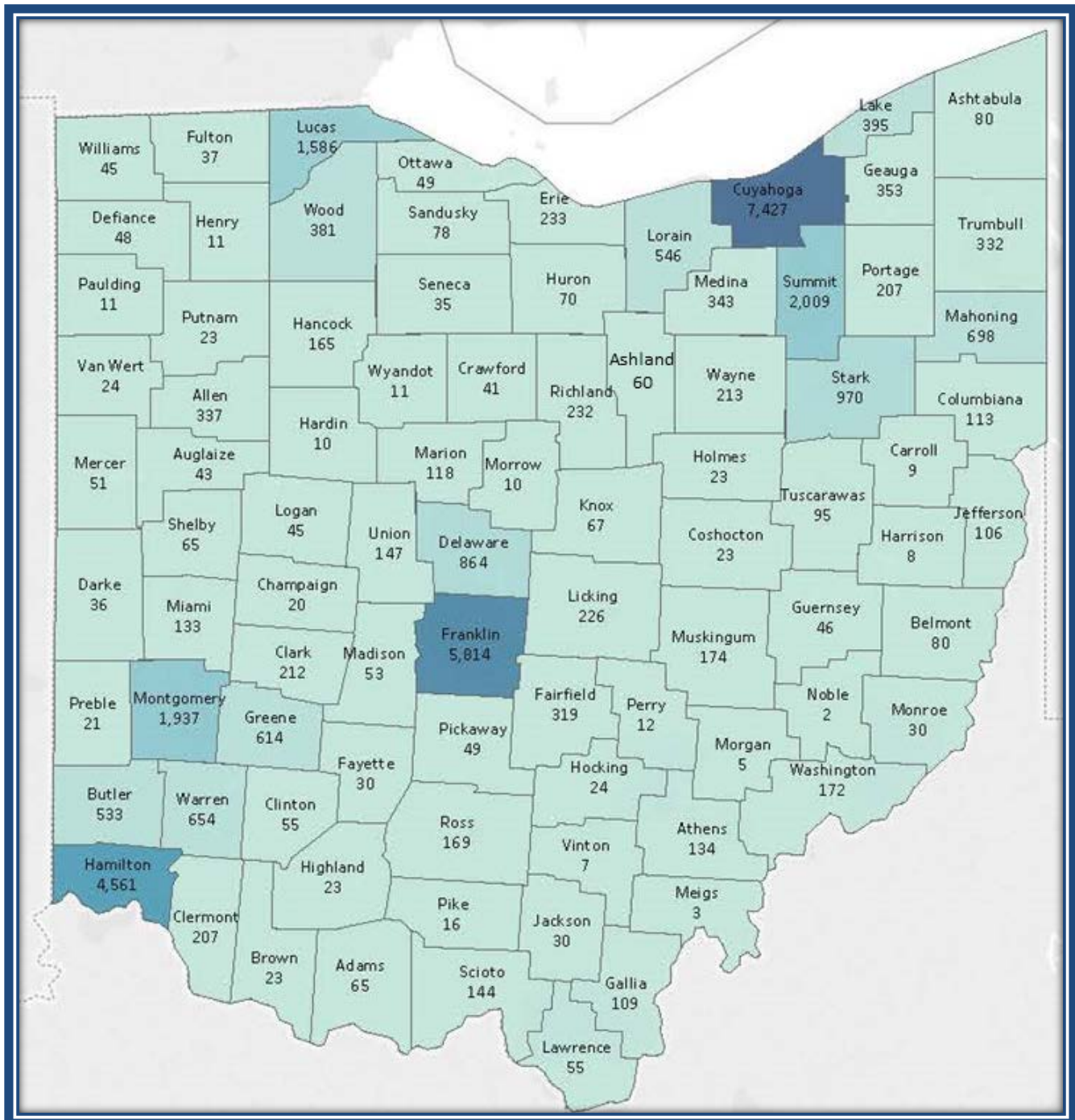
License Type	FY18	FY17
Physicians (MD, DO, DPM)	20,040	22,329
Training Certificates (MD, DO, DPM)	3,537	4,529
Acupuncturists & Oriental Medicine	258	0
Anesthesiologist & Radiologist Assistants	253	0
Dietitians	3,961	NA
Limited Permit – Dietitian	3	NA
Genetic Counselors	240	2
Massage Therapist/Cosmetic Therapist	5,383	5,597
Physician Assistants	3,429	0
Respiratory Care Professionals	7,679	NA
L1 and L2 limited permits – resp care	174	NA
Total	44,957	32,457

