



State Medical Board of

Ohio

State Fiscal Year

2019

**Annual
Report**

State Medical Board of Ohio
Annual Report - Fiscal Year 2019 (FY19)
July 1, 2018 – June 30, 2019

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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; 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.

Composition

The State Medical Board of Ohio is composed 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 investigatory and enforcement processes.

During FY19, 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 met on January 25, 2019 by telephone conference to issue a summary suspension to a licensee. A special meeting was held on May 23, 2019 to discuss its statutory authority under Section 4731.22(F)(5) of Ohio Revised Code. The annual board retreat was held on June 10, 2019 to discuss operational issues and processes.

About the Medical Board

Board Members during FY19:

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

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

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

Jonathan Feibel, MD
Columbus – Orthopedic Surgeon
Term: 5/21/2019 – 3/18/2024

Robert Giacalone, RPh, JD
Dublin – Public Member
Term: 10/29/2013 – 7/31/2023

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

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

Harish Kakarala, MD
Akron – Pulmonary Intensivist
Term: 5/21/2019 – 3/18/2024

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

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

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

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

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

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

Mr. Giacalone served as board President July 1 - December 31, 2018.

Dr. Schachat served as President January 1 - May 18, 2019 when his term ended.

Dr. Schottenstein served as vice president January 1 - June 12, 2019, when he was named President.

Dr. Edgin was named vice president June 12, 2019.

Dr. Rothermel served as secretary.

Dr. Saferin served as supervising member.

Appointments to Board: On August 1, 2018 Gov. John R. Kasich reappointed Robert Giacalone to a public member position on the board for a term ending July 31, 2023. Governor Mike DeWine appointed Jonathan Feibel, MD and Harish Kakarala, MD on May 21, 2019 to serve as allopathic physician representatives on the board with terms ending March 18, 2024. They replaced Andrew Schachat, MD and Ronan Factora MD, who completed five years of service on the Medical Board.

Agency Staffing and Funding: The Executive Director oversees day-to-day operations of the agency. During FY19, 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 may be repurposed to another area of higher need. During FY19 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.

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
Robert Giacalone, RPh, JD
Amol Soin, MD, MBA
Harish Kakarala, MD effective June 2019
Ronan Factora, MD until May 2019

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
Mary-Jon Ludy, PhD, RDN, FAND

Finance Committee

Michael Schottenstein, MD, Chair
Richard Edgin, MD
Michael Gonidakis, JD
Bruce Saferin, DPM

ICD-10 Code Data Committee (ad hoc)

Robert Giacalone, RPh, JD
Sherry Johnson, DO
Michael Schottenstein, MD
Amol Soin, MD, MBA

Licensure Committee

Bruce Saferin, DPM, Chair
Richard Edgin, MD
Kim G. Rothermel, MD
Jonathan Feibel, MD effective June 2019
Ronan Factora, MD until May 2019

Medical Marijuana Expert Review Committee (ad hoc)

Mark A. Bechtel, MD
Robert Giacalone, RPh, JD
Michael Schottenstein, MD
Amol Soin, MD, MBA

Physician Assistant Scope of Practice Committee

Mark A. Bechtel, MD
Robert Giacalone, RPh, JD
Andrew Schachat, MD until May 2019

Physician Assistant Policy Committee (PAPC)

Scott Cackler, PA, Chair
Cory P. Coffey, PharmD
Kindra Engle, DO
Nishit Mehta, MD
Jessica Thurman, PA
Robert Zaayer, PA

Policy Committee

Amol Soin, MD, MBA, Chair
Mark A. Bechtel, MD
Robert Giacalone, RPh, JD
Betty Montgomery, JD
Sherry Johnson, DO effective June 2019
Andrew Schachat, MD until May 2019

Respiratory Care Advisory Council

Cindy Groeniger
Sanja Keller, RRT
Roy Neely, RRT
Robert Pelfry, RRT
Amy Rodenhausen, RRT
Edward Warren, MD
Harish Kakarala, MD effective June 2019
Ronan Factora, MD until May 2019

The Physician Assistant (PA) Scope of Practice Committee met for the final time during FY19. Ohio Senate Bill 259 made several changes which eliminated the need for such a committee. The legislation eliminated the PA formulary which outlined prescriptive restrictions. As a result, the business of the PA Scope of Practice Committee was limited enough that all remaining duties and responsibilities were incorporated into Licensure Committee. SB259 also impacted the Physician Assistant Policy Committee (PAPC): reducing the previous requirement of two pharmacist members down to one pharmacist; eliminating the requirement for four meetings annually and allowing the committee to meet as needed; and allowing committee members full participation rights via teleconference. Although committee members may call in, PAPC meetings remain open to the public and anyone may attend a meeting in-person.

Fiscal Report

FY19 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 \$10,113,151 in revenue in FY19.

