



# Ohio's Occupational Licensing and Regulatory Boards

Annual Report for  
Fiscal Year 2011

*Prepared by the  
Legislative Service Commission  
November 2011*



## 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 2011 (July 1, 2010 through June 30, 2011). 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, 2011, the 18 funds used primarily by the boards and commissions for operations had a combined cash balance of \$51.3 million, compared to a combined cash balance of \$74.4 million as of July 1, 2010. As of June 30, 2011, the boards and commissions also encumbered a total of \$3.4 million in FY 2011 funds to be spent in FY 2012, leaving the funds with a combined unobligated cash balance of \$47.9 million. Collectively, the 40 boards and commissions had sufficient revenues to cover their expenditures and were financially self-supporting in FY 2011.

The financial and licensing data presented in this report was compiled from information provided by the boards and commissions and data from the Ohio Administrative Knowledge System (OAKS). The report is divided into three sections. Section I provides a simplified cash balance statement for the 18 funds used primarily by the boards and commissions for operations and also summarizes their revenue and expenditure activity for FY 2011. Section II compares the total number of active licenses for each board or commission in FY 2011 to FY 2010. Section III provides agency staffing levels, web site addresses, and a summary of newly enacted legislative changes affecting the boards and commissions in FY 2011.

In addition to the printed version, this report may be viewed online at [www.lsc.state.oh.us](http://www.lsc.state.oh.us) by clicking on Publications, and then Occupational Licensing and Regulatory Board Report under the Staff Research Reports heading.

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

### Year-End Fund Balances

In FY 2011, 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 18 of these funds at the close of FY 2011, as well as operating income and expenditures for all 21 of the funds over the fiscal year.<sup>1</sup> 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 18 of these funds that are used primarily by the boards and commissions. As of July 1, 2010, the first day of FY 2011, these 18 funds had a combined cash balance of \$74.4 million. During FY 2011, a total of \$76.5 million in receipts were deposited into the funds and a total of \$99.6 million in expenditures (including transfers) were paid out of the funds. As of June 30, 2011, the last day of FY 2011, these 18 funds had a combined cash balance of just over \$51.3 million and outstanding encumbrances of \$3.4 million, leaving the funds with a combined, unobligated cash balance of approximately \$47.9 million. All of the 18 operating funds finished FY 2011 with positive unencumbered cash balances.

In FY 2011, of the \$99.6 million in expenditures made by boards and commissions, \$52.7 million (52.9%) was used for board operations and \$46.9 million (47.1%) were transfers. Of the amount expended for operations, \$41.0 million (77.8%) was for personal services, which includes payroll, fringe benefits, and purchased services, \$9.3 million (17.6%) was for supplies and maintenance, and the remaining \$2.4 million (4.6%) was for equipment, subsidies, and other miscellaneous expenditures. Of the amount transferred out of the funds used by boards and commissions, \$32.3 million (68.9%) was transferred from the Occupational Licensing and Regulatory Fund (Fund 4K90) mostly to the GRF, and \$13.1 million (27.9%) was transferred from the Division of Securities Fund (Fund 550) to the GRF; the remaining \$1.5 million of transfers were made out of multiple other funds.

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<sup>1</sup> Table 1, which shows fund cash balances, does not include the General Operations Fund (Fund 4700) used by the Department of Health, the Bureau of Motor Vehicles Fund (Fund 4W40) used by the Department of Public Safety, or the Industrial Compliance Operating Fund (Fund 5560) used by the Department of Commerce, as these funds are used mainly for purposes other than board licensing activities.

### **Occupational Licensing and Regulatory Fund (Fund 4K90)**

The largest of the 18 funds is the Occupational Licensing and Regulatory Fund (Fund 4K90), which serves as the operating fund for 27 of the 40 boards and commissions covered by this report. Fund 4K90 finished FY 2011 with a cash balance of \$17.4 million, a decrease of \$20.8 million (54.5%) from the beginning cash balance of \$38.2 million. Taking into account the year-end encumbrance of \$1.3 million, Fund 4K90 finished FY 2011 with an unobligated cash balance of \$16.1 million.<sup>2</sup>

Fund 4K90 receipts totaled \$38.7 million in FY 2011, an increase of \$9.6 million (33.0%) over FY 2010 receipts of \$29.1 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, thus accounting for the increase in FY 2011.

Fund 4K90 expenditures for FY 2011 totaled almost \$59.5 million, an increase of about \$29.9 million (101.0%) over FY 2010 expenditures of \$29.6 million. The increase is due to a transfer out of Fund 4K90 of \$32.3 million. Most of this transfer went into the GRF. When this transfer is excluded, expenditures totaled \$27.2 million, which is about \$1 million more than FY 2010 expenditures when the transfer out of \$3.2 million is removed from FY 2010 expenditures.

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<sup>2</sup> 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.

**Table 1. Simplified Cash Balance Statement for Operational Funds of Occupational Licensing and Regulatory Boards and Commissions, FY 2011**

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	\$38,207,954	\$38,716,894	\$59,488,603	\$17,436,245	\$1,303,597	\$16,132,648
Board of Pharmacy Drug Law Enforcement Fund	4A50	\$845,365	\$76,733	\$124,774	\$797,324	\$99,560	\$697,764
Real Estate Appraiser Recovery Fund	4B20	\$852,199	\$14,800	\$10,000	\$856,999	\$0	\$856,999
Auction Education Fund	4D20	\$236,491	\$29,821	\$17,042	\$249,270	\$5,360	\$243,910
Cemetery Registration Fund	4H90	\$696,597	\$268,997	\$224,875	\$740,720	\$21,363	\$719,356
CPA Education Assistance Fund	4J80	\$624,036	\$293,590	\$210,000	\$707,626	\$40,000	\$667,626
Motor Vehicle Dealers Board Fund	5390	\$1,248,751	\$193,447	\$802,830	\$639,368	\$52,482	\$586,885
Real Estate Education & Research Fund	5470	\$700,828	\$60,349	\$13,837	\$747,340	\$0	\$747,340
Real Estate Recovery Fund	5480	\$859,955	\$110,705	\$31,996	\$938,664	\$0	\$938,664
Division of Real Estate Operating Fund	5490	\$3,583,088	\$3,006,498	\$3,088,231	\$3,501,356	\$175,532	\$3,325,823
Division of Securities Fund	5500	\$8,062,811	\$17,393,262	\$17,070,766	\$8,385,308	\$611,250	\$7,774,058
Consumer Finance Fund	5530	\$6,996,093	\$3,117,758	\$3,567,502	\$6,546,349	\$599,669	\$5,946,681
Nurse Education Grant Program Fund	5AC0	\$1,445,940	\$714,103	\$1,023,225	\$1,136,818	\$0	\$1,136,818
Auctioneers Fund	5B80	\$421,506	\$308,180	\$302,324	\$427,362	\$0	\$427,362
Priv. Investigator & Security Guard Provider Fund	5B90	\$1,841,529	\$1,125,055	\$1,330,442	\$1,636,142	\$58,087	\$1,578,055
State Medical Board Operating Fund	5C60	\$4,622,814	\$7,512,192	\$9,063,879	\$3,071,126	\$355,822	\$2,715,304
Real Estate Appraiser Operating Fund	6A40	\$1,387,654	\$585,064	\$635,134	\$1,337,584	\$2,351	\$1,335,232
Trauma & Emergency Medical Services Fund	83M0	\$1,791,381	\$2,932,427	\$2,545,333	\$2,178,476	\$81,809	\$2,096,667
<b>Total</b>		<b>\$74,424,992</b>	<b>\$76,459,875</b>	<b>\$99,550,793</b>	<b>\$51,334,077</b>	<b>\$3,406,882</b>	<b>\$47,927,192</b>

