



Ohio's Occupational Licensing and Regulatory Boards

Annual Report for
Fiscal Year 2009

*Prepared by the
Legislative Service Commission
November 2009*



Ohio Legislative Service Commission

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Introduction

Section 103.13(H) of the Revised Code requires the Legislative Service Commission (LSC) to prepare a report each year evaluating the extent to which Ohio's various occupational licensing and regulatory boards and commissions are financially self-supporting. This report summarizes the year-end cash balances for funds used by 40 such boards and commissions in FY 2009 (July 1, 2008 through June 30, 2009). These 40 boards and commissions use a number of different state funds as operating accounts into which their receipts are deposited and from which their expenses are paid. As of June 30, 2009, the 19 funds used primarily by the boards and commissions had a combined cash balance of \$72.2 million, compared to a combined cash balance of \$66.7 million as of July 1, 2008. As of June 30, 2009, the boards and commissions also encumbered a total of \$3.4 million in FY 2009 funds to be spent in FY 2010, leaving the funds with a combined unobligated cash balance of \$68.8 million. Collectively, the 40 boards and commissions had sufficient revenues to cover their expenditures and were financially self-supporting in FY 2009.

The report is divided into three sections. Section I provides a simplified cash balance statement for the 19 funds used by the boards and commissions in FY 2009 and summarizes revenue and expenditure patterns of the boards and commissions. Section II compares the total number of active licenses for each board or commission in FY 2009 with that in FY 2008. Section III provides agency staffing levels, web site addresses, and a summary of newly enacted legislative changes affecting the boards and commissions in FY 2009.

LSC first obtained the financial data used in this report from the state's accounting system, the Ohio Administrative Knowledge System (OAKS), and then verified the data with the boards and commissions, some of which made changes to that information based on internal financial records. Information concerning licensing activity was provided by the boards and commissions. The Department of Administrative Services' Central Service Agency (CSA), which supports the administrative operations for most of the licensing boards and commissions, also provided assistance.

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Section I: Revenues, Expenditures, and Year-End Fund Balances

Year-End Fund Balances

In FY 2009, 40 different boards and commissions regulated and licensed various occupations and professions in the state of Ohio. These boards and commissions did not receive any funding from the General Revenue Fund (GRF). Rather, their operations were supported by license fees, fines, penalties, and other assessments deposited into 21 different non-GRF operating funds. This section of the report presents a review of cash balances in these funds at the close of FY 2009, as well as operating income and expenditures over the fiscal year. This information provides an indication of whether these licensing and regulatory boards and commissions are financially self-supporting.

Table 1 provides a simplified cash balance statement covering 19 of these funds that are used primarily by the boards and commissions.¹ As of July 1, 2008, the first day of FY 2009, these 19 funds had a combined cash balance of \$68.8 million. During FY 2009, a total of \$72.2 million in receipts were deposited into the funds and a total of \$68.6 million in expenditures were paid out of the funds. As of June 30, 2009, the last day of FY 2009, these 19 funds had a combined cash balance of \$72.2 million and outstanding encumbrances of \$3.4 million, leaving the funds with a combined, unobligated cash balance of \$68.8 million.

The largest of the 19 funds is the Occupational Licensing and Regulatory Fund (Fund 4K90), which serves as the operating account for 26 of the 40 boards and commissions. Fund 4K90 finished FY 2009 with a cash balance of \$38.7 million, an increase of \$9.3 million (31.6%) from its beginning cash balance of \$29.4 million. Taking into account the year-end encumbrance of \$2.3 million, Fund 4K90 finished FY 2009 with an unobligated cash balance of \$36.3 million.² Each of the 18 other operating funds also finished FY 2009 with positive unencumbered cash balances.

Revenues and Expenditures

After examining a fund's year-end cash balance, it may be helpful to examine a fund's revenue and expenditure patterns without taking into account the beginning

¹ Table 1 does not include the Industrial Compliance Operating Fund (Fund 5560) or the Bureau of Motor Vehicles Fund (Fund 4W40) because these two funds are used primarily for purposes other than board licensing activities.

² The Fund 4K90 balance reflects the combined cash balance of all boards and commissions operating out of the fund, including the contribution of the State Board of Career Colleges and Schools, which is otherwise not covered in this report.

cash balance. While a sufficient beginning cash balance may help a board or commission to absorb an operating deficit during a given year, a board or commission with an annual expenditure level consistently exceeding its annual revenue level may eventually have to reduce its expenditures, increase its license fees, or both. Table 2 lists revenues and expenditures for each board and commission at the fund level. It also compares each fund's revenues and expenditures to see whether the revenues generated during a given period were sufficient to cover the expenditures incurred in that period. Nearly all of the revenue received by the boards and commissions covered in this report comes from license fees. This means that license renewal cycles (generally one, two, or three years) can have a significant effect on annual revenue.

In order to provide a more complete picture of revenue and expenditure patterns for those boards and commissions issuing annual licenses, the table lists their funds' FY 2009 revenues and expenditures. For those boards and commissions issuing biennial licenses, the table lists total revenues and expenditures over the FY 2008-FY 2009 period. Similarly, for boards and commissions that renew licenses on a triennial basis, the table shows combined income and expenses over the FY 2007-FY 2009 period. Note that some boards and commissions with biennial or triennial license renewal cycles have staggered their license renewals to avoid dramatic fluctuations in revenue and expenditures from year to year.

As can be seen from Table 2, of the funds used by boards and commissions to process annual licenses, four funds registered expenditures at levels higher than their revenues in FY 2009. This was also true for two boards that are part of the Fund 4K90 funding pool: the State Board of Pharmacy and the State Board of Optometry. The Consumer Finance Fund (Fund 5530), which is used by the Department of Commerce to regulate nondepository financial firms, had the largest deficit, with FY 2009 expenditures exceeding revenues by \$2.5 million. Of the funds with FY 2009 revenues exceeding expenditures, the Ohio Construction Industry Licensing Board (Fund 5560), which is used by the Department of Commerce to regulate Ohio's construction industry, registered the largest surplus of the regulatory funds covered by this report, with FY 2009 revenues exceeding expenditures by approximately \$404,000.