The board finished the year spending well under its \$11,064,757 budget. Final numbers will not be available until November 2019, when the board finalizes spending from its FY19 encumbrances (purchase orders).

The Medical Board's spending authority is authorized by the legislature through the biennial budget process. FY20 began July 1, 2019 with a budget allotment of \$10,862,471.

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 FY18. The bulk of these licensees will renew again during FY20.

By Revenue Category	FY19	FY18
(410000) Holding	\$ 70,772*	--
(422005) Renewal	\$ 6,724,850	\$ 7,676,185
(423528) Reactivation	\$ --	\$ 500
(426095) Reinstatement	\$ 499,780	\$ 394,300
(426096) Restoration	\$ 85,065	\$ 63,655
(426097) Certificate of License	\$ 1,683,638	\$ 1,577,779
(426098) Training Certificate	\$ 311,610	\$ 297,398
(426099) Training Cert Renewal	\$ 36,080	\$ 312,600
(426100) Pre-Ed Certificate	\$ --	\$ 14,035
(426106) Dup Certificates/Wallets	\$ 15,655	\$ 13,945
(426108) Special Activity	\$ 1,875	\$ 3,000
(426119) Telemedicine	\$ 12,505	\$ 6,700
(426110) Telemedicine Renewal	\$ 18,440	\$ 15,650
(426119) Reinstatement Penalty	\$ --	\$ 11,650
(426120) Restoration Penalty	\$ --	\$ 8,175
(426121) Cert of Verification	\$ 483,675	\$ 419,380
(450022) Fines	\$ 167,399	\$ 222,271
(452518) Public Records	\$ --	\$ 10
(452525) Reimbursement-Variou	\$ 1,707	\$ 17
Total	\$10,113,051	\$ 11,037,250

*\$70,772 remained in the holding account at the end of the fiscal year and was not distributed to the revenue accounts until the first week of July.

Fiscal Report

FY19 Revenue by License Type

By License Type	FY19	FY18
MD -- Medicine	\$ 6,581,993	\$ 6,136,333
DO -- Osteopathic Medicine	\$ 1,146,868	\$ 1,120,700
DPM -- Podiatric Medicine	\$ 180,050	\$ 154,275
MDEXP -- MD Expedited	\$ 322,000	\$ 324,301
DOEXP -- DO Expedited	\$ 21,000	\$ 35,000
CCE -- Conceded Eminence	\$ 11,000	\$ 5,000
CRF -- Clinical Research Faculty	\$ 3,750	\$ 4,875
MT -- Massage Therapist	\$ 674,280	\$ 630,001
LICS -- Misc./Mechano./Limited Br.	\$ 499,430	\$ 433,388
PA -- Physician Assistant	\$ 226,353	\$ 933,951
AC -- Acupuncturist	\$ 2,550	\$ 23,925
AA -- Anesthesiologist Assistant	\$ 2,300	\$ 33,200
CT -- Cosmetic Therapist	\$ 11,275	\$ 12,925
GC -- Genetic Counselor	\$ 17,050	\$ 49,050
DT -- Licensed Dietitian	\$ 199,580	\$ 611,275
Limited Permit -- Dietitian	\$ 2,795	\$ 1,820
OM -- Oriental Medicine	\$ 1,000	\$ 5,000
RA -- Radiology Assistant	\$ 400	\$ 3,225
RCP -- Respiratory Care Professional	\$ 128,362	\$ 510,427
L1 -- Limited Permit Respiratory Care	\$ 8,071	\$ 8,383
L2 -- Limited Permit Respiratory Care	\$ 465	
Interest/Penalties	\$ --	\$ 169
PUBL -- Public Records (copies)	\$ --	\$ 10
STAFF/OTHER Reimbursements	\$ 1,707	\$ 17
Holding Account	\$ 70,772	--
Total	\$10,113,051	\$ 11,037,250

Ohio Physician Loan Repayment Program (OPLRP)

Ohio physician loan repayment program contribution for FY19:
\$446,420

Physician licensure biennial renewal fees are \$305, and \$285 of the fee supports Medical Board operations. The remaining \$20 is transferred to the Department of Health for the Ohio Physician Loan Repayment Fund as required in ORC 4731.281(A). This program 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

FY19 Expenditures

By Expense Category	FY19	FY18
Payroll	\$ 7,787,845	\$ 7,797,920
Operating Expenses	\$ 1,501,255	\$ 938,514
Purchased Personal Services	\$ 425,389	\$ 251,079
Travel Reimbursements	\$ 52,415	\$ 42,985
Equipment	\$ 21,531	\$ 10,975
Refund/Transfers/Reimbursements	\$ --	\$ 250
Total	\$ 9,788,436	\$ 9,041,723