Source: The Ohio Administrative Knowledge System

## 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 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 determine whether the revenues generated during a given period were sufficient to cover the expenditures incurred in that period. Transfers in and transfers out are excluded from this table in order to view board finances only pertaining to operations.<sup>3</sup> 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, Table 2 lists their FY 2011 revenues and expenditures by fund. For those boards and commissions issuing biennial licenses, the table lists total revenues and expenditures by fund over the FY 2010-FY 2011 period. Likewise for boards and commissions issuing on a triennial basis, the table lists revenue and expenditure data over the FY 2009-FY 2011 period. Note that some boards and commissions with biennial or triennial license renewal cycles have staggered their license renewal periods to avoid larger fluctuations in revenues and expenditures from year to year.

As can be seen from the table, four agencies on annual renewal cycles had seven funds that registered expenditures at levels higher than their revenues in FY 2011. Of these agencies, only the State Board of Optometry and the State Board of Pharmacy use Fund 4K90 as their primary operating fund. The Consumer Finance Fund (Fund 5530) used by the Division of Financial Institutions in the Department of Commerce had the largest deficit, with FY 2011 expenditures exceeding revenues by \$302,752. The State Pharmacy Board experienced deficits in three funds: Fund 4A50 (Drug Law Enforcement), Fund 3BC0 (Dangerous Drugs Database), and Fund 3CT0 (2008 Developing/Enhancing Prescription Monitoring Program).<sup>4</sup> Also showing deficits were the Department of Commerce's Real Estate Appraiser – Operating Fund (Fund 6A40),

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<sup>3</sup> Two funds from Table 1, the Nurse Education Grant Program Fund (Fund 5AC0) and the CPA Education Assistance Fund (Fund 4J80), are excluded from Table 2, as these funds are used to disburse grants and are not used for general board operations.

<sup>4</sup> Of the \$47,089 expended from Fund 3BC0, \$20,000 was returned to the federal Department of Justice and was not an operating expenditure. This would reduce the deficit for that fund from \$27,089 to \$7,089.



used by the Division of Real Estate and Professional Licensing and the Department of Public Safety's Private Investigator and Security Guard Provider Fund (Fund 5B90).

Of the 21 funds with FY 2011 revenues exceeding expenditures, the Division of Securities Fund (Fund 5500), which is used by the Department of Commerce to regulate the sale of securities and license security professionals in Ohio, registered the largest surplus, with FY 2011 revenues exceeding operating expenditures by approximately \$13.4 million. However, about \$13.1 million of this amount was transferred to the GRF, thereby reducing the operating surplus to \$322,495. Other large surpluses occurred in Fund 5560, used by the Department of Commerce for the Division of Industrial Compliance and the Ohio Construction Industry Licensing Board. While this fund is mainly used for other purposes by the Department besides licensing activities, the reported surplus in this fund for both boards was over \$1 million.

Of the funds used by boards and commissions to process biennial licenses, Fund 4K90 saw deficits from three agencies: the Chemical Dependency Professionals Board, the Ohio Manufactured Homes Commission, and the Board of Speech-Language Pathology and Audiology. The State Medical Board Operating Fund (Fund 5C60) showed the largest deficit over the past two years of \$564,317. The other board that processes biennial licenses to show a deficit was the Motor Vehicle Salvage Dealer Licensing Board within the Department of Public Safety. The Board of Nursing's portion of Fund 4K90 had the largest biennial surplus, almost \$7.2 million.

Of the funds used by boards and commissions to renew licenses on a triennial basis, the Real Estate Fund (Fund 5490), used by the Division of Real Estate and Professional Licensing within the Department of Commerce, posted the only deficit at \$685,120. The Accountancy Board's portion of Fund 4K90 posted the largest surplus at \$1.8 million over the three-year period.