Of the funds used by boards and commissions to process biennial licenses, the State Board of Nursing's Nurse Education Grant Program Fund (Fund 5AC0) had the largest biennial deficit, approximately \$1.7 million, while the Board's portion of Fund 4K90 had the largest biennial surplus, \$7.0 million.

Of the funds used by boards and commissions to process triennial licenses, the Accountancy Board's portion of Fund 4K90 was the only one that posted a surplus over the three-year period, \$1.4 million. The Trauma and Emergency Medical Services Fund (Fund 83M0), used by the Board of Emergency Medical Services, an oversight panel within the Department of Public Safety's Division of Emergency Medical Services, posted the largest deficit over the three-year period at \$2.6 million. This is because the licenses overseen by the Division of Emergency Medical Services carry no fees and therefore generate no revenue. Rather, the Division is funded primarily from traffic fine revenue in Fund 83M0.

Occupational Licensing and Regulatory Fund (Fund 4K90)

As indicated earlier, 26 of the boards and commissions covered in this report operate out of Fund 4K90. Fund 4K90 receipts totaled \$38.3 million in FY 2009, an increase of \$10.3 million (36.8%) over FY 2008 income of \$28.0 million. Much of this increase is due to differences in renewal cycles. The majority of biennial licenses issued by several larger boards and commissions are renewed in odd-numbered fiscal years, accounting for the increase in FY 2009. Fund 4K90 expenditures totaled almost \$29.0 million, a decrease of just over \$140,000 (0.5%) from FY 2008. As regulatory entities, personal service spending, including payroll, fringe benefit, and purchased services, accounted for the largest share (77.1%) of total expenditures incurred by boards and commissions in FY 2009, followed by supplies and maintenance (16.6%). The remainder (6.3%) was for items such as equipment and other miscellaneous expenditures.

Table 1: Simplified Cash Balance Statement for Funds Used by Occupational Licensing and Regulatory Boards and Commissions, FY 2009

Fund Name	Fund Code	Beginning Cash Balance	Revenues (Including transfers-in)	Expenditures (including transfers-out)	Ending Cash Balance	Year-end Encumbrances	Unobligated Ending Cash Balance
Occupational Licensing & Regulatory Fund	4K90	\$29,385,614	\$38,251,160	\$28,982,790	\$38,653,983	\$2,334,174	\$36,319,810
State Medical Board Operating Fund	5C60	\$5,507,653	\$7,349,531	\$8,612,029	\$4,245,156	\$94,782	\$4,150,372
Nurse Education Grant Program Fund	5AC0	\$1,300,369	\$811,926	\$1,064,455	\$1,047,840	\$0	\$1,047,840
Board of Pharmacy Drug Law Enforcement Fund	4A50	\$551,756	\$300,594	\$58,393	\$793,957	\$0	\$793,957
CPA Education Assistance Fund	4J80	\$251,240	\$298,575	\$116,137	\$433,678	\$0	\$433,678
Dangerous Drug Database Fund	3BC0	\$15,491	\$369,479	\$270,150	\$114,820	\$0	\$114,820
Auctioneers Fund	5B80	\$564,727	\$321,611	\$426,567	\$459,771	\$83	\$459,688
Auction Education Fund	4D20	\$214,454	\$43,341	\$24,601	\$232,569	\$0	\$232,569
Consumer Finance Fund	5530	\$10,679,431	\$2,798,921	\$5,338,812	\$8,139,540	\$120,257	\$8,019,283
Division of Securities Fund	5500	\$7,360,579	\$14,801,283	\$16,221,958	\$5,939,904	\$390,201	\$5,549,703
Division of Real Estate Operating Fund	5490	\$2,487,238	\$2,573,204	\$3,166,449	\$1,893,993	\$131,426	\$1,762,567
Real Estate Education & Research Fund	5470	\$1,946,054	\$205,182	\$235,226	\$1,916,010	\$13,862	\$1,902,148
Real Estate Recovery Fund	5480	\$1,379,168	\$96,860	\$102,117	\$1,373,911	\$0	\$1,373,911
Real Estate Appraiser Operating Fund	6A40	\$1,233,781	\$657,475	\$589,579	\$1,301,677	\$28,889	\$1,272,788
Real Estate Appraiser Recovery Fund	4B20	\$793,774	\$43,675	\$5,000	\$832,449	\$0	\$832,449
Cemetery Registration Fund	4H90	\$541,247	\$315,644	\$229,137	\$627,754	\$1,468	\$626,286
Trauma & Emergency Medical Services Fund	83M0	\$2,033,193	\$1,569,055	\$2,240,989	\$1,361,259	\$143,183	\$1,218,076
Priv. Investigator & Security Guard Provider Fund	5B90	\$1,542,079	\$1,172,430	\$932,728	\$1,781,781	\$85,461	\$1,696,320
Motor Vehicle Dealers Board Fund	5390	\$913,625	\$194,927	\$15,679	\$1,092,873	\$104,981	\$987,892
Total		\$68,701,473	\$72,174,873	\$68,632,796	\$72,242,924	\$3,448,767	\$68,794,157

Table 2: Summary of Revenues and Expenditures by Agency by Fund (Based on Data Reported by Boards and Commissions)