By Division	FY19	FY18
(252) Investigations	\$ 2,117,965	\$ 2,291,879
(152) Operations (HR/Fiscal/Overhead)	\$ 1,577,265	\$ 1,149,556
(202) Licensure/Renewal	\$ 1,280,176	\$ 1,085,482
(254) Enforcement	\$ 1,228,646	\$ 1,029,321
(203) Strategic Services	\$ 1,122,516	\$ 1,177,150
(120) Legal & Policy	\$ 950,531	\$ 875,773
(100) Executive	\$ 424,357	\$ 434,936
(255) Quality Intervention/Standards Review	\$ 392,271	\$ 334,803
(300) Hearing Unit	\$ 345,717	\$ 334,262
(253) Compliance	\$ 199,166	\$ 188,968
(355) Board Members (& Advisory Councils)	\$ 149,826	\$ 139,592
Total	\$ 9,788,435	\$ 9,041,723

NOTE: Because of the state's biweekly pay schedule, each fiscal year has an extra day (2 in leap year) beyond the 26 pay periods of 14 days each. The accumulation of these days year after year results in one extra pay period (the 27th pay period) in a fiscal year approximately every 10 years. The fiscal year 2020-2021 transportation budget (Am. Sub. H.B. 62, Sect. 509.30) authorized the Director of Budget and Management flexibility to process the 27th pay period in fiscal year 2019. Therefore, funds for the 27th pay period were encumbered against fiscal year 2019 but were disbursed in fiscal year 2020. The cost of the 27th pay period was \$300,541.71, which is not included in the figures above.

The State Medical Board of Ohio continues to be financially solvent, with a cash balance of \$4,947,746 as of June 30, 2019.

Operating fund
cash balance:
\$ 4,947,746

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.

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 applications and renewals are processed and paid via credit card online through the eLicense system except naprapath, mechanotherapist, and restricted cosmetic therapist applications.

License Type	Total Active Licenses as of				
	6/30/19	6/30/18	6/30/17	6/30/16	6/30/15
Allopathic Physician – MD	42,007	42,265	41,533	40,665	40,222
Osteopathic Physician – DO	6,826	6,676	6,430	6,164	5,931
Podiatric Physician – DPM	981	956	977	969	984
Training Certificate – MD	5,812	4,589	3,989	3,594	4,341
Training Certificate – DO	2,046	1,409	1,162	1,071	1,147
Training Certificate – DPM	186	148	93	96	125
Telemedicine Licenses (MD-DO)	163	167	157	134	168
Acupuncturist – LAc	247	226	243	242	234
Anesthesiologist Assistant – AA	278	249	262	241	205
Cosmetic Therapist – CT	176	169	177	183	177
Dietitian – LD	4,353	4,275	NA	NA	NA
Limited Permit Dietitian – LD	11	23	NA	NA	NA
Genetic Counselor	377	288	265	221	171
Massage Therapist – MT	11,638	12,090	11,947	11,560	12,350
Mechanotherapist – DM	9	11	14	15	18
Naprapath – NAP	1	1	1	1	1
Oriental Medicine Practitioner– LOM	59	47	41	32	24
Physician Assistant – PA	4,149	3,706	3,506	2,720	2,962
Radiologist Assistant – RA	18	16	15	14	12
Respiratory Care Professional – RCP	8,391	8,633	NA	NA	NA
L1 Limited Permit – Respiratory Care	307	375	NA	NA	NA
L2 Limited Permit – Respiratory Care	4	8	NA	NA	NA
Total	88,039	86,327	70,638	67,922	69,072

Licensure Activities

Initial Licenses Issued

Type of License	FY19	FY18	FY17	FY16	FY15
Allopathic Physician (MD)	2,539	2,539	2,703	2,299	2,427
Osteopathic Physician (DO)	536	525	577	466	461
Podiatric Physician (DPM)	48	43	46	33	29
Acupuncturist	15	15	9	19	27
Anesthesiologist Assistant	29	17	25	24	23
Cosmetic Therapist	13	9	7	7	13
Genetic Counselor	92	58	62	55	43
Dietitian	289	282	NA	NA	NA
Limited Permit – Dietitian	33	30	NA	NA	NA
Massage Therapist	503	517	573	617	629
Oriental Medicine Practitioner	12	8	7	10	7
Physician Assistant	418	475	411	344	309
Radiologist Assistant	2	1	3	2	3
Respiratory Care Professional	424	382	NA	NA	NA
L1 Limited Permit – Respiratory Care	275	258	NA	NA	NA
L2 Limited Permit – Respiratory Care	0	0	NA	NA	NA
Total	5,228	5,159	4,420	3,876	3,971

FY19 Initial License Processing Timelines

License Type	Number Issued	Average Days to Issue
MD/DO	2,707	28
Expedited MD/DO	368	25
DPM	48	48
Allied Professions	2,107	33

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	FY19	FY18	FY17	FY16	FY15
Training Certificates – MD, DO, DPM	3,883	3,270	2,706	2,973	2,850
Special Activity Certificates	10	25	15	36	26
Telemedicine Certificates (MD-DO)	26	18	11	13	16
Clinical Research Faculty	7	5	5	12	12
Conceded Eminence	5	1	2	1	3
Visiting Clinical Professional Development	0	1	1	0	0

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 FY19.