**Table 2. Summary of Revenues and Expenditures by Agency by Fund**

Agency Name	Fund Code	Revenues	Expenditures	Revenues Over (Under) Expenditures
<b>Annual Renewal Cycle, FY 2011</b>				
Ohio Athletic Commission	4K90	\$267,166	\$256,421	\$10,744
Board of Dietetics	4K90	\$348,384	\$293,023	\$55,361
State Board of Registration for Professional Engineers and Surveyors	4K90	\$1,098,782	\$889,734	\$209,047
Ohio Medical Transportation Board	4K90	\$666,394	\$483,182	\$183,212
Board of Motor Vehicle Collision Repair Registration	4K90	\$343,442	\$322,031	\$21,412
Ohio Optical Dispensers Board	4K90	\$343,677	\$343,407	\$270
State Board of Optometry	4K90	\$307,550	\$336,518	(\$28,968)
State Board of Orthotics, Prosthetics, and Pedorthics	4K90	\$110,797	\$106,985	\$3,812
State Board of Pharmacy	4K90	\$5,206,980	\$5,191,478	\$15,502
State Board of Pharmacy*	3BC0	\$20,000	\$47,089	(\$27,089)
State Board of Pharmacy*	3CT0	\$78,275	\$79,398	(\$1,123)
State Board of Pharmacy*	3DV0	\$162,774	\$161,092	\$1,682
State Board of Pharmacy*	3EB0	\$117,852	\$117,852	\$0
State Board of Pharmacy*	3EY0	\$85,360	\$70,193	\$15,167
State Board of Pharmacy*	3EZ0	\$80,760	\$80,541	\$219
State Board of Pharmacy*	4A50	\$76,733	\$124,774	(\$48,041)
State Board of Sanitarian Registration	4K90	\$120,434	\$114,866	\$5,568
Ohio Construction Industry Licensing Board (Commerce)	5560	\$1,332,706	\$786,123	\$546,583
Division of Financial Institutions (Commerce)	5530	\$3,117,758	\$3,420,510	(\$302,752)
Division of Industrial Compliance (Commerce)	5560	\$672,545	\$165,554	\$506,991
Division of Real Estate and Professional Licensing (Commerce)	4B20	\$14,800	\$10,000	\$4,800
Division of Real Estate and Professional Licensing (Commerce)	4H90	\$268,997	\$216,463	\$52,534
Division of Real Estate and Professional Licensing (Commerce)	5470	\$60,349	\$13,837	\$46,512
Division of Real Estate and Professional Licensing (Commerce)	5480	\$110,705	\$31,996	\$78,709
Division of Real Estate and Professional Licensing (Commerce)	6A40	\$585,064	\$604,679	(\$19,615)
Division of Securities (Commerce)	5500	\$17,393,262	\$3,971,776	\$13,421,486
Hearing Aid Dealers and Fitters Licensing Board (Health)	4700	\$131,050	\$89,642	\$41,408
Board of Examiners of Nursing Home Administrators (Health)	4700	\$599,696	\$595,383	\$4,313
Private Investigator/Security Guard Section (Public Safety)	5B90	\$1,125,055	\$1,288,207	(\$163,152)

**Table 2. Summary of Revenues and Expenditures by Agency by Fund**

Agency Name	Fund Code	Revenues	Expenditures	Revenues Over (Under) Expenditures
<b>Biennial Renewal Cycle, FY 2010-FY 2011</b>				
Architects Board and the State Board of Landscape Architect Examiners	4K90	\$1,323,167	\$882,029	\$441,138
Auctioneers Program (Agriculture)	5B80	\$656,203	\$597,786	\$58,417
Auctioneers Program (Agriculture)	4D20	\$64,261	\$48,184	\$16,077
Ohio State Barber Board	4K90	\$1,492,878	\$1,275,273	\$217,605
Chemical Dependency Professionals Board	4K90	\$875,644	\$935,666	(\$60,022)
State Chiropractic Board	4K90	\$1,239,062	\$1,012,848	\$226,214
State Board of Cosmetology**	4K90	\$7,981,565	\$6,379,687	\$1,601,878
Counselor, Social Worker, and Marriage and Family Therapist Board	4K90	\$2,381,058	\$2,205,177	\$175,881
Ohio State Dental Board	4K90	\$3,190,257	\$2,967,119	\$223,138
State Board of Embalmers and Funeral Directors	4K90	\$1,216,583	\$1,149,804	\$66,779
Ohio Manufactured Homes Commission	4K90	\$644,910	\$977,829	(\$332,919)
State Medical Board	5C60	\$16,122,390	\$16,686,707	(\$564,317)
Motor Vehicle Dealer Licensing Board (Public Safety)	5390 & 4W40	\$663,672	\$309,274	\$354,398
Motor Vehicle Salvage Dealers Licensing Board (Public Safety)	4W40	\$80,262	\$129,712	(\$49,450)
Board of Nursing	4K90	\$18,380,131	\$11,224,349	\$7,155,782
Occupational Therapy, Physical Therapy, and Athletic Trainers Board	4K90	\$2,188,393	\$1,537,404	\$650,989
State Board of Psychology	4K90	\$1,261,771	\$927,387	\$334,384
Respiratory Care Board	4K90	\$1,161,784	\$933,015	\$228,769
Board of Speech-Language Pathology and Audiology	4K90	\$891,722	\$966,523	(\$74,801)
Veterinary Medical Licensing Board	4K90	\$934,157	\$580,146	\$354,011
<b>Triennial Renewal Cycle, FY 2009-FY 2011</b>				
Accountancy Board	4K90	\$4,582,406	\$2,744,051	\$1,838,355
Board of Building Standards (Commerce)	5560	\$271,426	\$269,877	\$1,549
Division of Real Estate and Professional Licensing (Commerce)	5490	\$8,021,936	\$8,707,056	(\$685,120)
Board of Emergency Medical Services (Public Safety)	83M0	\$7,434,332	\$7,029,667	\$404,665

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

\*\*These amounts do not include approximately \$64,200 in reinstatement fees from the Board's lapsed license amnesty program that were deposited directly into the GRF.

## Section II: Active Licenses, FY 2010 and FY 2011

Table 3 lists the total number of active licenses for each board or commission for FY 2010 and FY 2011 and the percent change in the total number of licenses between these two fiscal years. Of the 40 boards and commissions, 20 reported increases in the number of active licenses and 20 reported decreases. Two boards and commissions reported increases in active licenses of more than 10% and two reported decreases of more than 10%.

<b>Table 3. Active Licenses, FY 2010 and FY 2011</b>			
<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>Accountancy Board</b>	<b>32,839</b>	<b>32,561</b>	<b>-0.8%</b>
Certified Public Accountant – Ohio Permit	20,201	20,746	2.7%
Certified Public Accountant – Ohio Registration	9,284	9,171	-1.2%
Public Accountant – Ohio Permit	12	11	-8.3%
Public Accountant – Ohio Registration	111	90	-18.9%
Firm Registration – Peer Review	1,620	946	-41.6%
Firm Registration – Tax Consulting	1,611	1,597	-0.9%
<b>Architects Board and the State Board of Landscape Architect Examiners</b>	<b>8,148</b>	<b>8,542</b>	<b>4.8%</b>
ARC Individual Certificate of Qualification	6,321	6,611	4.6%
ARC Firm Certificate of Qualification	1,123	1,196	6.5%
Dual Firm (ARC/LA) Certificate of Qualification	33	36	9.1%
Landscape Architect Individual Certificate of Qualification	587	612	4.3%
Landscape Architect Firm Certificate of Authorization	84	87	3.6%
<b>Ohio Athletic Commission</b>	<b>5,766</b>	<b>4,447</b>	<b>-22.9%</b>
Athlete Agent	30	86	186.7%
Boxing/Mixed Martial Arts/Toughperson	2,027	1,572	-22.4%
Nonofficial: Second, Manager, Trainer, Matchmaker	2,063	1,501	-27.2%
Official: Judge, Referee, Timekeeper, Physician, Inspector	150	100	-33.3%
Boxing/Mixed Martial Arts/Toughperson Promoter	47	41	-12.8%
Wrestling Promoter	29	29	0.0%
Federal ID Boxing	91	312	242.9%
National Mixed Martial Arts ID	1,329	806	-39.4%
<b>Auctioneers Program (Department of Agriculture)</b>	<b>3,120</b>	<b>3,124</b>	<b>0.1%</b>
Auctioneer	2,681	2,658	-0.9%
Apprentice Auctioneer	159	178	11.9%
Special Auctioneer	5	3	-40.0%
Auctioneer: Corporation, Partnership, or Association	189	203	7.4%
Auction Firm	86	82	-4.7%

