

# Greenbook

## LBO Analysis of Enacted Budget

### State Medical Board of Ohio

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# LBO Greenbook

## State Medical Board of Ohio

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### Quick look...

- The State Medical Board of Ohio licenses about 86,000 professionals with a current staff of 76 full-time employees.
- The Board is governed by 12 members appointed by the Governor with daily operations overseen by an executive director.
- The Board is fully supported by fees and receives no GRF funding.
- The budget provides funding of \$10.9 million in FY 2020 and \$11.3 million in FY 2021.

| FY 2016<br>Actual                               | FY 2017<br>Actual | FY 2018<br>Actual | FY 2019<br>Actual | FY 2020<br>Appropriation | FY 2021<br>Appropriation |
|---|-------------------|-------------------|-------------------|--------------------------|--------------------------|
| <b>Fund 5C60 ALI 883609, Operating Expenses</b> |                   |                   |                   |                          |                          |
| \$9,401,520                                     | \$8,747,268       | \$9,245,335       | \$10,017,739      | \$10,862,471             | \$11,302,171             |
| % change  | -7.0%             | 5.7%              | 8.4%              | 8.4%                     | 4.0%                     |

### Agency overview

The State Medical Board of Ohio was established in 1896. Originally responsible for licensing doctors of medicine, the Board’s responsibilities were expanded to include doctors of podiatric medicine (1915), cosmetic and massage therapists (1916), doctors of osteopathic medicine (1944), physician assistants (1976), acupuncturists and anesthesiology assistants (2000), radiologist assistants (2009), genetic counselors (2012), and oriental medicine (2012). The Board also regulates mechanotherapists and naprapaths licensed before March 1992. On January 21, 2018, the Board began regulating dietitians and respiratory care professionals, which had previously been regulated by the former Ohio Board of Dietetics and Ohio Respiratory Care Board, respectively. In addition, the Board establishes standards for education, preprofessional training, and examination. The Board also sets standards of practice for its licensees, investigates complaints, holds administrative hearings, determines appropriate disciplinary actions, and monitors continuing education compliance among licensees. Over 86,000 licenses issued by the Board are currently active.

The Board’s governing authority consists of 12 members appointed by the Governor. The Board members include nine physicians (seven who hold a doctor of medicine degree, one who holds a doctor of podiatric medicine degree, and one who holds a doctor of osteopathic medicine degree) and three public members. Members are appointed for five-year terms and may be reappointed. In addition to travel reimbursement, board members receive compensation for the performance of official duties.

The Board also has the seven-member Physician Assistant Policy Committee (PAPC), appointed by the President of the State Medical Board, including three physicians, three

physician assistants, one consumer representative, and, when the Committee is developing or revising policy and procedures for physician assistant prescriptive authority, one pharmacist. The Committee is designed to review education and licensing requirements for physician assistants. Committee members are appointed to two-year terms and may serve no more than three consecutive terms. PAPC members are reimbursed for necessary expenses incurred in the performance of official duties.

As part of acquiring responsibility for dietetics and respiratory care licensure, the Board was required to create the Dietetics Advisory Council and the Respiratory Care Advisory Council. The Dietetics Advisory Council consists of no more than seven individuals knowledgeable in the area of dietetics. One member must be an educator with a doctoral degree and another is a public member. The Respiratory Care Advisory Council also consists of no more than seven individuals knowledgeable in the area of respiratory care. One member must be a physician who is also a member of the State Medical Board, one must be a physician with experience in pulmonary disease, and one must be a public member. Members of both advisory councils are reimbursed for necessary expenses and advise on board policies and rules pertaining to each council's area of expertise.

The Board's daily operations are the responsibility of an executive director who is appointed by the 12-member governing authority. Including the Executive Director, the Board has 76 full-time employees. The Board receives no GRF moneys; it is entirely supported by fees.

## **Analysis of FY 2020-FY 2021 budget**

The Board's operations are funded by a single appropriation item within Fund 5C60 – item 883609, Operating Expenses. The budget appropriates \$10.9 million in FY 2020, an increase of 8.4% over FY 2019 expenditures, and \$11.3 million in FY 2021, an increase of 4.0% over FY 2020.