Training Certificate Process Change: Until 9/27/2017, training certificates issued to those participating in Ohio medical residency or fellowship training programs had to be renewed annually. Provisions in HB49 changed the length of time a training certificate is valid from one year to three years. The significantly reduced number of training certificates renewed in FY19 illustrates the impact of this change. In addition, the board streamlined the process for training certificate applications, resulting in the issuance of 2,200 training certificates within the 75 workdays between the National Residency Match Day on March 15, 2019 and the commencement of training programs on July 1, 2019. Prior to this change, the same number of applications would have taken six to nine months to fully process.

Physician Assistant Supervision Agreements: Prior to the enactment of HB111 on 9/28/2018, physicians were required to submit to the board copies of their supervision agreements with physician assistants, and to submit changes to the agreements as they occurred. The change in law eliminated the filing requirements; instead, agreements are now simply required to be maintained at physicians’ offices, which board staff may audit for compliance.

Continuing Education Audits: The board has been working with CE Broker to simplify the continuing education audit process for licensees and board staff, resulting in an increase in the number of audits performed, and a decrease in the time required to complete audits.

Certificates to Recommend Medical Marijuana: The number of physicians who hold a Certificate to Recommend (CTR) has continued to increase. The board issued 374 CTRs in FY19 and had 512 active CTR holders as of June 2019. Only Ohio licensed MDs and DOs may apply for a CTR.

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. Fifteen candidates sat for the cosmetic therapy licensure exam which was offered four times during FY19. 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 satisfy the statutory requirements for curriculum content and instruction hours. The complete list of approved limited branch schools is available on the board’s website, med.ohio.gov.

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. Licenses of dietitians and respiratory care professionals expire on June 30 of even numbered years.

Number of Renewals Processed by License Type

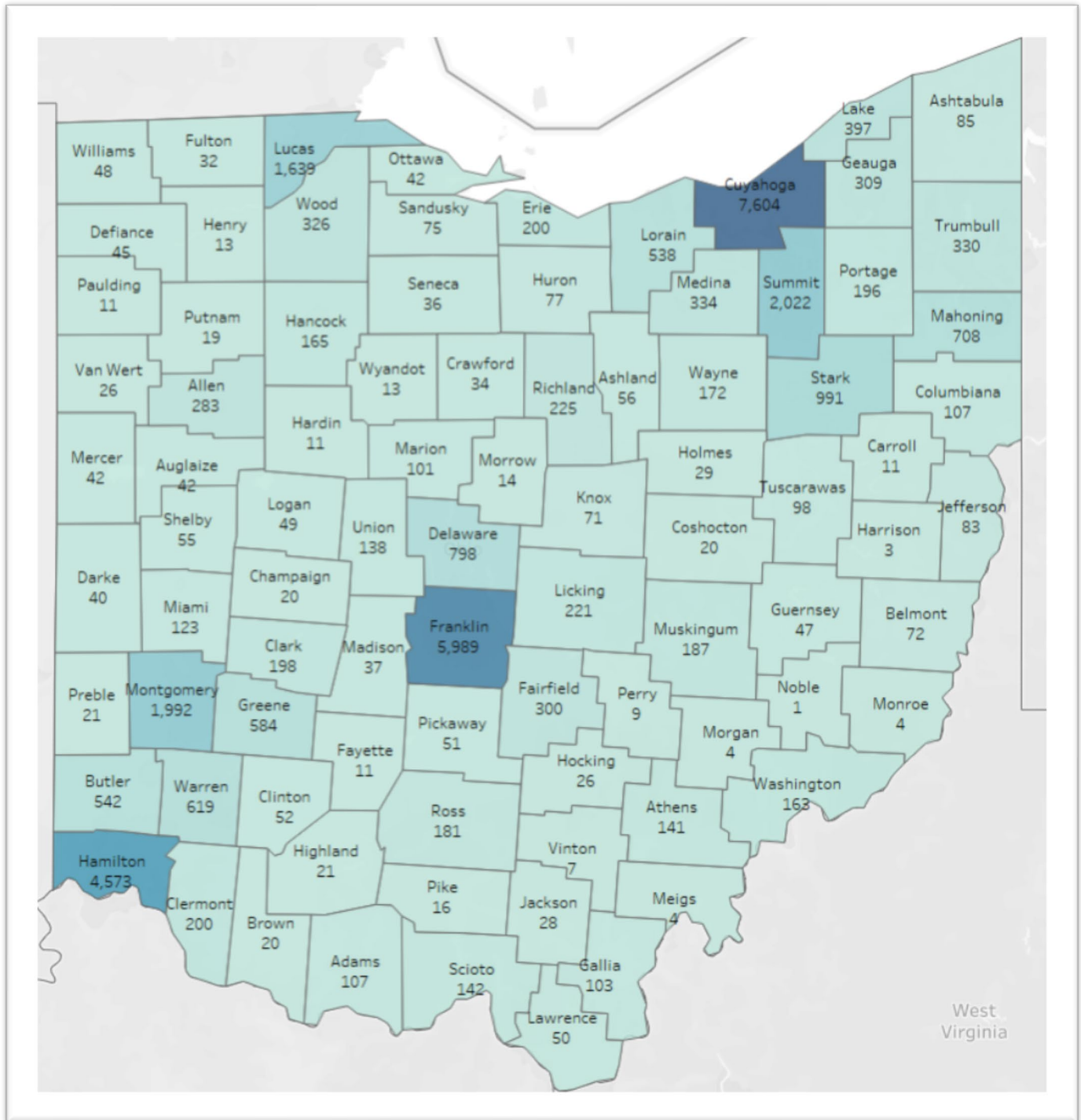
License Type	FY19	FY18	FY17
Physicians (MD, DO, DPM)	22,300	20,700	23,029
Training Certificates (MD, DO, DPM)	195	3,537	4,529
Acupuncturists & Oriental Medicine *	5	259	1
Anesthesiologist & Radiologist Assistants*	0	273	2
Dietitians*	90	3,970	NA
Limited Permit – Dietitian	0	3	NA
Genetic Counselors*	0	248	5
Massage Therapist/Cosmetic Therapist	5,599	6,374	6,715
Physician Assistants*	16	3,459	15
Respiratory Care Professionals*	97	7,694	NA
L1 and L2 limited permits – Respiratory Care	143	174	NA
Total	28,445	46,691	34,926

