

## Section III: Additional Operating Statistics and Newly Enacted Legislation

This section consists of a table listing additional operating statistics for the boards and commissions and a summary of laws effective during FY 2012 impacting board and commission operations.

### Additional Operating Statistics

Table 4 lists the web site address, primary renewal cycle, number of appointed board members, and staffing level for each of the 40 boards and commissions covered by this report. In most cases, the boards provided the full-time equivalent (FTE) staff numbers; however, some boards instead provided full-time (FT) or part-time (PT) staff numbers. The staffing level for each board or commission may include administrative staff, investigators, and inspectors.

<b>Table 4. Additional Operating Statistics</b>			
<b>Agency (Web Site)</b>	<b>Primary Renewal Cycle</b>	<b>Board Members</b>	<b>Staff</b>
<b>Accountancy Board</b> ( <a href="http://www.acc.ohio.gov">www.acc.ohio.gov</a> )	Triennial	9	9 FTE
<b>Architects Board and the State Board of Landscape Architect Examiners<sup>8</sup></b> ( <a href="http://www.arc.ohio.gov">www.arc.ohio.gov</a> )	Biennial	10	4 FTE
<b>Ohio Athletic Commission</b> ( <a href="http://www.aco.ohio.gov">www.aco.ohio.gov</a> )	Annual	4	3 FTE
<b>Auctioneer Program – Department of Agriculture<sup>9</sup></b> ( <a href="http://www.agri.ohio.gov/auction/">www.agri.ohio.gov/auction/</a> )	Biennial	5	7 FTE
<b>Ohio State Barber Board</b> ( <a href="http://www.barber.ohio.gov">www.barber.ohio.gov</a> )	Biennial	3	7 FTE
<b>Board of Building Standards – Department of Commerce</b> ( <a href="http://www.com.ohio.gov/dico/bbs.aspx">www.com.ohio.gov/dico/bbs.aspx</a> )	Triennial	15	12 FTE
<b>Chemical Dependency Professionals Board</b> ( <a href="http://www.ocdp.ohio.gov">www.ocdp.ohio.gov</a> )	Biennial	9	4 FTE
<b>State Chiropractic Board</b> ( <a href="http://www.chirobd.ohio.gov">www.chirobd.ohio.gov</a> )	Biennial	4	5 FTE

<sup>8</sup> The Architects Board and the State Board of Landscape Architect Examiners share the same administrative staff and operate on a combined budget. Each board has five members. Architects and landscape architect examiners renew biennially while related firms renew annually.

<sup>9</sup> In the Auctioneer Program of the Department of Agriculture, three licenses renew biennially and two renew annually. Additionally, of the seven staff members noted for the program, five are investigators who work for the entire Department.

<b>Table 4. Additional Operating Statistics</b>			
<b>Agency</b> (Web Site)	<b>Primary Renewal Cycle</b>	<b>Board Members</b>	<b>Staff</b>
<b>Ohio Construction Industry Licensing Board – Department of Commerce</b> (www.com.ohio.gov/dico/OCILB.aspx)	Annual	17	8 FTE
<b>State Board of Cosmetology</b> (www.cos.ohio.gov)	Biennial	9	36 FTE
<b>Counselor, Social Worker, and Marriage and Family Therapist Board</b> (www.cswmft.ohio.gov)	Biennial	11	13 FTE
<b>Ohio State Dental Board</b> (www.dental.ohio.gov)	Biennial	13	15 FTE
<b>Board of Dietetics</b> (www.dietetics.ohio.gov)	Annual	4	3 FT
<b>State Board of Embalmers and Funeral Directors</b> (www.funeral.ohio.gov)	Biennial	7	7 FTE
<b>Board of Emergency Medical Services – Department of Public Safety</b> (www.ems.ohio.gov)	Triennial	20	33 FTE
<b>State Board of Registration for Professional Engineers and Surveyors</b> (www.peps.ohio.gov)	Biennial <sup>10</sup>	5	8 FTE
<b>Division of Financial Institutions – Department of Commerce</b> (www.com.ohio.gov/fiin/)	Annual	N/A <sup>11</sup>	30 FTE
<b>Hearing Aid Dealers and Fitters Licensing Board – Department of Health</b> (www.odh.ohio.gov/odhPrograms/dspc/hdlr/hdamain1.aspx)	Annual	6	1 PT <sup>12</sup>
<b>Division of Industrial Compliance – Department of Commerce</b> (www.com.ohio.gov/dico/)	Annual	6 <sup>13</sup>	1 FTE
<b>Ohio Manufactured Homes Commission</b> (www.omhc.ohio.gov)	Biennial	9	6 FTE
<b>State Medical Board<sup>14</sup></b> (www.med.ohio.gov)	Biennial	12	76 FT, 1 PT