Agency Name	License Renewal Cycle	Fund Code	Revenues	Expenditures	Revenues Over (Under) Expenditures
FY 2009					
Ohio Athletic Commission	Annual	4K90	\$454,046	\$250,178	\$203,868
State Chiropractic Board	Annual	4K90	\$615,950	\$569,632	\$46,318
Ohio Board of Dietetics	Annual	4K90	\$352,334	\$302,830	\$49,504
State Board of Registration for Professional Engineers and Surveyors	Annual	4K90	\$957,581	\$766,544	\$191,037
Ohio Medical Transportation Board	Annual	4K90	\$692,272	\$521,553	\$170,719
Board of Motor Vehicle Collision Repair Registration	Annual	4K90	\$352,182	\$300,024	\$52,158
Ohio Optical Dispensers Board	Annual	4K90	\$346,956	\$344,894	\$2,062
State Board of Optometry	Annual	4K90	\$297,945	\$331,017	(\$33,072)
State Board of Orthotics, Prosthetics, and Pedorthics	Annual	4K90	\$107,718	\$105,896	\$1,822
State Board of Pharmacy	Annual	4K90	\$5,290,115	\$5,430,372	(\$140,257)
State Board of Pharmacy*		3BC0	\$369,479	\$515,163	(\$145,684)
State Board of Pharmacy*		3CT0	\$50,000	\$43,122	\$6,878
State Board of Pharmacy*		4A50	\$300,594	\$58,393	\$242,201
State Board of Pharmacy*		QB30	\$337	\$0	\$337
State Board of Sanitarian Registration	Annual	4K90	\$128,985	\$109,122	\$19,863
Board of Building Standards (Commerce)	Annual	5560	\$96,279	\$108,570	(\$12,291)
Ohio Construction Industry Licensing Board (Commerce)	Annual	5560	\$1,370,899	\$847,168	\$523,731
Division of Financial Institutions (Commerce)	Annual	5530	\$2,798,921	\$5,338,812	(\$2,539,891)
Division of Industrial Compliance (Commerce)	Annual	5560	\$557,668	\$153,675	\$403,993
Division of Real Estate and Professional Licensing (Commerce)	Annual	4B20	\$43,675	\$5,000	\$38,675
Division of Real Estate and Professional Licensing (Commerce)	Annual	4H90	\$315,644	\$229,137	\$86,507
Division of Real Estate and Professional Licensing (Commerce)	Annual	5470	\$205,182	\$235,226	(\$30,044)
Division of Real Estate and Professional Licensing (Commerce)	Annual	5480	\$96,860	\$102,117	(\$5,257)
Division of Real Estate and Professional Licensing (Commerce)	Annual	6A40	\$657,475	\$589,579	\$67,896
Division of Securities (Commerce)	Annual	5500	\$14,801,283	\$16,221,958	(\$1,420,675)
Hearing Aid Dealers and Fitters Licensing Board (Health)	Annual	4700	\$135,795	\$112,354	\$23,441
Board of Examiners of Nursing Home Administrators (Health)	Annual	4700	\$536,656	\$577,320	(\$40,664)
Private Investigator/Security Guard Section (Public Safety)	Annual	5B90	\$1,172,430	\$932,728	\$239,702

Table 2: Summary of Revenues and Expenditures by Agency by Fund (Based on Data Reported by Boards and Commissions)

Agency Name	License Renewal Cycle	Fund Code	Revenues	Expenditures	Revenues Over (Under) Expenditures
Combined FY 2008-FY 2009					
Architects Board/State Board of Landscape Architect Examiners	Biennial	4K90	\$1,344,609	\$1,046,167	\$298,442
Auctioneers Program (Agriculture)	Biennial	5B80	\$677,884	\$685,013	(\$7,129)
Auctioneers Program (Agriculture)	Biennial	4D20	\$92,884	\$45,193	\$47,691
Barber Board	Biennial	4K90	\$1,483,875	\$1,250,709	\$233,166
Chemical Dependency Professionals Board	Biennial	4K90	\$894,655	\$1,007,205	(\$112,550)
State Board of Cosmetology	Biennial	4K90	\$7,549,973	\$6,879,533	\$670,440
Counselor, Social Worker and Marriage and Family Therapist Board	Biennial	4K90	\$2,154,195	\$2,234,265	(\$80,070)
State Dental Board	Biennial	4K90	\$2,974,814	\$2,944,481	\$30,333
State Dental Board	Biennial	4Z70	\$2,158,233	\$0	\$2,158,233
Board of Embalmers and Funeral Directors	Biennial	4K90	\$1,252,134	\$1,169,482	\$82,652
Manufactured Homes Commission	Biennial	4K90	\$459,055	\$742,974	(\$283,919)
State Medical Board	Biennial	5C60	\$15,417,976	\$16,612,956	(\$1,194,980)
Motor Vehicle Dealer Licensing Board (Public Safety)	Biennial	4W40; 5390	\$750,051	\$223,794	\$526,257
Motor Vehicle Salvage Dealer Licensing Board (Public Safety)	Biennial	4W40	\$109,282	\$82,524	\$26,758
Board of Nursing	Biennial	4K90	\$18,251,498	\$11,244,359	\$7,007,139
Board of Nursing	Biennial	5AC0	\$126,221	\$1,854,087	(\$1,727,866)
Occupational Therapy, Physical Therapy, and Athletic Trainers Board	Biennial	4K90	\$2,015,061	\$1,555,951	\$459,110
State Board of Psychology	Biennial	4K90	\$1,254,126	\$1,036,514	\$217,612
Ohio Respiratory Care Board	Biennial	4K90	\$1,143,534	\$960,937	\$182,597
Board of Speech-Language Pathology and Audiology	Biennial	4K90	\$818,178	\$870,475	(\$52,297)
State Veterinary Medical Licensing Board	Biennial	4K90	\$900,854	\$625,786	\$275,068
Combined FY 2007-FY 2009 Total					
Division of Real Estate and Professional Licensing (Commerce)	Triennial	5490	\$9,118,420	\$9,164,166	(\$45,746)
Accountancy Board	Triennial	4K90	\$4,182,667	\$2,794,252	\$1,388,415
Accountancy Board's CPA Education Assistance Fund	Triennial	4J80	\$184,310	\$362,706	(\$178,396)
Board of Emergency Medical Services (Public Safety)	Triennial	83M0	\$4,047,504	\$6,638,724	(\$2,591,220)
Board of Building Standards (Commerce)	Triennial	5560	\$305,429	\$454,870	(\$149,441)

*These funds are either grant funds, holding funds, or special law funds that do not collect license revenue.

Section II: Active Licenses, FY 2008 and FY 2009

Table 3 lists the total number of active licenses for each board or commission for FY 2008 and FY 2009 and the percent change in the total number of licenses between these two fiscal years. Of the 40 boards and commissions, 21 reported increases in the number of active licenses, while 19 reported decreases. Four boards and commissions reported increases in active licenses of more than 10% while four reported decreases of more than 10%.

