

LSC Redbook

Analysis of the Executive Budget Proposal

Board of Dietetics

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ATTACHMENTS:

- Catalog of Budget Line Items
- Budget Spreadsheet By Line Item

Board of Dietetics

- Non-GRF agency; funded by fee revenues
- Funding increased by 5.9% in FY 2016 and increased by 2.5% in FY 2017
- Approximately 4,000 active licenses

OVERVIEW

Agency Overview

The Board of Dietetics was established in 1987 to regulate the practice of nutrition and dietetics. The Board issues licenses and limited permits for dietitians and establishes standards for education, preprofessional training, and examination. The Board also sets standards of practice for dietitians, investigates complaints, holds administrative hearings, determines appropriate disciplinary actions, and monitors continuing education compliance among licensees. Approximately 4,000 licenses and limited permits issued by the Board are currently active.

The Board's governing authority consists of five members appointed by the Governor, including three dietitians, a dietitian educator who holds a doctoral degree, and a member of the public who is not, and never has been, a dietitian. Members are appointed for five-year terms and may serve only one full term. The Board meets between four and six times a year. In addition to travel reimbursement, Board members receive an average annual compensation of about \$780 for the performance of official Board business.

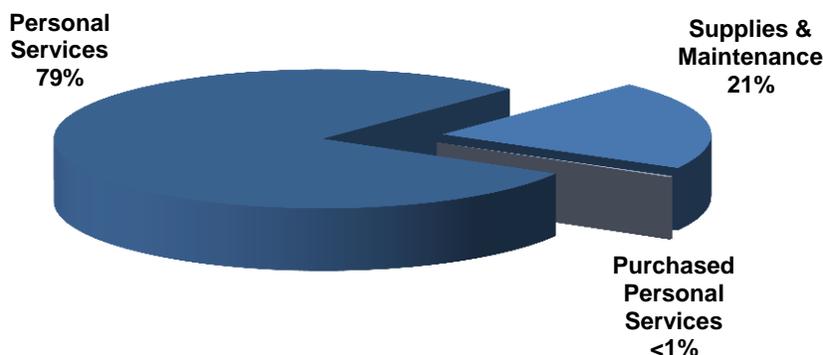
The Board's daily operations are the responsibility of an executive secretary who is appointed by the five-member governing authority. Including the Executive Secretary, the Board has three full-time employees and one seasonal intermittent employee who assists with license renewal. The Board's annual budget is \$342,592 in FY 2015. The Board receives no GRF moneys; it is entirely supported by fees.

Appropriation Overview

The executive recommends funding of \$362,872 in FY 2016, a 5.9% increase over FY 2015 estimated expenditures and \$371,779 in FY 2017, a 2.5% increase over FY 2016. The recommended funding will allow the Board to generally maintain current operations and staff.

As a regulatory agency, personal services is the largest expense category for the Board. As seen in the chart below, 79% of the executive budget recommendations for the biennium are for personal services, 21% for supplies and maintenance, and less than 1% for purchased personal services.

Chart 1: Executive Budget Recommendations by Expense Category, FY 2016-FY 2017



As with many other licensing boards and commissions, the Board receives centralized administrative support services provided by the Central Service Agency (CSA) of the Department of Administrative Services (DAS). Services made available through CSA include budget development, Controlling Board request preparation assistance, management consultation, procurement, fiscal processing, human resources, and payroll. The Board pays CSA for services rendered. In FY 2014, the Board paid \$10,150 in CSA charges, which are included in the supplies, maintenance, and equipment category.

Fee Revenues and Fund 4K90

The Board issues licenses and limited permits to dietitians. Table 1 shows the current fee amount for each type of license. Licenses issued by the Board are required to be renewed annually. Limited permits are issued for six months, and once expired, may be reissued for another six months. Application and license renewal fee increases last occurred in FY 2004.

| Table 1. Dietitian License and Permit Fees | |
|---|-------------------|
| License Type | Fee Amount |
| Initial | \$125 |
| Renewal | \$95 |
| Reactivation | \$125 |
| Reinstatement | \$180 |
| Limited Permit | \$65 |

Fee revenues collected by the Board are deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90), which was established by H.B. 152 of the 120th General Assembly. Twenty-six occupational licensing and regulatory boards and

commissions, including the Board of Dietetics, use Fund 4K90 as an operating account into which receipts are deposited and from which expenses are paid. Each licensing board or commission is generally expected to be self-sufficient, i.e., generating enough revenue to cover its expenses.