<sup>10</sup> Prior to FY 2012, the Board had an annual license renewal cycle.

<sup>11</sup> This agency has no executive board.

<sup>12</sup> The one staff member works 65 hours per pay period (two weeks) for the Board.

<sup>13</sup> The Board members noted belong only to the Historical Boiler Board.

<sup>14</sup> The State Medical Board also has a Physician Assistant Policy Committee composed of nine members: three physicians, three physician assistants, two pharmacists, and one consumer. One physician member is also a Board member and one pharmacist member is a member of the Ohio Board of Pharmacy.

<b>Table 4. Additional Operating Statistics</b>			
<b>Agency (Web Site)</b>	<b>Primary Renewal Cycle</b>	<b>Board Members</b>	<b>Staff</b>
<b>Ohio Medical Transportation Board</b> (www.mtb.oh.gov)	Annual	7	3 FTE <sup>15</sup>
<b>Board of Motor Vehicle Collision Repair Registration</b> (www.collisionboard.ohio.gov)	Annual	7	3 FTE
<b>Motor Vehicle Dealers Licensing Board – Department of Public Safety</b> (www.ohioautodealers.com)	Biennial	10	52 PT <sup>16</sup>
<b>Motor Vehicle Salvage Dealers Licensing Board – Department of Public Safety</b> (ohioautodealers.com/salvage_motor_vehicle_dealer.stm)	Biennial	3	47 PT
<b>Board of Nursing</b> (www.nursing.ohio.gov)	Biennial	10	61 FTE, 3 Intermittent
<b>Board of Examiners of Nursing Home Administrators – Department of Health</b> (www.ohiobenha.org)	Annual	9	6 FTE
<b>Occupational Therapy, Physical Therapy, and Athletic Trainers Board</b> (www.otptat.ohio.gov)	Biennial	20	8 FTE
<b>Ohio Optical Dispensers Board</b> (www.optical.ohio.gov)	Annual	9	3 FTE
<b>State Board of Optometry</b> (www.optometry.ohio.gov)	Annual	6	3 FTE
<b>State Board of Orthotics, Prosthetics, and Pedorthics</b> (www.opp.ohio.gov)	Annual	7	1 FT, 1 PT
<b>State Board of Pharmacy</b> (www.pharmacy.ohio.gov)	Annual	8	48 FTE
<b>Private Investigators and Security Guard Section – Department of Public Safety</b> (www.pisgs.ohio.gov/pisgs.stm)	Annual	12	15 FTE <sup>17</sup>

<sup>15</sup> The Board uses independent contractors for investigation and inspection work. These contractors are off-duty firefighters, paramedics, and emergency medical technicians who are familiar with the medical equipment and vehicle safety requirements of the vehicles the Board regulates.

<sup>16</sup> There is no full-time staff for the Motor Vehicle Dealers Licensing Board and Motor Vehicle Salvage Dealers Licensing Board. According to the Department of Public Safety, staff (most are investigators) spend varying amounts of time performing inspections and other licensing-related duties on behalf of the two boards.

<sup>17</sup> The number of staff does not include four contract investigators and one contract business analyst who are not on state payroll.