* Licenses expire in even-numbered years

Physician Distribution by County

As of 6/30/19

The map depicts the number of MD and DO physicians in each county.



Complaints

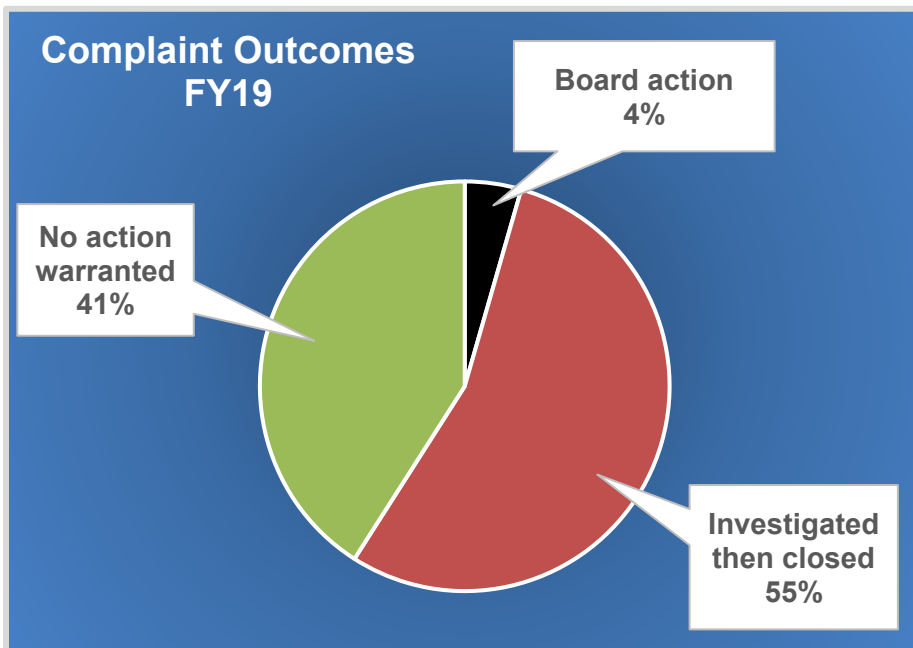
The Medical Board protects the public through effective medical regulation. The board investigates complaints, takes disciplinary actions against those who violate the Medical Practices Act and other applicable statutes and rules, and monitors licensees on probation.

Complaints 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	FY19
New complaints received FY19	6,485
Closed complaints (includes disposition of complaints received prior to FY19)	5,612
Average number of processing days from receipt of complaint to closure	102



Closed Complaints

No action warranted

2,298 complaints closed as the issue involved profession not regulated by Board or no further review needed

Investigated then closed

3,064 complaints were closed after investigation as information obtained about allegation did not support Board action

Board action

250 complaints resulted in disciplinary action by the Medical Board

Complaints

FY19 Complaints Received by License Type

License	Complaints Received
Doctor of Medicine (MD)	3,399
Training Certificate, DO*	1,148*
Doctor of Osteopathic Medicine (DO)	705
Unspecified license type	392
Massage Therapist (MT)	250
Respiratory Care Professional (RCP)	125
Training Certificate, MD	123
Physician Assistant (PA)	100
Doctor of Podiatric Medicine (DPM)	65
Telemedicine (MD)	42
L1 Limited Permit – Respiratory Care	40
Licensed Dietitian	37
Limited Permit – Dietitian	11
Cosmetic Therapist (CT)	9
Acupuncturist (ACU)	8
Genetic Counselor (GC)	5
Telemedicine (DO)	5
Training Certificate (DPM)	5
Certificate of Conceded Eminence	4
Clinical Research Faculty Certificate	4
Special Activity Certificate	4
Anesthesiologist Assistant (AA)	3
Radiologist Assistant (RA)	1
Grand Totals (6,485 records)	6,485

A singular alleged incident resulted in an unusually high number of complaints for training certificate holders in FY19.