**Table 3. Active Licenses, FY 2010 and FY 2011**

<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>Ohio State Barber Board</b>	<b>12,204</b>	<b>11,670</b>	<b>-4.4%</b>
Barber	8,915	8,435	-5.4%
Barber School	17	17	0.0%
Barber Shop	3,200	3,150	-1.6%
Barber Teacher	72	68	-5.6%
<b>Board of Building Standards (Department of Commerce)</b>	<b>4,800</b>	<b>4,477</b>	<b>-6.7%</b>
Commercial Building Inspector	878	821	-6.5%
Residential Building Inspector	354	250	-29.4%
Commercial Building Official	410	403	-1.7%
Residential Building Official	936	828	-11.5%
Electrical Safety Inspector	737	658	-10.7%
Fire Protection Designer	423	384	-9.2%
Fire Protection Inspector	103	98	-4.9%
Industrialized Unit Inspector	17	18	5.9%
Residential I.U. Inspector	12	11	-8.3%
Mechanical Inspector	112	91	-18.8%
Residential Mechanical Inspector	11	13	18.2%
Medical Gas Inspector	33	35	6.1%
Commercial Plans Examiner	325	305	-6.2%
Residential Plans Examiner	119	93	-21.8%
Commercial Plumbing Inspector	0	202	N/A
Residential Plumbing Inspector	330	267	-19.1%
<b>Chemical Dependency Professionals Board</b>	<b>7,514</b>	<b>7,345</b>	<b>-2.2%</b>
Licensed Independent Chemical Dependency Counselor	2,171	2,029	-6.5%
Licensed Chemical Dependency Counselor III	968	1,009	4.2%
Licensed Chemical Dependency Counselor II	355	326	-8.2%
Chemical Dependency Counselor Assistant	3,134	3,125	-0.3%
Ohio Certified Prevention Specialist II	256	217	-15.2%
Ohio Certified Prevention Specialist I	128	115	-10.2%
Registered Applicant for Prevention Certification	502	524	4.4%
<b>State Chiropractic Board</b>	<b>2,368</b>	<b>2,559</b>	<b>8.1%</b>
Chiropractic Physician	2,271	2,429	7.0%
Chiropractic Temporary	3	0	-100.0%
Chiropractic Voluntary Public Service	0	0	N/A
Preceptorship	0	15	N/A
Acupuncture Certificate	94	115	22.3%

**Table 3. Active Licenses, FY 2010 and FY 2011**

<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>Ohio Construction Industry Licensing Board (Department of Commerce)</b>	<b>18,956</b>	<b>18,230</b>	<b>-3.8%</b>
Electrical Contractor	6,401	6,216	-2.9%
Plumbing Contractor	4,835	4,521	-6.5%
Hydronics Contractor	1,974	1,884	-4.6%
HVAC Contractor	4,225	4,170	-1.3%
Refrigeration Contractor	1,521	1,439	-5.4%
<b>State Board of Cosmetology</b>	<b>123,337</b>	<b>116,580</b>	<b>-5.5%</b>
Cosmetologist	23,845	21,447	-10.1%
Cosmetologist Instructor	5,242	4,710	-10.1%
Managing Cosmetologist	51,930	48,771	-6.1%
Beauty Salon	9,515	9,515	0.0%
Esthetician	1,126	980	-13.0%
Esthetician Instructor	122	120	-1.6%
Managing Esthetician	2,304	2,242	-2.7%
Esthetic Salon	361	363	0.6%
Hair Designer	234	195	-16.7%
Hair Designer Instructor	3	4	33.3%
Managing Hair Designer	74	82	10.8%
Hair Designer Salon	242	253	4.5%
Independent Contractor	12,708	13,769	8.3%
Manicurist	4,262	3,825	-10.3%
Manicurist Instructor	215	179	-16.7%
Managing Manicurist	7,880	7,274	-7.7%
Nail Salon	1,115	969	-13.1%
Natural Hair Stylist	5	7	40.0%
Natural Hair Stylist Instructor	0	0	N/A
Managing Natural Hair Stylist	15	17	13.3%
Natural Hair Stylist Salon	11	4	-63.6%
Cosmetology School	180	178	-1.1%
Tanning Facility	1,948	1,676	-14.0%
<b>Counselor, Social Worker, and Marriage and Family Therapist Board</b>	<b>31,450</b>	<b>32,100</b>	<b>2.1%</b>
Professional Counselor	3,587	3,751	4.6%
Professional Clinical Counselor	4,297	4,450	3.6%
Social Worker Assistant	635	586	-7.7%
Social Worker	15,318	15,470	1.0%
Independent Social Worker	7,363	7,576	2.9%
Marriage and Family Therapist	67	81	20.9%
Independent Marriage and Family Therapist	183	186	1.6%

**Table 3. Active Licenses, FY 2010 and FY 2011**

<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>Ohio State Dental Board</b>	<b>30,094</b>	<b>30,303</b>	<b>0.7%</b>
Dentist	6,963	7,188	3.2%
Dental Hygienist	7,779	8,032	3.3%
Dental Assistant Radiology	12,804	12,194	-4.8%
Limited Residents	281	323	14.9%
Limited Teaching	31	27	-12.9%
Limited Continuing Education	34	45	32.4%
Coronal Polishing	860	983	14.3%
Expanded Function Dental Assistant	1,342	1,511	12.6%
<b>Board of Dietetics</b>	<b>3,689</b>	<b>3,560</b>	<b>-3.5%</b>
Dietician – Initial	180	215	19.4%
Dietician – Reactivated	15	21	40.0%
Dietician – Reinstated	16	21	31.3%
Dietician – Renewed	3,411	3,239	-5.0%
Limited Permit	67	64	-4.5%
<b>State Board of Embalmers and Funeral Directors</b>	<b>6,828</b>	<b>6,704</b>	<b>-1.8%</b>
Crematory	103	109	5.8%
Embalmer Apprentice	46	51	10.9%
Embalmer Registration	37	48	29.7%
Embalmers	2,294	2,233	-2.7%
Embalming Facility	4	2	-50.0%
Funeral Director Apprentice	71	71	0.0%
Funeral Director Registration	65	67	3.1%
Funeral Directors	3,028	2,952	-2.5%
Funeral Homes	1,180	1,171	-0.8%
<b>Board of Emergency Medical Services (Department of Public Safety)</b>	<b>102,163</b>	<b>103,546</b>	<b>1.3%</b>
<b>Instructors</b>	<b>9,463</b>	<b>10,147</b>	<b>7.2%</b>
Assistant Fire Instructors	732	718	-1.9%
EMS Instructors	1,797	1,785	-0.7%
Assistant EMS Instructors	176	178	1.1%
Continuing Education Instructors	1,457	1,861	27.7%
Fire Instructors	3,099	3,258	5.1%
Fire Safety Inspector Instructors	111	120	8.1%
First Responder	2,091	2,135	2.1%
Physician Instructors <sup>5</sup>	0	92	N/A