H.B. 166 makes several changes to the law regarding the State Medical Board of Ohio. Some of these changes are highlighted below.

### **Continuing education**

Many continuing education requirements have been reduced, specifically: physicians or podiatrists must complete 50 hours of continuing education every two years instead of 100 hours and clinical research faculty must complete 75 hours of continuing education every three years instead of 150. In addition, instead of completing 100 hours of continuing education every two years, physician assistants must complete the continuing education necessary to maintain certification from the National Commission on Certification of Physician Assistants.

H.B. 166 also authorizes the Board to impose on cosmetic therapy, massage therapy, dietetics, or respiratory care license holders, as well as individuals holding a limited permit to practice respiratory care, a civil penalty of not more than \$5,000 if the holder fails to complete the required continuing education.

## Licensure

H.B. 166 eliminates the dates established in statute for the renewal of licenses issued by the Board and instead provides that each license is valid for a two-year period and expires on the date that is two years after the date of issuance.

In addition, under the bill telemedicine certificates, which authorize physicians located outside of Ohio to practice medicine in Ohio through the use of any communication, are eliminated. The Board is required to convert all telemedicine certificates to licenses to practice medicine and surgery or osteopathic medicine and surgery. Additionally, limited certificates, which under existing law authorize individuals who are not U.S. citizens to practice medicine in state-operated hospitals, are eliminated. Lastly, the application fee for a physician assistant license has been lowered to \$400 from \$500.

## Licenses and fees

Fee revenue collected by the Board is deposited into the State Medical Board Operating Fund (Fund 5C60). Fund 5C60 is the Board's operating account into which receipts are deposited and from which expenses are paid.

The Board issues many different licenses and certificates. The vast majority of licenses issued by the Board must be renewed biennially. The fees for the Board's licenses are included in the table below. The certificate to recommend under the Ohio Medical Marijuana Control Program is not included in this table as there are no fees for this certificate. The fee amounts are from the Board's website.

| License Fees by Type                                   |             |             |
|--|-------------|-------------|
| License Type   | Initial Fee | Renewal Fee |
| Doctor of Medicine, Osteopathy, or Podiatric Medicine* | \$305       | \$305       |
| Telemedicine Certificate                               | \$305       | \$305       |
| Clinical Research Faculty Certificate                  | \$375       | \$375       |
| Clinical Professional Development Certificate          | \$375       | N/A         |
| Certificate of Conceded Eminence                       | \$1,000     | \$1,000     |
| Special Activity Certificate                           | \$125       | N/A         |
| Doctor Training Certificate                            | \$130       | \$100       |
| Physician Assistant                                    | \$400**     | \$200       |
| Anesthesiologist Assistant                             | \$100       | \$100       |
| Acupuncturist  | \$100       | \$100       |
| Dietitian  | \$225       | \$180       |
| Cosmetic Therapy                                       | \$250       | \$100       |

| License Fees by Type                |             |             |
|-------------------------------------|-------------|-------------|
| License Type                        | Initial Fee | Renewal Fee |
| Massage Therapist                   | \$150       | \$100       |
| Oriental Medicine                   | \$100       | \$100       |
| Respiratory Care                    | \$75        | \$75        |
| Respiratory Care – Limited Permit 1 | \$20        | \$10        |
| Respiratory Care – Limited Permit 2 | N/A         | \$35        |
| Radiologist Assistant               | \$200       | \$200       |
| Genetic Counselor                   | \$200       | \$150       |
| Mechanotherapist***                 | N/A         | \$100       |
| Naprapath***                        | N/A         | \$100       |

\*Twenty dollars of each physician renewal goes to the Physician Loan Repayment Fund, which is administered by the Department of Health. The fund is used to provide loan assistance to physicians who practice in underserved areas.

\*\*This fee was reduced in H.B. 166 from \$500 to \$400 and will become effective on October 17, 2019.

\*\*\*The Board no longer licenses new mechanotherapists and naprapaths. The Board only renews these for those licensed prior to March 1992.