Table 3: Active Licenses, FY 2008 and FY 2009			
Agency/License Name	FY 2008	FY 2009	% Change
Accountancy Board of Ohio	33,108	33,085	(0.1%)
Certified Public Accountant - Ohio Permit	19,563	19,937	1.9%
Certified Public Accountant - Ohio Registration	9,906	9,719	(1.9%)
Public Accountant - Ohio Permit	12	10	(16.7%)
Public Accountant - Ohio Registration	138	126	(8.7%)
Firm Registration - Peer Review	1,849	1,636	(11.5%)
Firm Registration - Tax Consulting	1,640	1,657	1.0%
Architects Board/Board of Landscape Architect Examiners	8,021	8,645	6.5%
ARC Individual Certificate of Qualification	6,344	6,778	6.8%
ARC Firm Certificate of Qualification	1,080	1,127	4.4%
Dual Firm (ARC/LA) Certificate of Qualification	22	31	40.9%
Landscape Architect Individual Certificate of Qualification	523	623	19.1%
Landscape Architect Firm Certificate of Authorization	52	86	65.4%
Ohio Athletic Commission	3,868	5,520	42.7%
Athlete Agent	59	63	6.8%
Boxing/Mixed Martial Arts/Toughperson	1,879	2,176	15.8%
Nonofficial: Second, Manager, Trainer, Matchmaker	1,539	1,846	19.9%
Official: Judge, Referee, Timekeeper, Physician, Inspector	166	150	(9.6%)
Boxing/Mixed Martial Arts/Toughperson Promoter	41	60	46.3%
Wrestling Promoter	17	14	(17.6%)
Federal ID Boxing	167	148	(11.4%)
National Mixed Martial Arts ID	n/a	1,063	100.0%
Auctioneers Program (Department of Agriculture)	3,169	3,132	(1.2%)
Auctioneer	2,719	2,679	(1.5%)
Apprentice Auctioneer	191	180	(5.8%)
Special Auctioneer	9	9	0.0%
Auctioneer: Corporation, Partnership, or Association	190	190	0.0%
Auction Firm	60	74	23.3%

Table 3: Active Licenses, FY 2008 and FY 2009

Agency/License Name	FY 2008	FY 2009	% Change
Board of Barber Examiners	12,199	11,502	(5.7%)
Barber	8,964	8,456	(5.7%)
Barber School	18	17	(5.6%)
Barber Shop	3,150	2,966	(5.8%)
Barber Teacher	67	63	(6.0%)
Board of Building Standards (Department of Commerce)	4,670	5,296	13.4%
Commercial Building Inspector	921	954	3.6%
Residential Building Inspector	215	392	82.3%
Commercial Building Official	384	430	12.0%
Residential Building Official	839	907	8.1%
Electrical Safety Inspector	759	737	(2.9%)
Fire Protection Designer	360	410	13.9%
Fire Protection Inspector	118	123	4.2%
Industrialized Unit Inspector	10	11	10.0%
Residential I. U. Inspector	9	2	(77.8%)
Mechanical Inspector	104	111	6.7%
Residential Mechanical Inspector	0	8	100.0%
Medical Gas Inspector	31	30	(3.2%)
Commercial Plans Inspector	314	340	8.3%
Residential Plans Examiners	88	154	75.0%
Commercial Plumbing Inspector	246	258	4.9%
Residential Plumbing Inspector	272	429	57.7%
Chemical Dependency Professionals Board	7,001	7,281	4.0%
Licensed Independent Chemical Dependency Counselor	2,276	2,210	(2.9%)
Licensed Chemical Dependency Counselor III	614	867	41.2%
Licensed Chemical Dependency Counselor II	320	355	10.9%
Chemical Dependency Counselor Assistant	2,629	3,050	16.0%
Ohio Certified Prevention Specialist II	272	269	(1.1%)
Ohio Certified Prevention Specialist I	117	125	6.8%
Registered Applicant for Prevention Certification	773	405	(47.6%)
Chiropractic Board	2,303	2,395	4.0%
Chiropractic Physician	2,271	2,319	2.1%
Chiropractic Temporary	7	10	42.9%
Chiropractic Voluntary Public Service	0	0	0.0%
Preceptorship	20	13	(35.0%)
Acupuncture Certificate	5	53	960.0%

Table 3: Active Licenses, FY 2008 and FY 2009

Agency/License Name	FY 2008	FY 2009	% Change
Ohio Construction Industry Licensing Board (Department of Commerce)	17,501	18,586	6.2%
Electrical Contractor	6,017	6,249	3.9%
Plumbing Contractor	4,627	4,707	1.7%
Hydronics Contractor	1,589	1,963	23.5%
HVAC Contractor	3,965	4,168	5.1%
Refrigeration Contractor	1,303	1,499	15.0%
State Board of Cosmetology	119,848	113,232	(5.5%)
Cosmetologist	23,342	21,557	(7.6%)
Cosmetologist Instructor	5,211	4,784	(8.2%)
Managing Cosmetologist	51,064	48,900	(4.2%)
Beauty Salon	9,605	9,168	(4.5%)
Esthetician	1,108	997	(10.0%)
Esthetician Instructor	110	98	(10.9%)
Managing Esthetician	1,889	1,964	4.0%
Esthetic Salon	241	280	16.2%
Hair Designer	180	162	(10.0%)
Hair Designer Instructor	3	3	0.0%
Managing Hair Designer	52	63	21.2%
Hair Designer Salon	169	195	15.4%
Independent Contractor	10,739	10,374	(3.4%)
Manicurist	4,663	3,959	(15.1%)
Manicurist Instructor	236	182	(22.9%)
Managing Manicurist	7,566	7,293	(3.6%)
Nail Salon	1,169	1,090	(6.8%)
Natural Hair Stylist	8	5	(37.5%)
Natural Hair Stylist Instructor	0	1	100.0%
Managing Natural Hair Stylist	13	16	23.1%
Natural Hair Stylist Salon	9	8	(11.1%)
Cosmetology School	181	185	2.2%
Tanning Facility	2,290	1,948	(14.9%)
Counselor, Social Worker and Marriage and Family Therapist Board	29,890	30,890	3.3%
Professional Counselor	3,269	3,402	4.1%
Professional Clinical Counselor	3,960	4,168	5.3%
Social Worker Assistant	170	696	309.4%
Social Worker	15,354	15,221	(0.9%)
Independent Social Worker	6,922	7,172	3.6%
Marriage and Family Therapist	45	51	13.3%
Independent Marriage and Family Therapist	170	180	5.9%