<b>Table 4. Additional Operating Statistics</b>			
<b>Agency (Web Site)</b>	<b>Primary Renewal Cycle</b>	<b>Board Members</b>	<b>Staff</b>
<b>State Board of Psychology</b> (www.psychology.ohio.gov)	Biennial	13 <sup>18</sup>	5 FTE
<b>Division of Real Estate and Professional Licensing – Department of Commerce</b> (www.com.ohio.gov/real)	Triennial <sup>19</sup>	10 <sup>20</sup>	40 FT
<b>Respiratory Care Board</b> (www.respiratorycare.ohio.gov)	Biennial	9	4 FT, 1 PT
<b>State Board of Sanitarian Registration</b> (www.sanitarian.ohio.gov)	Annual	7	1 FT, 1 PT <sup>21</sup>
<b>Division of Securities – Department of Commerce<sup>22</sup></b> (www.com.ohio.gov/secu/)	Annual	N/A	38 FTE
<b>Board of Speech-Language Pathology and Audiology</b> (www.slpaud.ohio.gov)	Biennial	8	4 FTE
<b>Veterinary Medical Licensing Board</b> (www.ovmlb.ohio.gov)	Biennial	7	2 FT, 1 PT

<sup>18</sup> The State Board of Psychology has nine Board members as well as four Board-appointed members on the School Psychology Examination Committee.

<sup>19</sup> Real Estate Salespersons and Real Estate Brokers, the Division's largest categories of licensure, renew triennially while the rest renew annually.

<sup>20</sup> Five board members belong to the Real Estate Appraiser Board and five belong to the Real Estate Commission.

<sup>21</sup> The part-time employee is an intermittent employee who works about 600 hours annually.

<sup>22</sup> The licenses issued by the Division of Securities within the Department of Commerce are overseen by the Commissioner of Securities, not an appointed board.

## **Legislation effective in FY 2012**

The bills discussed below became effective in FY 2012. H.B. 153, the budget bill of the 129th General Assembly, included provisions that affect multiple boards.

A provision in H.B. 153 affected boards that use the eLicensing system. The eLicensing system electronically tracks and records professional licenses and allows licensees to renew their licenses online. The bill provided funding in the Department of Administrative Services to replace the eLicensing system by allowing the Director of OBM, over the FY 2012-FY 2013 biennium, to transfer up to \$3.0 million from Fund 4K90, Fund 5C60 (used by the Medical Board), and Fund 5HS0 (the Casino Control Operating Fund) to the newly created Ohio Professionals Licensing System Fund (Fund 5JQ0). In FY 2012, \$2.0 million was transferred to Fund 5JQ0: \$1,760,000 from Fund 4K90, \$235,400 from Fund 5C60, and \$4,600 from Fund 5HS0. An additional \$1.0 million may be transferred from these funds in FY 2013.

### **Counselor, Social Worker, and Marriage and Family Therapist Board**

H.B. 153 authorized the Counselor, Social Worker, and Marriage and Family Therapist Board to establish fees for approving continuing education programs and providers, as well as for replacement wall certificates. The Board established the fees as follows: \$125 for continuing education providers, \$30 for continuing education programs, and \$15 for certificates. In FY 2012, these new fees generated about \$12,000 in additional annual revenue: \$6,390 from continuing education programs, \$4,375 from continuing education providers, and \$1,245 from replacement certificates. All Board fee revenue is deposited into Fund 4K90.

### **Board of Emergency Medical Services**

H.B. 128 revised the priorities used by the Board of Emergency Medical Services to distribute grants funded through the Highway Safety Fund (Fund 83P0). The total amount of awards distributed annually ranges from \$2.5 million to \$4.0 million. The bill also allowed an emergency response vehicle to be dispatched with only one emergency medical technician instead of two. The bill also specified additional titles for certain emergency medical service personnel.

### **State Board of Registration for Professional Engineers and Surveyors**

H.B. 153 changed the renewal cycle for individual registrations from annual to biennial. Under the new biennial renewal cycle, there could be significant fluctuations in the amount of revenue received on a year-to-year basis, with the vast majority of revenue coming in even-numbered fiscal years. The State Board of Registration for Professional Engineers and Surveyors expects this change to save approximately \$28,000 over the FY 2012-FY 2013 biennium from lower postage, printing, and credit card transaction costs.