Investigations

Investigations

The Investigations Unit of the Medical Board is composed of field investigators and supervisors who are based throughout the state. By harnessing the features of eLicense, Investigations was able to reduce the number of open complaints within the Investigations Unit by over 12% during FY19.

To further increase efficiency throughout the agency, Investigations staff communicated with 263 hospitals throughout Ohio and made arrangements related to service of board subpoenas and the production of hospital records. Additionally, the Medical Board continues to routinely work with a variety of local, state, and federal agencies. Board investigative staff participated in the Appalachian Regional Prescription Opioid Strike Force which, in April 2019, took action involving 60 charged defendants across 11 federal districts encompassing over 32 million doses of controlled substances.

Finally, to further strengthen effective outreach to members of the public affected by sexual assault perpetrated by licensees of the board, the Investigations Unit attended a two-day training provided by the Ohio Attorney General's Interpersonal Violence Response Training Team.

Investigations completed: 1,146
Investigation subpoenas issued: 206

Standards Review

Standards Review

The Standards Review section 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 section 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. In FY19, the Standards Review section reviewed 622 complaints. It closed 459 complaints following review without taking any further action. Additionally, 123 licensees were referred to remedial education and/or were cautioned regarding their practice. As part of the review process, 873 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 Surrender/Retirements.

Enforcement Metrics	FY19
Depositions conducted by Enforcement	11
Subpoenas issued by Enforcement	157
Interrogatories generated by Enforcement	38

FY19 Board Actions

Types of Actions Imposed	FY19	FY18	FY17	FY16	FY15
Revocations	39	38	50	47	41
Indefinite Suspensions	31	31	28	44	37
Definite Suspensions	5	4	10	12	2
Summary Suspensions	7	4	10	13	8
Automatic Suspensions	0	1	4	3	2
Immediate Suspensions	4	4	0	1	1
Surrenders/Retirements	13	10	10	5	3
Probations	26	30	31	38	44
Licensure Denials or Withdrawals	5	8	7	18	11
Reprimands	3	12	10	4	6
Practice Limitations	0	0	3	3	1
Other Penalty Imposed	0	1	2	10	0
No Penalty Imposed/No Further Action	2	1	0	2	0
Total	135	144	165	200	156

The Medical Board imposed 135 disciplinary sanctions and issued 79 citations in FY19.

Enforcement

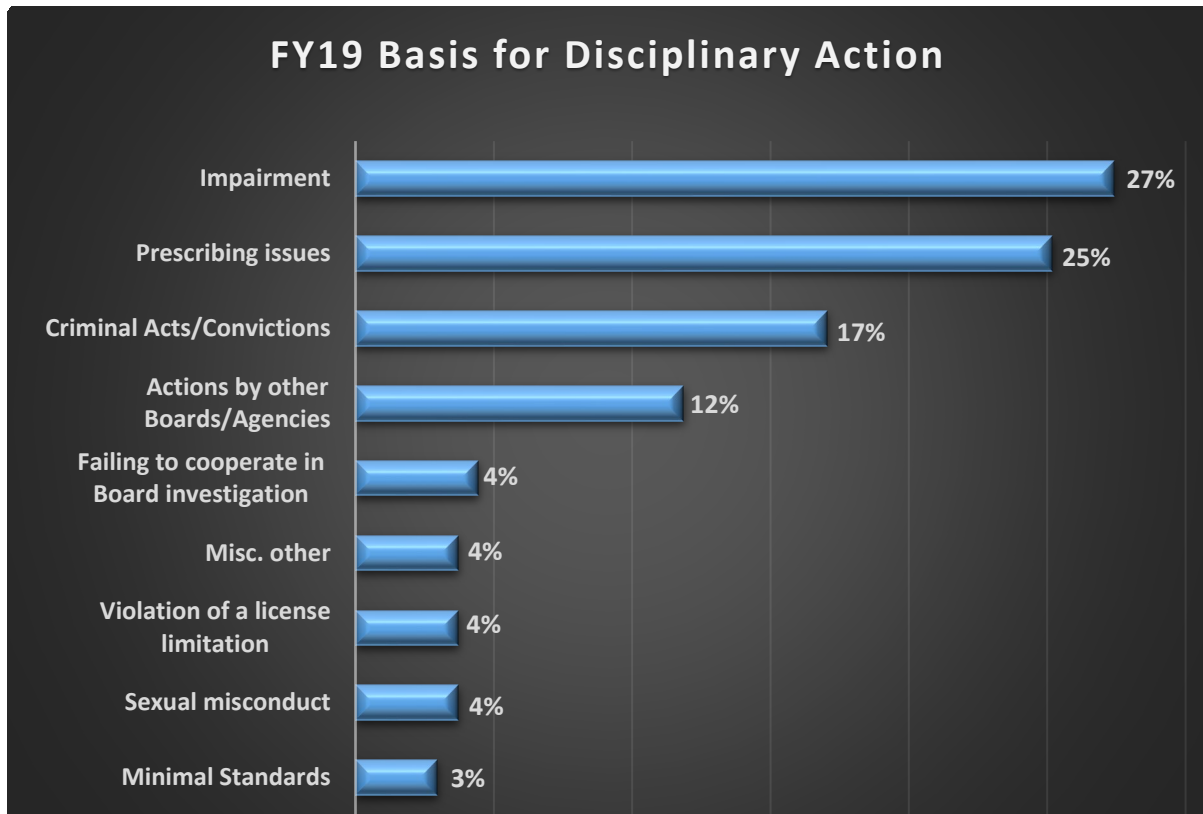
FY19 Board Actions by Type of Action and License Type