Table 2 shows the Board's annual revenues and expenditures from FY 2011 through FY 2017 as well as the net of revenues less expenditures. As seen from the table, the Board's revenues generally exceed expenditures each year. The Board anticipates that expenditures may exceed revenues in FY 2016-FY 2017 due to conservative revenue estimates, rent increases, and increases in CSA charges.

| Table 2. Revenues and Expenditures | | | | | | | |
|---|----------------|----------------|----------------|----------------|-------------------------------|-------------------------------|-------------------------------|
| | FY 2011 | FY 2012 | FY 2013 | FY 2014 | FY 2015 (estimate) | FY 2016 (estimate) | FY 2017 (estimate) |
| Revenue | \$348,384 | \$367,372 | \$381,640 | \$382,915 | \$361,763 | \$361,238 | \$363,150 |
| Expenditures | \$293,023 | \$302,353 | \$321,969 | \$329,722 | \$342,592 | \$362,872 | \$371,779 |
| Net of Rev. & Exp. | \$55,361 | \$65,019 | \$59,671 | \$53,193 | \$19,171 | -\$1,634 | -\$8,629 |

ANALYSIS OF EXECUTIVE PROPOSAL

The Board's operations are funded by a single line item appropriation from the Dedicated Purpose Fund Group. The table below shows the Governor's recommended funding for the line item.

| Governor's Recommended Funding for the Board of Dietetics | | | | |
|---|--------------|--------------------|-----------|-----------|
| Fund | ALI and Name | | FY 2016 | FY 2017 |
| Dedicated Purpose Fund Group | | | | |
| 4K90 | 860609 | Operating Expenses | \$362,872 | \$371,779 |

Through this one line item, the Board pays all of its expenses. The executive recommends funding of \$362,872 in FY 2016, a 5.9% increase over FY 2015 estimated expenditures and \$371,779 in FY 2017, a 2.5% increase over FY 2016.

In the upcoming biennium, one additional expense that the Board will be required to pay is the cost of its biennial audit conducted by the Auditor of State. Effective March 31, 2010, S.B. 155 of the 128th General Assembly requires all state agencies to pay for their own audits.¹ In the past, the cost of state agency audits was paid for by DAS, but funding for that purpose was removed by Am. Sub. H.B. 1 of the 128th General Assembly (the FY 2010-FY 2011 biennial budget bill). As a result, the Board has budgeted \$12,000 for this audit in the upcoming biennium. In the FY 2014-FY 2015 biennium, the Board paid approximately \$10,800 for the audit.

During the FY 2014-FY 2015 biennium, the Board took additional steps to control costs. The Board decreased the number of Board meetings per year and estimates that this saves between \$900 and \$1,800 each year. In FY 2014, the Board began to utilize Skype for licensure presentations rather than traveling to universities and dietetics programs using the fleet management service, which saves the Board travel costs. Additionally, in FY 2012, the Board implemented online renewal that ceased the printing and mailing of renewal applications to approximately 3,600 licensees. The Board estimates that the reduced printing of applications and use of return envelopes have saved the Board \$2,000 per biennium, as well as \$1,500 in mailing costs per biennium. The Board plans to continue these practices in the FY 2016-FY 2017 biennium.

Licensing and enforcement activities will continue to be a top priority. Additionally, the Board will continue to monitor proposed legislation affecting the practice of dietetics to ensure the health and safety of Ohio's citizens. The Board will also continue to enforce the continuing education requirement to ensure that licensees are educated on the laws governing the practice of dietetics.

¹R.C. 117.13.

Licenses

To carry out its regulatory responsibility, the Board establishes standards of practice and issues dietitian licenses and limited permits. A dietetic license is available for individuals meeting academic, preprofessional, and examination requirements. A limited permit is available for individuals who have not yet taken the examination. Licenses issued by the Board are required to be renewed annually and are valid from July 1 through June 30. Table 3 shows that from FY 2013 to FY 2014, the total number of active licenses and limited permits increased 0.02%.

| Table 3. Licensing Activities* | | | |
|---------------------------------------|----------------|----------------|-----------------|
| License Type | FY 2013 | FY 2014 | % Change |
| Initial | 240 | 238 | -0.8% |
| Renewal | 3,632 | 3,679 | 1.3% |
| Reactivation | 16 | 22 | 37.5% |
| Reinstatement | 30 | 27 | -10.0% |
| Limited Permit | 86 | 39 | -54.7% |
| TOTAL | 4,004 | 4,005 | 0.02% |

*Data shown is as of June 30 in each year.