<sup>5</sup> In previous issues of the LSC Board Report, this category was included in the EMS Instructors category. EMS now reports on Physician Instructors separately instead of with EMS Instructors. Separating Physician Instructors accounts for the decrease in the number of active EMS Instructors licenses from FY 2010 to FY 2011.

**Table 3. Active Licenses, FY 2010 and FY 2011**

<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>Emergency Medical Technicians and Firefighters</b>	<b>92,700</b>	<b>93,491</b>	<b>0.9%</b>
Emergency Medical Technician – Basic	21,326	21,378	0.2%
Emergency Medical Technician – Intermediate	2,311	2,288	-1.0%
Emergency Medical Technician – Paramedic	15,989	16,344	2.2%
Firefighter – Volunteer	15,911	14,911	-6.3%
Firefighter – Level I	4,163	4,455	7.0%
Firefighter – Level II	22,692	23,391	3.1%
Fire Safety Inspector	10,308	10,632	3.1%
<b>State Board of Registration for Professional Engineers and Surveyors</b>	<b>28,688</b>	<b>29,021</b>	<b>1.2%</b>
Companies	2,007	2,195	9.4%
Professional Engineers	24,557	24,710	0.6%
Dual (Professional Engineers/Professional Surveyors)	750	751	0.1%
Professional Surveyors	1,374	1,365	-0.7%
<b>Division of Financial Institutions (Department of Commerce)</b>	<b>6,425</b>	<b>8,193</b>	<b>27.5%</b>
Check Cashers	1,008	929	-7.8%
Credit Service Organizations	29	29	0.0%
Mortgage Brokers (OMBA)	461	531	15.2%
OMBA Loan Originators	2,172	3,302	52.0%
OMBA Mortgage Banker	172	205	19.2%
OMBA CUSO	4	4	0.0%
Pawnbrokers	290	299	3.1%
Premium Finance Companies	45	43	-4.4%
Precious Metals Dealers	106	184	73.6%
Small Loan Companies	510	291	-42.9%
Short-term Lenders	0	0	N/A
Mortgage Loan Act Registrants	1,555	1,489	-4.2%
OMLA CUSO	1	2	100.0%
OMLA Mortgage Loan Originators	18	829	4,505.6%
Money Transmitters	54	56	3.7%
<b>Hearing Aid Dealers and Fitters Licensing Board (Department of Health)</b>	<b>694</b>	<b>682</b>	<b>-1.7%</b>
Individual License	409	412	0.7%
Corporation License	229	224	-2.2%
Trainee Permits	56	46	-17.9%
<b>Division of Industrial Compliance (Department of Commerce)</b>	<b>16,376</b>	<b>21,134</b>	<b>29.1%</b>
Historical Boiler Operator	608	617	1.5%
Examiners of Steam Engineers	12,213	15,597	27.7%
Plumbing Inspector Certificate	330	420	27.3%
Backflow Tester Certificate	3,225	4,500	39.5%



<b>Table 3. Active Licenses, FY 2010 and FY 2011</b>			
<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>Ohio Manufactured Homes Commission</b>	<b>416</b>	<b>844</b>	<b>102.9%</b>
Licensed Installers	313	296	-5.4%
Certified Inspectors	103	95	-7.8%
Licensed Dealers/Brokers	0	231	N/A
Licensed Salespersons	0	222	N/A
<b>State Medical Board</b>	<b>62,839</b>	<b>64,755</b>	<b>3.0%</b>
Cosmetic Therapists	166	201	21.1%
Massage Therapists	11,380	11,842	4.1%
Doctor of Osteopathy	4,908	5,121	4.3%
Medical Doctor	36,802	37,353	1.5%
Doctor of Podiatric Medicine	960	972	1.3%
Mechanotherapist	31	31	0.0%
Naprapath	1	1	0.0%
Physician Assistant	1,994	2,204	10.5%
Doctor of Medicine Training Certificate	4,108	4,229	2.9%
Doctor of Osteopathic Medicine Training Certificate	942	968	2.8%
Doctor of Podiatric Medicine Training Certificate	79	94	19.0%
Acupuncturist	156	183	17.3%
Anesthesiologist Assistant	153	166	8.5%
Physician's Assistant Provisional Certificate to Prescribe	260	181	-30.4%
Physician's Assistant Certificate to Prescribe	702	987	40.6%
Special Activity Certificates	65	80	23.1%
Visiting Medical Faculty Certificate	14	17	21.4%
Visiting Podiatric Faculty Certificate	0	0	N/A
Telemedicine Licenses	112	117	4.5%
Radiologist Assistants	6	8	33.3%
<b>Ohio Medical Transportation Board</b>	<b>436</b>	<b>450</b>	<b>3.2%</b>
Emergency Medical Service	126	130	3.2%
Nonemergency Medical Service	294	303	3.1%
Air Medical Service	16	17	6.3%
<b>Board of Motor Vehicle Collision Repair Board Registration</b>	<b>1,462</b>	<b>1,397</b>	<b>-4.4%</b>
Motor Vehicle Collision Repair Operator	1,462	1,397	-4.4%
<b>Motor Vehicle Dealers Licensing Board (Department of Public Safety)</b>	<b>24,520</b>	<b>24,318</b>	<b>-0.8%</b>
Motor Vehicle Dealer License	7,806	7,376	-5.5%
Motor Vehicle Leasing Dealer	1,509	1,446	-4.2%
Motor Vehicle Salesperson	15,056	15,357	2.0%
Motor Vehicle Distributor/Auction	149	139	-6.7%
<b>Motor Vehicle Salvage Dealers Licensing Board (Department of Public Safety)</b>	<b>1,502</b>	<b>1,525</b>	<b>1.5%</b>
Salvage Motor Vehicle Dealers	647	626	-3.2%
Buyer ID Cards	855	899	5.1%

