

# 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 94,000 professionals and currently has 75 full-time employees.
- The Board is governed by 12 members appointed by the Governor with daily operations overseen by an executive director.
- The budget appropriates about \$24.9 million over the biennium.
- The Board is fully supported by fees and receives no GRF funding.

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Appropriation	FY 2023 Appropriation
<b>Fund 5C60 ALI 883609, Operating Expenses</b>					
\$9,245,335	\$10,017,739	\$10,268,015	\$10,298,238	\$12,299,149	\$12,551,618
% change	8.4%	2.5%	0.3%	19.4%	2.1%

### 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 practitioners (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. As of April 12, 2021, the Board no longer issues licenses to cosmetic therapists or oriental medicine practitioners. As part of its duties, 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. Almost 94,000 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 members who represent the interests of consumers. 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.

## **Advisory committees/councils**

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 PAPC is developing or revising policy and procedures for physician assistant prescriptive authority, one pharmacist. PAPC is designed to review education and licensing requirements, as well as existing and proposed rules pertaining to the practice of physician assistants. PAPC members are appointed to two-year terms and may serve no more than three consecutive terms. 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. A majority of members must be licensed dietitians. In addition, 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. Again, a majority of members must be licensed in respiratory care. Additionally, 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 currently has 75 full-time employees. The Board receives no GRF moneys; it is entirely supported by fees.

## **Analysis of FY 2022-FY 2023 budget**

The Board's operations are funded by a single appropriation item within Fund 5C60 – item 883609, Operating Expenses. The budget appropriates \$12.3 million in FY 2022 and \$12.6 million in FY 2023.

H.B. 110 makes a few changes to the law regarding the State Medical Board of Ohio. Some of these changes are discussed below.

### **Massage Therapy Advisory Council**

H.B. 110 of the 134<sup>th</sup> General Assembly creates the Massage Therapy Advisory Council to make recommendations to the Board regarding issues affecting the practice of massage therapy. The Board is required to appoint the Council's members. H.B. 110 specifies that the Council will consist of no more than seven members and that a majority of these members must be licensed and active in the practice of massage therapy. Members are to serve without compensation, but will receive reimbursements for necessary expenses incurred in performing official duties.

### **Medical practitioner conscience clause**

H.B. 110 of the 134<sup>th</sup> General Assembly recognizes the authority of medical practitioners, health care institutions, or health care payers to decline to perform, participate in, or pay for any

health care service that violates the practitioner's, institution's, or payer's conscience as informed by the moral, ethical, or religious beliefs or principles held by the practitioner, institution, or payer. In the case of a health care payer, the right to decline applies only to payments and health care services for which a contract has been entered into between the payer and policyholder on or after the effective date of this provision. The bill specifies the medical practitioner's responsibilities regarding notifications, etc. H.B. 110 requires the Board to use up to \$5,000 in DPF Fund 5C60 appropriation item 883609, Operating Expenses in FY 2022 to create a brochure or other educational materials regarding this right of conscience. Any materials developed are required to be posted on the Board's website.

## 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. Generally, licenses issued on October 17, 2019 and after expire two years after the original date of issuance. For existing license holders, the renewal deadline will continue to be on the same date it is currently, while new license holders will renew on the two-year anniversary of initial issuance and every two years thereafter. 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
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
Dietitian – Limited Permit	\$65	\$65
Massage Therapist	\$150	\$100
Respiratory Care	\$75	\$75
Respiratory Care – Limited Permit 1	\$20	\$10

License Fees by Type		
License Type	Initial Fee	Renewal Fee
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.

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