Table 3: Active Licenses, FY 2008 and FY 2009			
Agency/License Name	FY 2008	FY 2009	% Change
Ohio State Dental Board	28,456	27,747	(2.5%)
Dentist	6,909	7,042	1.9%
Dental Hygienist	7,477	7,676	2.7%
Dental Assistant Radiology	12,310	10,909	(11.4%)
Limited Residents	214	191	(10.7%)
Limited Teaching	33	34	3.0%
Limited Continuing ED	10	18	80.0%
Coronal Polishing	506	735	45.3%
Expanded Function Dental Assistant	997	1,142	14.5%
Ohio Board of Dietetics	2,934	3,112	6.1%
Dietician - Initial	186	178	(4.3%)
Dietician - Reactivated	24	17	(29.2%)
Dietician - Reinstated	23	27	(17.4%)
Dietician - Renewed	2,587	2,811	8.7%
Limited Permit	114	79	(30.7%)
Board of Embalmers and Funeral Directors	6,891	6,803	(1.3%)
Crematory	100	100	0.0%
Embalmer Apprentice	48	48	0.0%
Embalmer Registration	48	43	(10.4%)
Embalmers	2,308	2,280	(1.2%)
Embalming Facility	4	4	0.0%
Funeral Director Apprentice	78	65	(16.7%)
Funeral Director Registration	80	71	(11.3%)
Funeral Directors	3,051	3,016	(1.1%)
Funeral Homes	1,174	1,176	0.2%
Board of Emergency Medical Services (Department of Public Safety)	156,505	99,707	(36.3%)
Assistant Fire Instructors	768	740	(3.6%)
EMS Instructors	1,736	1,719	(1.0%)
Assistant EMS Instructors	n/a	18	n/a
Continuing Education Instructors	n/a	345	n/a
Fire Instructors	2,519	2,823	12.1%
Fire Safety Inspector Instructors	104	105	1.0%
Special Topic Instructors	2,251	1,757	(21.9%)
First Responder	2,174	2,025	(6.9%)
Emergency Medical Technician - Basic	21,527	21,096	(2.0%)
Emergency Medical Technician - Intermediate	2,204	2,263	2.7%
Emergency Medical Technician - Paramedic	14,906	15,367	3.1%
Firefighter - Volunteer	52,237	15,949	(69.5%)

Table 3: Active Licenses, FY 2008 and FY 2009			
Agency/License Name	FY 2008	FY 2009	% Change
Firefighter - Level I	6,280	3,781	(39.8%)
Firefighter - Level II	30,677	21,462	(30.0%)
Fire Safety Inspector	19,122	10,257	(46.4%)
State Board of Registration for Professional Engineers and Surveyors	29,331	28,855	(1.6%)
Companies	1,970	2,002	1.6%
Professional Engineers	25,118	24,684	(1.7%)
Dual (Professional Engineers/Professional Surveyors)	798	763	(4.4%)
Professional Surveyors	1,445	1,406	(2.7%)
Division of Financial Institutions (Department of Commerce)	10,085	8,730	(13.4%)
Check Cashers	1,680	995	(40.8%)
Credit Service Organizations	15	20	33.3%
Mortgage Brokers	1,156	739	(36.1%)
Mortgage Brokers Loan Officers	4,337	3,098	(28.6%)
Pawnbrokers	166	284	71.1%
Premium Finance Companies	48	54	12.5%
Precious Metals Dealers	23	41	78.3%
Small Loan Companies	11	553	4927.3%
Short-term Lenders	0	2	100.0%
Mortgage Loan Act Registrants	1,175	1,421	20.9%
Money Transmitters	52	51	(1.9%)
Hearing Aid Dealers and Fitters (Department of Health)	711	736	3.5%
Individual License	393	423	7.6%
Corporation License	223	225	0.9%
Trainee Permits	95	88	(7.4%)
Division of Industrial Compliance (Department of Commerce)	17,707	15,964	(9.8%)
Historical Boiler Operator	590	603	2.2%
Examiners of Steam Engineers	12,590	12,036	(4.4%)
Plumbing Inspector Certificate	375	325	(13.3%)
Backflow Tester Certificate	4,152	3,000	(27.7%)
Manufactured Homes Commission	651	443	(32.0%)
Licensed Installers	429	325	(24.2%)
Certified Inspectors	222	118	(46.8%)
State Medical Board of Ohio	59,625	61,385	3.0%
Cosmetic Therapists	176	183	4.0%
Massage Therapists	10,541	11,027	4.6%
Doctor of Osteopathy	4,762	4,871	2.3%
Medical Doctor	35,871	36,362	1.4%
Doctor of Podiatric Medicine	953	953	0.0%
Mechanotherapist	32	28	(12.5%)
Naprapath	1	1	0.0%

Table 3: Active Licenses, FY 2008 and FY 2009

Agency/License Name	FY 2008	FY 2009	% Change
Physician Assistant	1,777	1,938	9.1%
Doctor of Medicine Training Certificate	3,951	3,974	0.6%
Doctor of Osteopathic Medicine Training Certificate	782	802	2.6%
Doctor of Podiatric Medicine Training Certificate	65	74	13.8%
Acupuncturist	139	154	10.8%
Anesthesiologist Assistant	122	141	15.6%
Physician's Assistant Provisional Certificate to Prescribe	319	290	(9.1%)
Physician's Assistant Certificate to Prescribe	6	413	6783.3%
Special Activity Certificates	46	72	56.5%
Visiting Medical Faculty Certificate	4	11	175.0%
Visiting Podiatric Faculty Certificate	0	0	0.0%
Telemedicine Licenses	78	91	16.7%
Radiologist Assistants	n/a	0	n/a
Ohio Medical Transportation Board	389	365	(6.2%)
Emergency Medical Service	124	118	(4.8%)
Nonemergency Medical Service	255	237	(7.1%)
Air Medical Service	10	10	0.0%
Motor Vehicle Collision Repair Board Registration	1,522	1,369	(10.1%)
Motor Vehicle Collision Repair Operator	1,522	1,369	(10.1%)
Motor Vehicle Dealers Licensing Board (Department of Public Safety)	27,836	26,058	(6.4%)
Motor Vehicle Dealer License	8,194	7,979	(2.6%)
Motor Vehicle Leasing Dealer	1,808	1,627	(10.0%)
Motor Vehicle Salesperson	17,703	16,311	(7.9%)
Motor Vehicle Distributor/Auction	131	141	7.6%
Motor Vehicle Salvage Dealer Licensing Board (Department of Public Safety)	1,463	1,494	2.1%
Salvage Motor Vehicle Dealers	679	662	(2.5%)
Buyer ID Cards	784	832	6.1%
Ohio Board of Nursing	222,983	232,753	4.4%
Registered Nurse	157,007	166,479	6.0%
Licensed Practical Nurse	52,529	51,764	(1.5%)
Certificate of Authority	7,845	8,579	9.4%
Certificate to Prescribe	3,753	4,228	12.7%
Certified Dialysis Technician	1,306	1,293	(1.0%)
Dialysis Technician Temporary 1	355	244	(31.3%)
Dialysis Technician Temporary 2	55	50	(9.1%)
Dialysis Technician Temporary 3	2	0	(100.0%)
Community Health Worker	68	50	(26.5%)
Medication Aide - Certified	63	66	4.8%