Disciplinary Action	MD	DO	DPM	PA	MT	RCP	Physician Training Certificate	FY19 Total
Revocation	30	2	1	2	4			39
Indefinite Suspension	20	4		1	3	3		31
Definite Suspension	3		1		1			5
Probation	16	5	2	1		1	1	26
Reprimand	3							3
Surrender/Retirement	7	2			1	3		13
License Denial/Withdrawal	3				1	1		5
Summary Suspension	4	2		1				7
Immediate Suspension	1	3						4
No Further Action	1	1						2
Total	88	19	4	5	10	8	1	135

Glossary of Board Action Terms

- **Revocation:** The loss of a license to practice in Ohio. An individual whose license has been revoked shall be eligible to apply for a new license.
- **Suspension:** The temporary loss of a license to practice in Ohio. A suspension shall be imposed for either a definite or an indefinite period.
- **Probation:** A situation whereby the license holder shall continue to practice only under conditions specified by the board.
- **Reprimand:** The license holder is formally and publicly reprimanded in writing.
- **Voluntary Surrender/ Retirement:** Practitioner surrenders/retires license to practice in lieu of further disciplinary proceedings; may authorize the board to revoke the practitioner’s license without further legal proceedings.
- **Denial:** The denial of an application for a license to practice in Ohio. The board may permanently deny an application which prohibits the applicant from ever applying for a license in the future.
- **Withdrawal of application:** Applicant no longer wants to pursue an Ohio license.
- **Summary Suspension:** License to practice is suspended prior to a hearing based on clear and convincing evidence that continued practice by the licensee poses a danger of immediate and serious harm to the public.
- **Immediate Suspension:** License to practice is suspended prior to a hearing pursuant to Section 3719.121, Ohio Revised Code, when a licensee pleads guilty to, is found by a judge or jury to be guilty, or is found eligible for intervention in lieu of conviction, of a felony drug abuse offense.
- **No Further Action:** The board finds that a violation occurred but declines to impose any disciplinary sanction.
- **Permanent Revocation:** The permanent loss of a license to practice in Ohio and the inability to ever reapply for or hold any license to practice in Ohio.

Enforcement



Top reasons for Board Action	FY19	FY18	FY17	FY16	FY15
Impairment	27%	32%	28%	25%	35%
Prescribing Issues	25%	27%	19%	20%	19%
Criminal Acts/Convictions	17%	8%	14%	13%	12%
Actions by Other Boards or Agencies	12%	10%	10%	8%	11%

Compliance

The Medical Board's compliance staff monitored 239 licensees on probation in FY19. 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 20 such conferences each month.

During FY19, the Medical Board approved 125 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 45 licensees from the probationary terms and conditions included in their Board Order or Consent Agreement.

Compliance staff are 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.

The Medical Board's compliance staff also monitored two licensees as part of its B(19) Confidential Monitoring Program. This program, which began in December of 2018, enables eligible licensees to participate in a non-disciplinary confidential monitoring program related to a mental or physical illness (other than a substance use disorder).

Administrative Hearings

The Medical Board's Attorney Hearing Examiners conduct the administrative hearings of practitioners who request a hearing regarding a Notice of Opportunity for Hearing issued by the Medical Board. Following the conclusion of the administrative hearing, the Hearing Examiner prepares a Report & Recommendation (R&R) that includes the basis for the hearing, the findings of fact, conclusions of law and a proposed sanction for consideration by the board members. During FY19, 47 administrative hearings were held.