Number of Late Renewals Processed

Late Renewals	FY18	FY17
Physicians (MD, DO, DPM)	660	700
Acupuncturists & Oriental Medicine	1	1
Anesthesiologist & Radiologist Assistants	20	2
Dietitians	9	NA
Genetic Counselors	8	3
Massage Therapist/Cosmetic Therapist	991	1,118
Physician Assistants	30	15
Respiratory Care Professionals	15	NA
Total	1,734	1,839

Physician Distribution by County

As of 6/20/2018



Complaints

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.

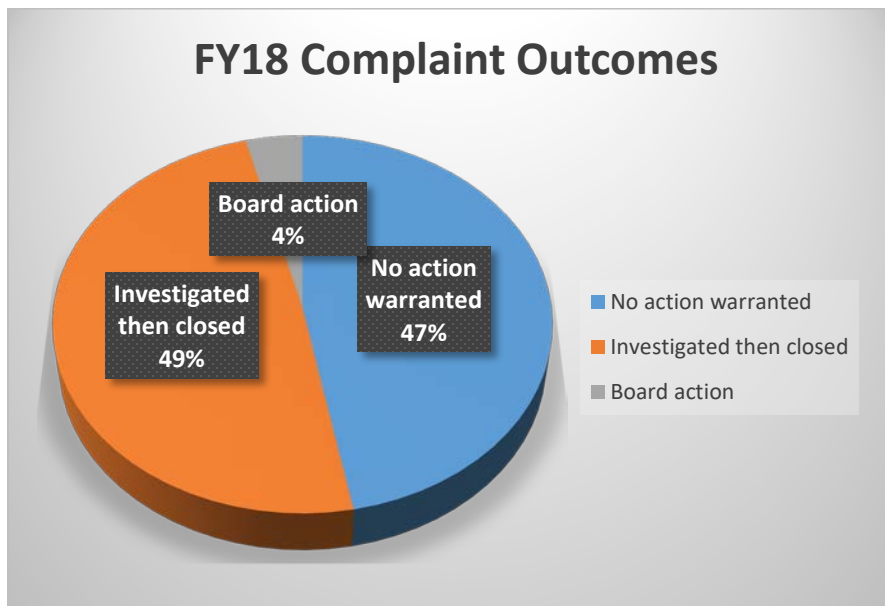
Complaints

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 ORC 4731.22(F).

Complaint Metrics	FY18
New complaints received	5,553
Closed complaints (includes disposition of complaints received prior to FY18)	5,783
Median number of processing days from receipt of complaint to closure	207



Closed Complaints

No action warranted

2,700 complaints closed as the issue involved profession not regulated by Board or no further review needed

Investigated then closed

2,822 complaints were closed after investigation as information obtained about allegation did not support Board action

Board action

261 complaints resulted in disciplinary action by the Medical Board

Investigations, Standards Review and Quality Intervention

Investigations

The Medical Board employs 20 field investigators who are based throughout the state. The Investigation Manual was revised and launched 6/28/2018, outlining updated procedures including outsourcing the subpoena service and licensee drug screening. In July 2017 investigators began harnessing the features of eLicense backoffice to create and submit their Reports of Investigation and daily reports; reports were previously submitted through SharePoint. The median number of days from the referral of a case to an investigator until the date that the initial report of investigation was submitted: 58.

Investigations completed: 1,056
Investigation subpoenas issued: 198

Standards Review & Quality Intervention Program

The Standards Review and Quality Intervention Program (QIP) is part of the Medical Board's confidential investigatory process; it is designed to address quality of care complaints. The Medical Board contracts with physicians, and other industry professionals to evaluate certain complaint allegations to determine if the minimal standard(s) of care has been provided to the patient. While some complaints are sent on for formal disciplinary action, most complaints evaluated by this section are resolved via non-disciplinary means.