Table 3: Active Licenses, FY 2008 and FY 2009			
Agency/License Name	FY 2008	FY 2009	% Change
Board of Examiners of Nursing Home Administrators (Ohio Department of Health)	2,012	2,025	0.6%
Nursing Home Administrator	2,012	2,025	0.6%
Occupational Therapy, Physical Therapy, and Athletic Trainers Board	20,463	21,495	5.0%
Occupational Therapist	4,251	4,424	4.1%
Occupational Therapy Assistant	2,672	2,896	8.4%
Physical Therapist	6,867	7,116	3.6%
Physical Therapist Assistant	4,984	5,236	5.1%
Athletic Trainer	1,689	1,823	7.9%
Optical Dispensers Board	4,168	4,394	5.4%
Optician Initial	142	129	(9.2%)
Optician Renewal	3,156	3,172	0.5%
Ocularist Initial	0	0	0.0%
Ocularist Renewal	9	8	(11.1%)
Apprentice Registration Initial/Renew	861	1,085	26.0%
Ohio State Board of Optometry	2,118	2,122	0.2%
Therapeutic Optometrist	1,996	2,012	0.8%
Diagnostic Optometrist	52	48	(7.7%)
Optometrist Only	57	50	(12.3%)
Military	13	12	(7.7%)
State Board of Orthotics, Prosthetics, and Pedorthics	374	397	6.1%
Orthotist	102	107	4.9%
Pedorthist	99	94	(5.1%)
Prosthetist	67	70	4.5%
Prosthetist - Orthotist	99	108	9.1%
Temporary Orthotist	1	2	100.0%
Temporary Pedorthist	3	7	133.3%
Temporary Prosthetist	1	1	0.0%
Temporary Prosthetist - Orthotist	2	8	300.0%
Ohio Pharmacy Board	33,431	36,169	8.2%
Pharmacy Intern	2,461	2,398	(2.6%)
Registered Pharmacist	15,853	16,598	4.7%
Veterinary Facility Drug	65	620	853.8%
Terminal Distributor of Dangerous Drugs CAT I	13	14	7.7%
Terminal Distributor of Dangerous Drugs CAT II	3,904	4,375	12.1%
Terminal Distributor of Dangerous Drugs CAT III	9,118	10,217	12.1%
Wholesale Distributor of Dangerous Drugs	1,452	1,392	(4.1%)
Controlled Substance Manufacturer	565	555	(1.8%)

Table 3: Active Licenses, FY 2008 and FY 2009

Agency/License Name	FY 2008	FY 2009	% Change
Private Investigator/Security Guard Section (Department of Public Safety)	27,108	31,452	16.0%
Provider Licenses	952	968	1.7%
Class A (Private Investigator & Security Guard) Provider License	377	380	0.8%
Class A (Private Investigator & Security Guard) Branch	80	78	(2.5%)
Class B (Private Investigator) Provider License	288	287	(0.3%)
Class B (Private Investigator) Branch	6	6	0.0%
Class C (Security Guard) Provider	141	148	5.0%
Class C (Security Guard) Branch	60	69	15.0%
Registrations	26,156	30,484	16.5%
Class A (Private Investigator & Security Guard)	7,236	8,282	14.5%
Class B (Private Investigator)	1,152	1,035	(10.2%)
Class C (Security Guard)	17,768	21,167	19.1%
State Board of Psychology	3,756	3,610	(3.9%)
Psychologist	3,399	3,304	(2.8%)
School Psychologist	357	306	(14.3%)
Division of Real Estate and Professional Licensing (Department of Commerce)	51,009	47,680	(6.5%)
Cemetery	3,467	3,449	0.09%
Real Estate Appraiser	3,555	3,462	(2.6%)
Real Estate Broker	5,597	5,409	(3.4%)
Real Estate Business	4,390	4,268	(2.8%)
Real Estate Foreign Corporation	42	30	(28.6%)
Real Estate Foreign Corporation Dealer	41	30	(26.8%)
Real Estate Foreign Individual	26	17	(34.6%)
Real Estate Foreign Salesperson	80	58	(27.5%)
Real Estate Registered Appraiser Assistant	549	376	(31.5%)
Real Estate Salesperson	33,262	30,531	(8.2%)
Ohio Respiratory Care Board	7,651	8,374	9.4%
Respiratory Care Practitioner Licenses	6,742	7,384	9.5%
Limited Permit (Student/Graduate)	317	206	(35.0%)
Limited Permit (Employment Based)	40	48	20.0%
Home Medical Equipment Facility License	145	209	44.1%
Home Medical Equipment Facility Certificate of Registration	407	527	29.5%
State Board of Sanitarian Registration	1,603	1,583	(1.2%)
Registered Sanitarian	1,300	1,315	1.2%
Sanitarian-in-Training	215	175	(18.6%)
Training Agencies	88	93	5.7%