In some situations, the practitioner does not request an administrative hearing. If that occurs, the board can either act based upon the information in the Notice of Opportunity for Hearing, 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 sanction for consideration by the board members. It is similar in format to a Report & 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 FY19, the Hearing Examiners prepared 13 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. Ten public rules hearings were held in FY19.

Hearing Unit Metrics	FY19	FY18	FY17	FY16	FY15
Median calendar days from hearing request to first day of hearing	85	85	150	131	119
Median calendar days from close of hearing record to filing R&R	29	20	31	33	27
Median calendar days from filing R&R to effective date of final order	43	45	49	44	49

Public Records Responses

Public record requests received in FY19: **671**

Median days to completion: **1**

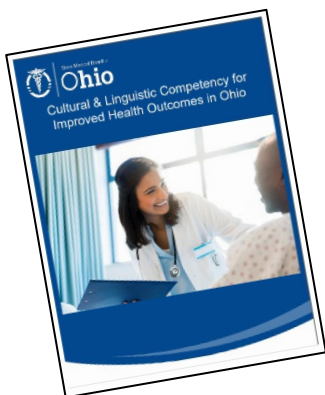
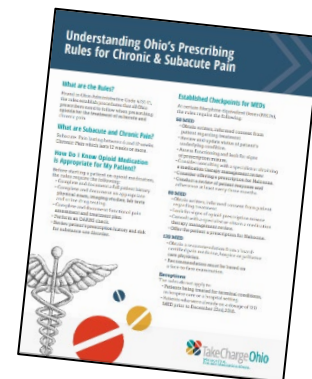
The Medical Board receives numerous requests for copies of public records each year. While many documents are available through the Medical Board's website, requests for more complex records are provided by the agency.

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 worked diligently throughout FY19 to educate licensees and Ohioans about safe and effective health care.

Preventing Opioid Misuse: Continuing the fight against the nation's opioid epidemic, the State Medical Board of Ohio launched several educational campaigns. The board created and disseminated an educational video and hand out to help prescribers comply with regulations on prescriptions for chronic and subacute pain. Additionally, SMBO purchased and distributed approximately 400 drug disposal pouches which can safely dissolve unused opioids and help decrease the chance for diversion.



Cultural Competency: Through collaborative efforts with numerous local, state and federal organizations, the State Medical Board of Ohio published "Cultural & Linguistic Competency for Improved Health Outcomes in Ohio," a guide for providers as an introduction to cultural competencies. This document draws on resources from across the country, including review and input from a diverse group of experts. The guide is meant to be a starting point for developing linguistic and cultural competencies among health care providers. The printed booklet is also available electronically through the website. It will be used to produce an educational video which is expected to be available before the end of 2019.

Medical Board eNews: In FY19, 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.

CTR eNews: An additional monthly electronic newsletter was created with the intent of educating physicians with an active Certificate to Recommend (CTR) Medical Marijuana about the Ohio Medical Marijuana Control Program.

Education and Outreach Activities

Email



Most Opened:

Activation of Medical Marijuana Patient and Caregiver Registry (73%)

Most Clicked Through:

CTR Practice Site Location - Survey (71%)

Website



Most Viewed Web Pages:

1. Rosters
2. Apply/Physician-MD, DO
3. Monthly Formal Action
4. Renew/Physician-MD, DO, DPM
5. Contact Us

Video



Created in FY19 (views):

- For Physicians: How to Register Patients and Caregivers (8,969)
- For Patients: Ohio Medical Marijuana Control Program Overview (8,588)
- CTR How to Apply Guide (6,359)
- Ohio's Medical Marijuana Control Program: An Overview for Physicians (1,256)
- Opioid Prescribing Regulations for Treating Chronic & Subacute Pain (201)

Twitter



@ohiomedboard

- 319 tweets in FY18
- 426 followers
- 5,267 profile visits
- 164K impressions
- Audience region (two largest):
 - Ohio 52%
 - California 5%
- Audience Gender
 - Male 41%
 - Female 59%

Presentations: The Medical Board continues its efforts to improve the information provided to licensees, the public, stakeholders, the media, and other interested parties. During FY19, 76 educational presentations were provided. Board members gave nine presentations and senior staff provided 67 presentations to state and national audiences.

Topic	Number of Staff Presentations
Medical Board Overview and Updates Regarding Laws, Rules, Processes	47
Prescribing Practices	14
Medical Marijuana Program Updates	13
Professional Ethics	2

Partners in Professionalism: The Partners in Professionalism program introduces medical students to the responsibilities of medical licensure. Case studies are used in the presentations to highlight types of behaviors that could jeopardize a professional license. During FY19, medical students from the Ohio State University College of Medicine Honors and Professionalism Council, the Kent State University College of Podiatric Medicine, and Ohio University's Heritage College of Osteopathic Medicine (Athens, Dublin and Cleveland campuses) took part in this learning experience.