During the FY 2010-FY 2011 biennium, the Board worked to expand the agency website to include online license verification through the eLicensing system. The eLicensing system is administered through CSA. Each board that participates in the eLicensing system receives a basic component of the system that includes a database of all licensees and their license status. Boards have the option of purchasing additional components of the system including initial licensure, renewal, image storing and indexing, and complaint tracking. The Board spent approximately \$1,900 for the eLicensing system in FY 2014.

Investigation and Enforcement

The Board's regulatory obligations also include investigating complaints about issues of incompetent, unethical, and impaired practitioners. All complaints to the Board must be submitted in writing, which are then reviewed to determine whether the Board has the legal authority to take action. In FY 2014, the Board investigated a total of 77 complaints. Of the 77 cases, the majority of complaints (61 cases) involved unlicensed practice for failing to renew. The Board closed 71 of the cases. In FY 2014, the Board issued three cease and desist letters, entered into one consent agreement, and monitored one licensee upon whom probationary conditions were imposed. The Board

did not issue any licenses with advisory letters,² hold any disciplinary hearings, or issue final adjudication orders.

Continuing Education

The Board requires one continuing professional education unit for dietitians and limited practitioners that covers current and recent changes to laws, rules, and regulations governing the practice of dietetics. The education unit must be completed for renewal of a license in odd-numbered calendar years (every other renewal cycle). A list of approved programs is posted on the Board's website (<http://www.dietetics.ohio.gov>).

OBD.docx/jc

² Licenses issued with advisory letters typically involve an individual who was previously practicing without a license who then obtains a license.

Board of Dietetics

Dedicated Purpose Fund Group

4K90 860609 Operating Expenses

| FY 2012 Actual | FY 2013 Actual | FY 2014 Actual | FY 2015 Estimate | FY 2016 Introduced | FY 2017 Introduced |
|-------------------|-------------------|-------------------|---------------------|-----------------------|-----------------------|
| \$302,353 | \$321,969 | \$329,723 | \$342,592 | \$362,872 | \$371,779 |
| | 6.5% | 2.4% | 3.9% | 5.9% | 2.5% |

Source: Dedicated Purpose Fund Group: License fees and other assessments collected by the state's professional and occupational licensing boards

Legal Basis: ORC 4743.05 and 4759.08; Section 261.10 of Am. Sub. H.B. 59 of the 130th G.A. (originally established by Am. Sub. H.B. 570 of the 116th G.A.)

Purpose: This line item is used to pay the Board of Dietetics' operating expenses, including personal services, supplies, maintenance, and equipment. The Board issues licenses and limited permits for dietitians and establishes standards for education, preprofessional training, and examination. The Board also sets standards of practice for dietitians, investigates complaints, holds administrative hearings, determines appropriate disciplinary actions, and monitors continuing education compliance among licensees.

FY 2016 - FY 2017 Introduced Appropriation Amounts

All Fund Groups

Line Item Detail by Agency

| | | | Estimate | Introduced | FY 2015 to FY 2016 | Introduced | FY 2016 to FY 2017 | |
|--|--------|--------------------|-------------------------------|-------------------|--------------------|--------------|--------------------|--------------|
| | | | FY 2014 | FY 2015 | FY 2016 | % Change | FY 2017 | % Change |
| Report For Main Operating Appropriations Bill | | | Version: As Introduced | | | | | |
| OBD Board of Dietetics | | | | | | | | |
| 4K90 | 860609 | Operating Expenses | \$ 329,723 | \$ 342,592 | \$ 362,872 | 5.92% | \$ 371,779 | 2.45% |
| Dedicated Purpose Fund Group Total | | | \$ 329,723 | \$ 342,592 | \$ 362,872 | 5.92% | \$ 371,779 | 2.45% |
| Board of Dietetics Total | | | \$ 329,723 | \$ 342,592 | \$ 362,872 | 5.92% | \$ 371,779 | 2.45% |