**Table 3. Active Licenses, FY 2010 and FY 2011**

<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>Board of Nursing</b>	<b>241,503</b>	<b>251,765</b>	<b>4.2%</b>
Registered Nurse	168,880	179,203	6.1%
Licensed Practical Nurse	57,086	55,575	-2.6%
Certificate of Authority	9,010	9,813	8.9%
Certificate to Prescribe	4,680	5,343	14.2%
Certified Dialysis Technician	1,469	1,333	-9.3%
Dialysis Technician Temporary 1	195	299	53.3%
Dialysis Technician Temporary 2	15	5	-66.7%
Dialysis Technician Temporary 3	1	0	-100.0%
Community Health Worker	73	61	-16.4%
Medication Aide – Certified	94	133	41.5%
<b>Board of Examiners of Nursing Home Administrators (Department of Health)</b>	<b>2,025</b>	<b>1,956</b>	<b>-3.4%</b>
Nursing Home Administrator	2,025	1,956	-3.4%
<b>Occupational Therapy, Physical Therapy, and Athletic Trainers Board</b>	<b>22,510</b>	<b>23,368</b>	<b>3.8%</b>
Occupational Therapist	4,525	4,550	0.6%
Occupational Therapy Assistant	3,043	3,191	4.9%
Physical Therapist	7,304	7,764	6.3%
Physical Therapist Assistant	5,626	5,855	4.1%
Athletic Trainer	2,012	2,008	-0.2%
<b>Ohio Optical Dispensers Board</b>	<b>5,299</b>	<b>5,496</b>	<b>3.7%</b>
Optician Initial	162	158	-2.5%
Optician Renewal	3,160	3,174	0.4%
Ocularist Initial	1	0	-100.0%
Ocularist Renewal	7	8	14.3%
Apprentice Registration Initial/Renew	1,969	2,156	9.5%
<b>State Board of Optometry</b>	<b>2,148</b>	<b>2,156</b>	<b>0.4%</b>
Therapeutic Optometrist	2,051	2,071	1.0%
Diagnostic Optometrist	43	38	-11.6%
Optometrist Only	42	37	-11.9%
Military	12	10	-16.7%
<b>State Board of Orthotics, Prosthetics, and Pedorthics</b>	<b>395</b>	<b>389</b>	<b>-1.5%</b>
Orthotist	86	90	4.7%
Pedorthist	116	117	0.9%
Prosthetist	67	63	-6.0%
Prosthetist – Orthotist	106	104	-1.9%
Temporary Orthotist	4	4	0.0%
Temporary Pedorthist	10	7	-30.0%
Temporary Prosthetist	4	1	-75.0%
Temporary Prosthetist – Orthotist	2	3	50.0%

**Table 3. Active Licenses, FY 2010 and FY 2011**

<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>State Board of Pharmacy</b>	<b>36,535</b>	<b>35,840</b>	<b>-1.9%</b>
Pharmacy Intern	2,746	2,534	-7.7%
Registered Pharmacist	16,911	16,386	-3.1%
Veterinary Facility Drug	613	603	-1.6%
Terminal Distributor of Dangerous Drugs CAT I	18	16	-11.1%
Terminal Distributor of Dangerous Drugs CAT II	4,429	4,239	-4.3%
Terminal Distributor of Dangerous Drugs CAT III	9,383	9,863	5.1%
Wholesale Distributor of Dangerous Drugs	1,442	1,599	10.9%
Controlled Substance Manufacturer	993	600	-39.6%
<b>Private Investigators and Security Guard Section (Department of Public Safety)</b>	<b>24,326</b>	<b>21,645</b>	<b>-11.0%</b>
<b>Provider Licenses</b>	<b>715</b>	<b>875</b>	<b>22.4%</b>
Class A (Private Investigator & Security Guard) Provider License	266	319	19.9%
Class A (Private Investigator & Security Guard) Branch	59	71	20.3%
Class B (Private Investigator) Provider License	223	283	26.9%
Class B (Private Investigator) Branch	3	6	100.0%
Class C (Security Guard) Provider	109	125	14.7%
Class C (Security Guard) Branch	55	71	29.1%
<b>Registrations</b>	<b>23,611</b>	<b>20,770</b>	<b>-12.0%</b>
Class A (Private Investigator & Security Guard)	6,260	6,487	3.6%
Class B (Private Investigator)	881	1,199	36.1%
Class C (Security Guard)	16,470	13,084	-20.6%
<b>State Board of Psychology</b>	<b>3,729</b>	<b>3,485</b>	<b>-6.5%</b>
Psychologist	3,421	3,210	-6.2%
School Psychologist	308	275	-10.7%
<b>Division of Real Estate and Professional Licensing (Department of Commerce)</b>	<b>55,855</b>	<b>53,822</b>	<b>-3.6%</b>
Cemetery	3,517	3,528	0.3%
Real Estate Appraiser	3,243	3,157	-2.7%
Real Estate Broker	5,810	5,685	-2.2%
Real Estate Business	4,226	4,136	-2.1%
Real Estate Foreign Corporation	30	29	-3.3%
Real Estate Foreign Corporation Dealer	29	29	0.0%
Real Estate Foreign Individual	14	15	7.1%
Real Estate Foreign Salesperson	49	43	-12.2%
Real Estate Registered Appraiser Assistant	276	283	2.5%
Real Estate Salesperson	38,661	36,917	-4.5%