This program focuses on intervention, with the goal to guide licensees who are beginning to show poor practice patterns or who are failing to keep up with changes in practice standards. With 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.

Currently, two nurses are employed by the Board to manage the complaints in the Standards Review section. From July 1, 2017, to June 30, 2018, the Standards Review and Quality Intervention section reviewed 576 complaints. It closed 413 complaints following review without taking any further action. Additionally, 113 licensees were referred to remedial education and/or were cautioned regarding their practice. As part of the review process, 912 subpoenas were issued.

Enforcement

Enforcement: Enforcement staff review the complaints 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.

Enforcement Metrics	FY18
Depositions conducted by enforcement	13
Subpoenas issued by enforcement	287
Interrogatories generated by enforcement	40

Enforcement

The Medical Board imposed 144 disciplinary sanctions and issued 67 citations in FY18.

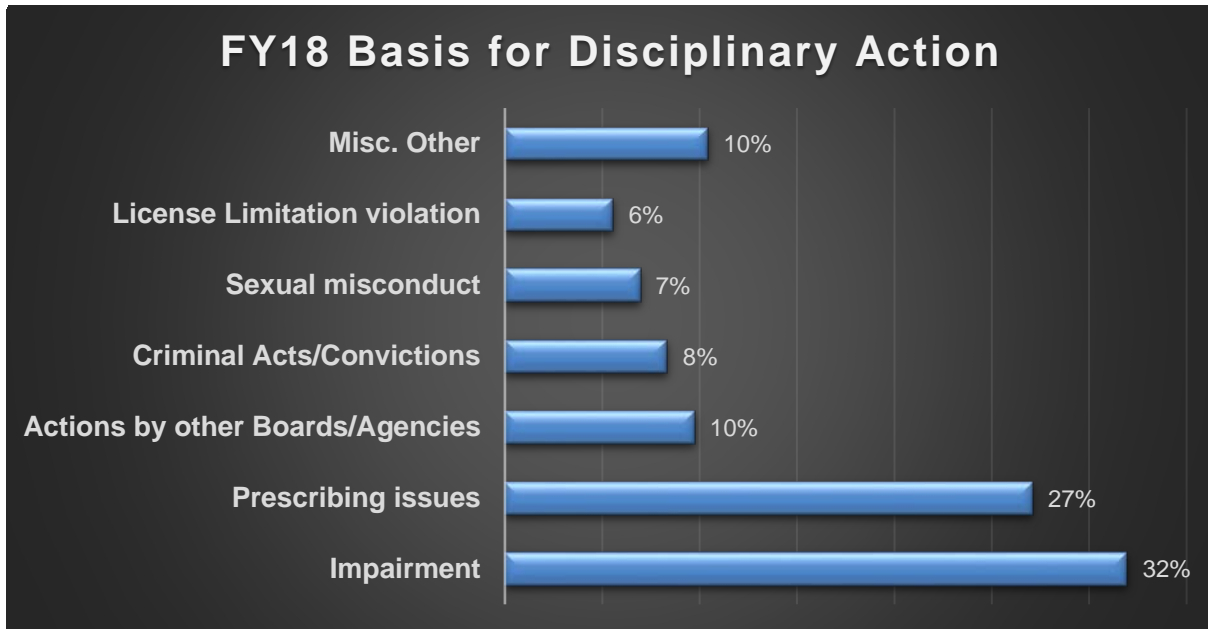
FY18 Enforcement Cases	Total New	Total Resolved	Median Days
Cases	368	441	132
Priority Code			
E1		91	114
E2		130	76
E3		68	145
E4		50	484
E5		51	114
Converted Cases with N/A Priority Code		51	509

The enforcement priority code establishes a projected case development timeline that is based upon the type and complexity of the complaint. Cases with the greatest and most immediate potential for patient harm receive the most expeditious processing.