Table 3: Active Licenses, FY 2008 and FY 2009			
Agency/License Name	FY 2008	FY 2009	% Change
Division of Securities (Department of Commerce)	165,026	162,236	(1.7%)
Securities Dealers	2,378	2,348	(1.3%)
Securities Salesperson	147,931	144,269	(2.5%)
Investment Advisor	2,201	2,238	0.2%
Investment Advisor Representative	12,449	13,313	6.9%
State Retirement System Investment Officer	66	67	1.5%
Chief Investment Officer of BWC	1	1	0.0%
Board of Speech-Language Pathology and Audiology	7,219	6,935	(3.9)
Audiology	906	899	(0.8%)
Speech-Language Pathology	6,062	5,737	(5.4%)
Speech-Language Pathology Conditional License	180	182	1.1%
Audiology Aide	31	66	112.9%
Speech-Language Pathology Aide	7	17	142.9%
Student Permits	33	34	3.0%
State Veterinary Medical Licensing Board	5,717	6,310	10.4%
Veterinary	3,492	3,861	10.6%
Registered Veterinary Technician	2,017	2,168	7.5%
Veterinary Specialists	131	124	(5.3%)
Business Facility Licenses	38	33	(13.2%)
Limited License for Resident	17	47	176.5%
Limited License	19	74	289.5%
Provisional License	2	0	(100.0%)
Temporary Permits	1	3	200.0%

Section III: Additional Operating Statistics and Newly Enacted Legislation

This section consists of a table listing some additional operating statistics for the boards and commissions and a brief summary of laws that became effective during FY 2009 that affect operations of the state's occupational and professional licensing boards and commissions.

Additional Operating Statistics

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

Table 4: Additional Operating Statistics			
Agency (Web Site)	Primary Renewal Cycle	Board Members	Staff
Accountancy Board (www.acc.ohio.gov)	Triennial	9	8 FTEs
Architects Board/State Board of Landscape Architect Examiners³ (www.arc.ohio.gov ; www.arc.ohio.gov/lae)	Biennial	10	4 FTEs
Ohio Athletic Commission (www.aco.ohio.gov)	Annual	5	2 FT & 1 PT
Auctioneer Program – Department of Agriculture⁴ (www.ohioagriculture.gov/auction/)	Biennial	N/A	6 FTEs
Barber Board (www.barber.ohio.gov)	Biennial	3	7 FTEs
Board of Building Standards – Department of Commerce (www.com.ohio.gov/dico/bbs.aspx)	Triennial	11	11 FTEs

³ 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.

⁴ In the Auctioneer Program of the Department of Agriculture, three licenses renew biennially and two renew annually. Additionally, of the six staff members noted for the program, five are investigators that work for the entire Department.

Table 4: Additional Operating Statistics			
Agency (Web Site)	Primary Renewal Cycle	Board Members	Staff
Chemical Dependency Professionals Board (www.ocdp.ohio.gov)	Biennial	13	5 FTEs
State Chiropractic Board (www.chirobd.ohio.gov)	Annual	5	5 FTEs
Ohio Construction Industry Licensing Board – Department of Commerce (www.com.ohio.gov/dico/OCILB.aspx)	Annual	17	8 FTEs
State Board of Cosmetology (www.cos.ohio.gov)	Biennial	9	38 FTEs
Counselor, Social Worker and Marriage and Family Therapist Board (www.cswmft.ohio.gov)	Biennial	15	12 FTEs
State Dental Board (www.dental.ohio.gov)	Biennial	13	12 FTEs
Ohio Board of Dietetics (www.dietetics.ohio.gov)	Annual	5	3 FT & 1 PT
Board of Embalmers and Funeral Directors (www.funeral.ohio.gov)	Biennial	7	6 FTEs
Board of Emergency Medical Services – Department of Public Safety (www.ems.ohio.gov)	Triennial	20	28 FTEs
State Board of Registration for Professional Engineers and Surveyors (www.peps.ohio.gov)	Annual	5	8 FTEs
Division of Financial Institutions – Department of Commerce (www.com.ohio.gov/fiin/)	Annual	N/A	27 FTEs
Hearing Aid Dealers and Fitters Licensing Board – Department of Health (<a href="http://www.odh.ohio.gov/odhPrograms/dspc/hdlr/hda
main1.aspx">www.odh.ohio.gov/odhPrograms/dspc/hdlr/hda main1.aspx)	Annual	8	1 FTE
Division of Industrial Compliance – Department of Commerce⁵ (www.com.ohio.gov/dico/)	Annual	6	0 FTEs
Manufactured Homes Commission (www.omhc.ohio.gov)	Biennial	9	4 FTEs
State Medical Board (www.med.ohio.gov)	Biennial	12	87 FTEs

⁵ The board members noted belong only to the Historical Boiler Board.

Table 4: Additional Operating Statistics			
Agency (Web Site)	Primary Renewal Cycle	Board Members	Staff
Ohio Medical Transportation Board⁶ (www.mtb.oh.gov)	Annual	10	3 FTEs
Ohio Board of Motor Vehicle Collision Repair Registration (www.collisionboard.ohio.gov)	Annual	7	3 FTEs
Motor Vehicle Dealer Licensing Board; Motor Vehicle Salvage Dealer Licensing Board – Department of Public Safety⁷ (www.ohioautodealers.com)	Biennial	4; 10	29 FTEs
Board of Examiners of Nursing Home Administrators – Department of Health (www.ohiobenha.org)	Annual	9	6 FTEs
Board of Nursing (www.nursing.ohio.gov)	Biennial	13	59 FTEs
Occupational Therapy, Physical Therapy, and Athletic Trainers Board (www.otptat.ohio.gov)	Biennial	20	8 FTEs
Ohio Optical Dispensers Board (www.optical.ohio.gov)	Annual	9	3 FTEs
State Board of Optometry (www.optometry.ohio.gov)	Annual	6	3 FTEs
State Board of Orthotics, Prosthetics, and Pedorthics (www.opp.ohio.gov)	Annual	7	1 FT & 1 PT
State Board of Pharmacy (www.pharmacy.ohio.gov)	Annual	9	50 FTEs
Private Investigators/Security Guard Section – Department of Public Safety⁸ (www.homelandsecurity.ohio.gov/pisg.htm)	Annual	12	15 FTEs
State Board of Psychology (www.psychology.ohio.gov)	Biennial	9	9 FTEs

⁶ 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.

⁷ In addition to the three full-time staff that serve the Motor Vehicle Dealer Licensing Board and Motor Vehicle Salvage Dealers Licensing Board, other Bureau of Motor Vehicles staff members, most of whom are investigators, spend varying amounts of their time performing inspections and other licensing-related duties on behalf of the two boards.

⁸ The number of staff does not include two contract investigators who are not on state payroll.