**Table 3. Active Licenses, FY 2010 and FY 2011**

<b>Agency and License</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>% Change</b>
<b>Respiratory Care Board</b>	<b>8,151</b>	<b>8,800</b>	<b>8.0%</b>
Respiratory Care Practitioner Licenses	7,100	7,678	8.1%
Limited Permit (Student/Graduate)	281	219	-22.1%
Limited Permit (Employment Based)	43	38	-11.6%
Home Medical Equipment Facility License	121	125	3.3%
Home Medical Equipment Facility Certificate of Registration	606	740	22.1%
<b>State Board of Sanitarian Registration</b>	<b>1,585</b>	<b>1,506</b>	<b>-5.0%</b>
Registered Sanitarian	1,314	1,259	-4.2%
Sanitarian-in-Training	176	147	-16.5%
Training Agencies	95	100	5.3%
<b>Division of Securities (Department of Commerce)</b>	<b>171,376</b>	<b>177,199</b>	<b>3.4%</b>
Securities Dealers	2,301	2,236	-2.8%
Securities Salesperson	150,664	156,578	3.9%
Investment Advisor	2,284	2,294	0.4%
Investment Advisor Representative	16,055	16,005	-0.3%
State Retirement System Investment Officer	71	85	19.7%
Chief Investment Officer of BWC	1	1	0.0%
<b>Board of Speech-Language Pathology and Audiology</b>	<b>7,411</b>	<b>7,246</b>	<b>-2.2%</b>
Audiology	949	914	-3.7%
Speech-Language Pathology	6,071	5,978	-1.5%
Speech-Language Pathology Conditional License	258	250	-3.1%
Audiology Aide	70	62	-11.4%
Speech-Language Pathology Aide	19	10	-47.4%
Student Permits	44	32	-27.3%
<b>Veterinary Medical Licensing Board</b>	<b>6,594</b>	<b>6,775</b>	<b>2.7%</b>
Veterinary	3,790	4,022	6.1%
Registered Veterinary Technician	2,493	2,476	-0.7%
Veterinary Specialists	129	130	0.8%
Business Facility Licenses	52	42	-19.2%
Limited License for Resident	29	35	20.7%
Limited License	99	66	-33.3%
Provisional License	0	1	N/A
Temporary Permits	2	3	50.0%

## 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 2011 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.

<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 (<a href="http://www.acc.ohio.gov">www.acc.ohio.gov</a>)</b>	Triennial	9	9 FTE
<b>Architects Board and the State Board of Landscape Architect Examiners<sup>6</sup> (<a href="http://www.arc.ohio.gov">www.arc.ohio.gov</a>)</b>	Biennial	10	4 FTE
<b>Ohio Athletic Commission (<a href="http://www.aco.ohio.gov">www.aco.ohio.gov</a>)</b>	Annual	5	3 FTE
<b>Auctioneer Program – Department of Agriculture<sup>7</sup> (<a href="http://www.ohioagriculture.gov/auction/">www.ohioagriculture.gov/auction/</a>)</b>	Biennial	5	7 FTE
<b>Ohio State Barber Board (<a href="http://www.barber.ohio.gov">www.barber.ohio.gov</a>)</b>	Biennial	3	7 FTE
<b>Board of Building Standards – Department of Commerce (<a href="http://www.com.ohio.gov/dico/bbs.aspx">www.com.ohio.gov/dico/bbs.aspx</a>)</b>	Triennial	15	12 FTE

<sup>6</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>7</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 that work for the entire Department.

**Table 4. Additional Operating Statistics**

<b>Agency (Web Site)</b>	<b>Primary Renewal Cycle</b>	<b>Board Members</b>	<b>Staff</b>
<b>Chemical Dependency Professionals Board (www.ocdp.ohio.gov)</b>	Biennial	13	5 FTE
<b>State Chiropractic Board (www.chirobd.ohio.gov)</b>	Biennial	5	5 FTE
<b>Ohio Construction Industry Licensing Board – Department of Commerce (www.com.ohio.gov/dico/OCILB.aspx)</b>	Annual	17	7 FTE
<b>State Board of Cosmetology (www.cos.ohio.gov)</b>	Biennial	9	34 FTE
<b>Counselor, Social Worker, and Marriage and Family Therapist Board (www.cswmft.ohio.gov)</b>	Biennial	15	12 FTE
<b>Ohio State Dental Board (www.dental.ohio.gov)</b>	Biennial	13	14 FTE
<b>Board of Dietetics (www.dietetics.ohio.gov)</b>	Annual	5	3 FT, 1 PT
<b>State Board of Embalmers and Funeral Directors (www.funeral.ohio.gov)</b>	Biennial	7	6 FTE
<b>Board of Emergency Medical Services – Department of Public Safety (www.ems.ohio.gov)</b>	Triennial	20	30 FTE
<b>State Board of Registration for Professional Engineers and Surveyors (www.peps.ohio.gov)</b>	Annual	5	8 FTE
<b>Division of Financial Institutions – Department of Commerce (www.com.ohio.gov/fiin/)</b>	Annual	N/A <sup>8</sup>	34 FTE
<b>Hearing Aid Dealers and Fitters Licensing Board – Department of Health (www.odh.ohio.gov/odhPrograms/dspc/hdlr/hdama in1.aspx)</b>	Annual	7	1 FTE
<b>Division of Industrial Compliance – Department of Commerce<sup>9</sup> (www.com.ohio.gov/dico/)</b>	Annual	6	1 FTE
<b>Ohio Manufactured Homes Commission (www.omhc.ohio.gov)</b>	Biennial	9	6 FTE

<sup>8</sup> This agency has no executive board.

<sup>9</sup> The Board members noted belong only to the Historical Boiler Board.

<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 Medical Board<sup>10</sup></b> (www.med.ohio.gov)	Biennial	12	80 FTE
<b>Ohio Medical Transportation Board<sup>11</sup></b> (www.mtb.oh.gov)	Annual	10	3 FTE
<b>Board of Motor Vehicle Collision Repair Registration</b> (www.collisionboard.ohio.gov)	Annual	7	3 FTE
<b>Motor Vehicle Dealers Licensing Board; Motor Vehicle Salvage Dealers Licensing Board – Department of Public Safety<sup>12</sup></b> (www.ohioautodealers.com)	Biennial	13	42 FTE
<b>Board of Examiners of Nursing Home Administrators – Department of Health</b> (www.ohiobenha.org)	Annual	9	6 FTE
<b>Board of Nursing</b> (www.nursing.ohio.gov)	Biennial	13	57 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	9	47 FTE

<sup>10</sup> The State Medical Board's 80 employees include one intermittent employee.

<sup>11</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>12</sup> The number of Board members includes nine on the Motor Vehicle Dealers Licensing Board and four on the Motor Vehicle Salvage Dealers Licensing Board. Of the 42 employees listed in the table, only two full-time staff exclusively serve the Motor Vehicle Dealers Licensing Board and Motor Vehicle Salvage Dealers Licensing Board. The other 40 staff members work for the Bureau of Motor Vehicles (most are investigators) and spend varying amounts of time performing inspections and other licensing-related duties on behalf of the two boards.