FY18 – Board Actions

Types of Actions Imposed	FY18	FY17	FY16	FY15	FY14
Revocations	38	50	47	41	64
Indefinite Suspensions	31	28	44	37	33
Definite Suspensions	4	10	12	2	4
Summary Suspensions	4	10	13	8	11
Automatic Suspensions	1	4	3	2	2
Immediate Suspensions	4	0	1	1	2
Surrenders/Retirements	10	10	5	3	5
Probations	30	31	38	44	45
Licensure Denials or Withdrawals	8	7	18	11	22
Reprimands	12	10	4	6	1
Practice Limitations	0	3	3	1	4
Other penalty imposed	1	2	10	0	0
No Penalty Imposed/No Further Action	1	0	2	0	3
Total	144	165	200	156	196

Enforcement



Top reasons for Board Action	FY18	FY17	FY16	FY15	FY14
Impairment	32%	28%	25%	35%	31%
Prescribing Issues	27%	19%	20%	19%	21%
Criminal Acts/Convictions	8%	14%	13%	12%	18%
Actions by Other Boards or Agencies	10%	10%	8%	11%	6%

Compliance

The Medical Board’s compliance staff monitored 300 licensees on probation in FY18. 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 30 such conferences each month.

During FY18, the Medical Board approved 123 requests from licensees on probation for remedial education course approvals, chart review, or other modifications related to compliance with their Board sanction. The Board also approved the release of 56 licensees from the probationary terms and conditions included in their Board Order or Consent Agreement.

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 ORC 4731.25 and in OAC 4731-16. The list of approved treatment providers is available on the Medical Board’s website, med.ohio.gov.

Administrative Hearings

Hearing Unit: The Medical Board’s Attorney Hearing Examiners conduct the administrative hearings of practitioners who requested a hearing regarding a citation issued by the Medical Board. Following the conclusion of the administrative hearing, the 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 FY18, 29 administrative hearings were held.

In some situations, after having been notified of the citations issued by the Board, the practitioner does not request an administrative hearing. If that occurs, the Board can either act based upon the information in the citation, which often occurs in less complex cases, or it can request a Hearing Examiner review the Board’s evidence to support the charges and prepare a Proposed Findings and Proposed Order, which includes a proposed disciplinary sanction for consideration by the Board members. It is similar in format to a Report and Recommendation, but there is no hearing and there is no evidence presented by the respondent, who waived his or her right to a hearing by failing to submit a hearing request. During FY18, the Hearing Examiners prepared 17 Proposed Findings and Proposed Orders.

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. Four public rules hearings were held in FY18.

Hearing Unit Metrics	FY18	FY17	FY16	FY15	FY14
Median calendar days from hearing request to first day of hearing	85	150	131	119	90
Median calendar days from close of hearing record to filing Report & Recommendation	20	31	33	27	24
Median calendar days from filing Report & Recommendation to effective date of final order	45	49	44	49	44

Public Records Responses

Public record requests received in FY18: **685**

Median days to completion: **<1**

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. FY18 yielded a 29% increase in the number of public records requests received and processed 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.

Education and Outreach Activities



The State Medical Board of Ohio, Ohio Department of Health, and State of Ohio Board of Pharmacy worked together to develop and run a public awareness campaign targeting prescribers, their patients and the general public. Take Charge Ohio is an initiative to help use pain medication safely and responsibly to minimize the risk of drug misuse, dependency and addiction. The campaign offers prescribers and other healthcare professionals the resources and tools to properly educate patients on safe medication and pain management practices. Take Charge Ohio also helps educate patients about the scope of the problem, its impact in Ohio, and how to take action.

Gov. John R. Kasich announced the campaign on 8/30/2017 during a press conference launching the Medical Board's new regulations for opioid prescriptions to treat acute pain (OAC 4731-11). The partnering agencies continued regional events in Columbus, Cleveland, Youngstown, Dayton, Toledo Cincinnati and Athens from September 2018 through April 2018.

New Limits on Prescription Opioids for Acute Pain

The new rules for prescribing opioid analgesics for the treatment of acute pain are effective August 31, 2017. These rules DO NOT apply to the use of opioids for the treatment of chronic pain.