Table 4: Additional Operating Statistics			
Agency (Web Site)	Primary Renewal Cycle	Board Members	Staff
Division of Real Estate and Professional Licensing – Department of Commerce⁹ (www.com.ohio.gov/real)	Triennial/ Annual	19	37 FTEs
Ohio Respiratory Care Board (www.respiratorycare.ohio.gov)	Biennial	9	4 FT & 1 PT
State Board of Sanitarian Registration (www.sanitarian.ohio.gov)	Annual	7	1 FT & 1 PT
Division of Securities – Department of Commerce (www.com.ohio.gov/secu/)	Annual	N/A	29 FTEs
Board of Speech-Language Pathology and Audiology (www.slpaud.ohio.gov)	Biennial	8	4 FTEs
State Veterinary Medical Licensing Board (www.ovmlb.ohio.gov)	Biennial	7	2 FT & 1 PT

Legislation Effective in FY 2009

All of the bills discussed below became effective between July 1, 2008 and June 30, 2009. H.B. 130 affected all boards and commissions that are created under Title 47 of the Revised Code and that are authorized to deny licensure or certification without offering an opportunity for a hearing pursuant to the Administrative Procedure Act. H.B. 130 also required that such boards, when adding to the list of specified criminal offenses for which licensure or certification can be denied, promulgate rules stating how each specified criminal offense is substantially related to a person's ability to perform the professions that each board regulates.

Department of Agriculture – Auctioneer Board

H.B. 48 exempts certain nonprofit organizations and schools that sell donated items at an auction from the licensing and contract requirements governing auctions, if no person in the business of organizing the auction receives compensation from the auction's proceeds. The bill also precludes claims against the Auction Recovery Fund (Fund 5B80) for any loss associated with these types of auctions.

⁹ The 19 board members belong to the Cemetery Dispute Resolution Commission (nine), Real Estate Appraiser Board (five), and Real Estate Commission (five). Real estate salespersons and real estate brokers, the Division's largest categories of licensure, renew triennially while the rest renew annually.

Ohio Construction Industry Licensing Board

H.B. 444 authorizes the Ohio Construction Industry Licensing Board (OCILB) to impose on unlicensed contractors a civil penalty of up to \$1,000 per day per violation, with revenue from the penalty accruing to the Industrial Compliance Operating Fund (Fund 5560).

Department of Commerce – Division of Financial Institutions

H.B. 545 repealed the Check-Cashing Lender Law (R.C. Chapter 1315.) and established the Short-Term Lender Law (R.C. 1321.25-1321.48). As a result of its passage, many lenders surrendered their check-cashing licenses and obtained either small loan licenses under the Small Loan Act or Mortgage Loan Act registrations under the Ohio Mortgage Loan Act. Some lenders chose to obtain both.

Department of Commerce – Division of Real Estate

Among other provisions, H.B. 130 specifically addressed the disbursement of earnest money connected to a real estate purchase agreement that is deposited into a special or trust account. The bill required a real estate broker to disburse earnest money deposits as instructed by the purchase agreement, a final court order, the parties' written instructions, or as required under unclaimed funds law. It also required a real estate broker to disburse 100% of an earnest money deposit to the Director of Commerce if the deposit is reported as unclaimed funds.

Board of Embalmers and Funeral Directors

S.B. 196 placed all pre-need funeral contracts under the supervision of the Board, although the Department of Insurance retains jurisdiction over insurance providers who sell insurance policies that cover pre-need contracts.

State Medical Board

Several enactments affected the regulation of medical professionals under the State Medical Board's purview. S.B. 245 required the State Medical Board to issue certificates to practice as an acupuncturist and permits a certified acupuncturist to use the title "Licensed Acupuncturist." Additionally, the act permits an applicant for a certificate to practice as a physician assistant to receive an initial certificate and retain or renew, without a master's or higher degree, the certificate, if the applicant meets certain standards.

S.B. 229 required the Board to regulate the practice of radiologist assistants, established criminal penalties, and authorized the Board to take disciplinary action against violators. The act also requires that an applicant for a certificate to practice as a radiologist assistant meet prescribed standards.

S.B. 279 increased the maximum duration of a visiting medical faculty certificate from one year to three years and allows a physician who received a visiting medical faculty certificate before the act's effective date to apply for a second certificate. Accordingly, the fee for the certificate has been increased from \$125 to \$375. The act also requires the State Medical Board to implement a staggered biennial renewal schedule for certificates to practice limited branches of medicine that is substantially similar to the renewal schedule used for physicians. It also allows an applicant for a certificate to practice massage therapy or cosmetic therapy to be admitted to the Board's examination on the basis of being licensed in another state or holding national certification.

Two other bills that became effective in FY 2009 concern disciplinary actions taken by the Board. First, H.B. 280 authorized the Medical Board to limit, revoke, or suspend an individual's certificate to practice, refuse to register an individual, refuse to reinstate a certificate, or reprimand or place on probation the holder of a certificate for performing or inducing an abortion at an office or facility with knowledge that the office or facility fails to post the notice required under the act. Secondly, H.B. 493 authorized the State Medical Board to take disciplinary action against a physician who violates either of the act's prohibitions regarding physician billing for anatomic pathology services. A violation of either prohibition constitutes a reason for the Board to take disciplinary action against a physician.

Pharmacy Board

H.B. 283 permitted certain corporations, limited liability companies, and professional associations to purchase and distribute dangerous drugs without obtaining a terminal distributor of dangerous drugs license from the State Board of Pharmacy. To qualify for this exemption, all owners or members of the entities must be licensed health professionals who are authorized to prescribe drugs. In addition to this legislation, S.B. 203 specified the criteria that must be met to be considered a qualified pharmacy technician.

Psychology Board

H.B. 503 modified the education and experience requirements for admission to the psychologist licensure examination by specifying the acceptable education or practical experience primarily as it applies to experience outside the United States or Canada. The act exempts applicants who enroll in programs within 60 days of the act's effective date from meeting the new requirement. In addition, the act replaces the requirement that at least one of the two years of supervised professional experience needed for admission to the psychologist licensure examination be completed on a postdoctoral basis with a requirement that the year be a predoctoral internship and applies this requirement to licensed clinical psychologists in the laws governing hospitalization of mentally ill persons.