<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>Private Investigators and Security Guard Section – Department of Public Safety<sup>13</sup> (www.pisgs.ohio.gov/pisgs.stm)</b>	Annual	12	15 FTE
<b>State Board of Psychology<sup>14</sup> (www.psychology.ohio.gov)</b>	Biennial	13	5 FTE
<b>Division of Real Estate and Professional Licensing – Department of Commerce<sup>15</sup> (www.com.ohio.gov/real)</b>	Triennial	19	38 FTE
<b>Respiratory Care Board (www.respiratorycare.ohio.gov)</b>	Biennial	9	4 FT, 1 PT
<b>State Board of Sanitarian Registration (www.sanitarian.ohio.gov)</b>	Annual	7	1 FT, 1 PT
<b>Division of Securities – Department of Commerce (www.com.ohio.gov/secu/)</b>	Annual	N/A <sup>16</sup>	27
<b>Board of Speech-Language Pathology and Audiology (www.slpaud.ohio.gov)</b>	Biennial	8	4
<b>Veterinary Medical Licensing Board (www.ovmlb.ohio.gov)</b>	Biennial	7	2 FT, 1 PT

## Legislation Effective in FY 2011

The bills discussed below became effective in FY 2011. One bill, S.B. 2 of the 129th General Assembly, affects all state agencies, including licensing and regulatory boards and commissions. This bill creates a new business rule review procedure, where agencies must use a business impact analysis instrument for filing new rules. The bill also requires agencies to develop customer service standards for employees that have significant contact with the public. Some boards may incur costs from these new requirements.

<sup>13</sup> The number of staff does not include four contract investigators and one contract business analyst who are not on state payroll.

<sup>14</sup> The State Board of Psychology has nine Board members as well as four Board-appointed members on the School Psychology Examination Committee.

<sup>15</sup> 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.

<sup>16</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.



In FY 2011, two bills became effective that affected multiple boards. H.B. 93 of the 129th General Assembly establishes and modifies laws regarding the prevention of prescription drug abuse. This bill mainly impacts the State Board of Pharmacy and the State Medical Board. H.B. 215 of the 128th General Assembly modifies the law governing investigations and hearings conducted by the State Dental Board and licensure of audiologists and speech-language pathologists. The changes made by these two bills and other bills that became effective in FY 2011 are briefly discussed below.

### **State Board of Pharmacy**

H.B. 93 requires the State Board of Pharmacy to license and regulate pain management clinics in the state. The bill requires the Board to prepare an annual report containing information related to its regulation of pain management clinics for the next four years. The report is to be submitted to the Governor and the General Assembly. The bill permits the Board to suspend the license of a wholesaler of controlled substances without a hearing if the Board determines that there is clear and convincing evidence that the method used to distribute controlled substances presents a danger of immediate and serious harm to others.

H.B. 93 also modifies the operation of the Ohio Automated Rx Reporting System (OARRS)<sup>17</sup> and establishes criminal penalties for failing to comply with certain requirements of the system. The Board may accept grants, gifts, or donations to operate the database. The bill establishes the Drug Database Fund for this purpose. The bill requires the Board to consider improvements to Ohio's method of monitoring the misuse and diversion of controlled substances through OARRS and to submit a report not later than six months after the bill's effective date.

The bill requires the State Board of Pharmacy, in conjunction with the Attorney General and the Department of Alcohol and Drug Addiction Services, to develop a program under which drugs are collected from the community for destruction or disposal. The bill specifies that the Attorney General is responsible for the costs of the program, though participating agencies may obtain grants to fund the program. Any grants received are credited to the Drug Take-Back Program Fund, which is created by the bill.

### **State Medical Board of Ohio**

For the State Medical Board, H.B. 93 requires that rules be adopted for physicians that operate pain management clinics. The bill authorizes the Board to impose fines of up to \$20,000 on any physician who fails to comply with the rules of operation or standards for pain management clinics. The bill also requires the Board to adopt rules

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<sup>17</sup> OARRS was first authorized by Sub. H.B. 377 of the 125th General Assembly. The Act, which became effective May 2005, permitted the Board to establish and maintain an electronic database to monitor the misuse and diversion of controlled substances and certain dangerous drugs.

requiring medical professionals licensed by the Board to check OARRS when issuing prescriptions. H.B. 93 also creates the Medical Board Education and Patient Safety Fund, which is to be used to develop and maintain programs that address patient safety and education, supply and demand of healthcare professionals, and information sharing with the public and individuals regulated by the Board. Fund revenue will consist of grants solicited and accepted by the Board from public and private sources.

### **Ohio Board of Nursing**

H.B. 93 expands access to information collected by the Board of Nursing in an investigation and requires the Board to adopt rules requiring medical professionals licensed by the Board to check OARRS when issuing prescriptions.

### **State Dental Board**

H.B. 93 requires the State Dental Board to adopt rules requiring medical professionals licensed by the Board to check OARRS when issuing prescriptions.

H.B. 215 generally modifies the way the State Dental Board investigates and disciplines medical professionals licensed by the Board. The bill requires the Board to create a supervisory investigative panel and to appoint three referees or examiners who are not Board members and do not otherwise represent the Board to oversee all of the Board's disciplinary hearings and deliberations. The bill also modifies the Board's subpoena authority by requiring all subpoenas to be authorized by the supervisory investigatory panel. The bill modifies Board procedures pertaining to dentists who fail to renew registration or submit evidence of continuing education credits.

H.B. 190 of the 128th General Assembly changes the restrictions placed on dental hygienists, allowing them to operate, under certain restrictions, without the presence of an overseeing dentist under the Oral Health Access Supervision Program. The bill also makes licensing and other administrative changes such as allowing dentists to temporarily retire.

### **State Board of Speech Pathology and Audiology**

H.B. 215 reauthorizes certain persons to obtain an audiologist license without holding a doctor of audiology degree. The bill also permits a licensed speech-language pathologist or audiologist to apply to the State Board of Speech-Language Pathology and Audiology to have their license classified as inactive; the bill allows the Board to charge a fee for classifying a license as inactive. The bill authorizes the Board to adopt rules as necessary for classifying a license as inactive.

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

H.B. 114 of the 129th General Assembly, the transportation budget, abolishes the Seat Belt Education Fund (Fund 8840), which formerly received 8% of the fines for seat belt violations, and requires that the money be credited to the Trauma and Emergency Medical Services Fund (Fund 83M0) instead. The money credited to the Seat Belt Education Fund was used by the Department of Public Safety to establish a seat belt education program. The Trauma and Emergency Medical Services Fund, which already received 28% of the fines for seat belt violations, is required to be used by the Department for the administration of the Division of Emergency Medical Services and the State Board of Emergency Medical Services.