## **State Medical Board of Ohio**

H.B. 153 permitted the State Medical Board to establish procedures for limited practitioners, including massage and cosmetic therapists, to take a national licensure exam instead of one administered by the Board. The bill also provided for a new fee structure for limited practitioners. The bill eliminated both the licensure examination fee of \$250 and the examination of preliminary education fee of \$35 and instead established a single certificate application fee of \$150. In addition, the bill increased the biennial certificate registration fee from \$50 to \$100.

H.B. 292 renamed the visiting medical faculty certificate issued by the State Medical Board as a "clinical research faculty certificate." The bill specified that a clinical research faculty certificate may be renewed for a three-year period and that there is no limit on the number of times a certificate can be renewed. The bill established a \$375 certificate renewal fee, which is the same amount as the initial certificate fee. There were 18 active certificates in FY 2012. The provisions related to the clinical research faculty certificate went into immediate effect late in FY 2012 under an emergency clause in the bill. The other parts of H.B. 292, which mainly dealt with genetic counseling, went into effect in FY 2013.

H.B. 78 required the State Medical Board to revoke a physician's license to practice medicine in Ohio if a physician commits the offense of terminating or attempting to terminate a human pregnancy after viability. It also required the Board to suspend a physician's license to practice medicine in Ohio for a period of not less than six months if the physician commits the offense of failure to perform viability testing.

## **Motor Vehicle Dealers Licensing Board**

H.B. 114 established a new license for Motor Vehicle Construction Equipment Auctions. The fee is \$7,500 and the license is renewable every five years. In FY 2012, the new fee generated \$7,500 in revenue to the Board from the one licensee.

## **Board of Nursing**

S.B. 83 eliminated restrictions on the authority of certain advanced practice nurses (APNs) to prescribe schedule II controlled substances to patients at specified locations. Some of the specified locations include:

- Hospitals registered with the Department of Health;
- Entities owned or controlled by a hospital;
- Health care facilities operated by the Department of Mental Health (DMH) or the Department of Developmental Disabilities;
- Nursing homes licensed by DMH;
- County homes or district homes that participate in Medicare or Medicaid;
- Hospice care programs; and
- Community mental health agencies.

The bill also required an APN applying for a certificate to prescribe to complete a course of study that consists of at least 45 contact hours in pharmacology and related topics, of which at least 36 (instead of 30) must be contact hours of advanced pharmacology training. The course of study in pharmacology and related topics must include training in schedule II controlled substances. The bill also required an APN with prescriptive authority on the bill's effective date to complete at least six contact hours of training on schedule II controlled substances and specified that the APN is subject to the restrictions in current law until the APN receives a new or renewed certificate to prescribe.

### **State Board of Optometry**

H.B. 153 increased various fees and fines collected by the State Board of Optometry as follows:

- The licensure certificate (initial and renewal) from \$110 to \$130;
- The therapeutic pharmaceutical agents certificate (initial and renewal) from \$25 to \$45;
- The topical ocular pharmaceutical agent certificate from \$25 to \$45; and
- The fines for late renewal of a certificate or late completion or submission of continuing education credits from \$75 to \$125.

These increases generated additional revenue of \$95,480 in FY 2012. Board revenues are deposited into Fund 4K90.

### **State Board of Pharmacy**

H.B. 153 increased the registration fee for wholesale distributors of dangerous drugs from \$150 to \$750 for initial registrations and subsequent renewals and also increased the penalty for nontimely renewals of these registrations from \$55 to \$150. In FY 2012, these increases generated an additional \$973,265 in revenue, which was deposited into Fund 4K90. H.B. 153 also made clarifying changes to the law governing the regulation of pain management clinics. These changes are related to the enactment of Am. Sub. H.B. 93 of the 129th General Assembly, which became effective in FY 2011.

### **State Board of Sanitarian Registration**

H.B. 153 increased renewal fees for registered sanitarians and sanitarians-in-training from \$74 to \$80 and also increased the late fee for a renewal application from \$27 to \$50 (the bill specified that this late fee is in addition to the actual renewal fee). Fee changes went into effect in late September 2011. The new fees generated an additional \$5,720 in revenue in FY 2012. Additional revenues in future years may be greater, as the fees will be in effect for an entire year. Board revenues are deposited into Fund 4K90.