The New Rules for for Physicians and Physician Assistants

Generally, the rules limit the prescribing of opioid analgesics for acute pain, as follows:

- 1 No more than seven days of opioids can be prescribed for the first prescription for adults.
- 2 No more than five days of opioids can be prescribed for the first prescription for minors, and only after the written consent of the parent or guardian is obtained.
- 3 Health care providers may prescribe opioids in excess of the day supply limits only if a specific reason is provided in the patient's record.
- 4 Except as provided for in the rules, the total morphine equivalent dose (MED) of a prescription for acute pain cannot exceed an average of 30 MED per day.
- 5 The new limits do not apply to opioids prescribed for cancer, palliative care, end-of-life/respite care or medication-assisted treatment for addiction.

Part 2 of the Acute Prescribing Rules

Starting December 29, 2017 prescribers are required to:

- 1 Include the first four alphanumeric characters of the diagnosis code or full procedure code on opioid prescriptions. The inclusion of a diagnosis/procedure code (CPT) will be required for all other controlled substance prescriptions on June 1, 2018.
- 2 Indicate the days' supply on all other controlled substance and gabapentin prescriptions.

For complete information see Ohio Administrative Codes 4731-11-01, 4731-11-02, 4731-11-13, 4729-5-38, med.ohio.gov

Tools for Educating Patients on Safe Medication Practices

Make sure to check out Ohio's campaign, Take Charge Ohio, to access educational materials that you can use to help inform patients on the importance of pain medication safety.

Brought to you by: Ohio med.ohio.gov



HealthScene Ohio: The Medical Board continued production of its quarterly magazine that highlights the good work of the Board and Ohio's medical professionals. Distribution includes at least 70,000 of the Board's licensees, as well as 40,000 print copies sent around the state to health care locations accessible to the public. Because of a partnership with CityScene Media Group, the Board produces and distributes the magazine at zero cost to licensees. Feature stories for FY18 included Preventing Burnout: Helping medical professionals deal with stressors; Medical Ethics: What happens when health care professionals cross the line; and Fighting the Opioid Epidemic: How Ohio is working to combat the national opioid crisis.

Digital Communications

Website: The Medical Board website, med.ohio.gov, continues to evolve even after the redesign in FY17. New features include easier navigation to Board meeting agendas and minutes and added consumer focus with the addition of a quick link to file a complaint.

Education and Outreach Activities

Email



Most Opened:

Proposed Amendments to Massage Therapy Rules (57%)

Most Clicked Through:

Proposed Amendments to MT Rules (50%)

Website



Most viewed web pages:

1. Verification
2. Apply/Physician-MD, DO
3. Renewal Types
4. Application Types
5. Contact Us

Video



Created in FY18 (views):

- Ohio's Acute Pain Opioid Prescribing Rules (1,984)
- CTR How To Apply Guide (1,400)
- Physician Training Certificate Application (438)
- History of the Medical Board (47)
- Allied Professionals Ethics (44)

Twitter



@ohiomedboard

- 468 tweets in FY18
- 315 followers
- 422 profile visits
- 22.7K impressions
- Audience region (two largest):
 - Ohio 55%
 - California 5%

Medical Board eNews: In FY18, the Medical Board prepared and distributed 12 issues of the Medical Board eNews to licensees. This electronic newsletter keeps licensees abreast of policy and rules updates that impact their practice. Issues of eNews are available on the Medical Board's website.

Outreach

Presentations: The Medical Board continues its efforts to continually improve the information provided to licensees, the public, stakeholders, the media, and other interested parties. During FY18, 78 educational presentations were provided. Board members gave 16 presentations and senior staff provided 62 presentations to state and national audiences.

Topic	Number of Staff Presentations
Medical Board Overview and Updates Regarding Laws, Rules, Processes	38
Prescribing Practices	13
Medical Marijuana Program Updates	5
Licensure Process	4
Professional Ethics	2

Partners in Professionalism: The Partners in Professionalism program introduces medical students to their responsibilities to medical licensure. Prior to FY18, large groups of students from Ohio University's Heritage College of Osteopathic Medicine (Athens, Dublin and Cleveland campus) would travel to Columbus and observe a monthly board meeting. With advances in video production, the Medical Board can now record the most pertinent portions of the Board meeting (final probationary appearances) and take the learning experience to the students on their respective campuses.