

Introduction, Mission Statement & The Board

Introduction

The Ohio State Board of Optometry is a state government Agency established by the legislature in 1919 to regulate the practice of optometry and to protect consumers.

The Board is responsible for examining and licensing optometrists and enforcing the provisions of Chapter 4725 of the Ohio Revised Code as adopted by the Ohio General Assembly and Chapter 4725 of the Ohio Administrative Code as adopted by the Board.

Mission Statement

The mission of the Ohio State Board of Optometry is to assure professionally competent optometrists in the State of Ohio by regulating examinations and licensure, enforcing continuing education compliance, monitoring continuing education quality, renewal of licensure and enforcement of the Ohio Optometry Laws and Administrative Rules as found in Chapter 4725 of the Ohio Revised Code. The Optometry Board is dedicated to handling public concerns in a timely fashion and providing prompt, friendly service to the citizens of Ohio and licensees.

Composition of the Board

The Board is composed of six members, five of whom shall be persons actually engaged in the practice of optometry for five years preceding appointment and one of whom shall be a member of the public at least sixty years of age. Terms of office shall be for five years. No person shall serve as a member for more than two terms. Board members are compensated hourly only for time devoted to the Board's affairs, and are reimbursed for expenses incurred in the performance of their official duties.

Board
Members

Beth A. Workman, O.D.

President Term 9/25/99 - 9/25/04

Dr. Workman licensed since 1975, served the Board as President during 2003. She is currently in practice with another optometrist in Lorain, Ohio. Dr. Workman has also practiced in a clinical setting at the Cleveland Clinic.

Rhonda B. Riles, O.D.

Secretary Term 9/25/00 - 9/25/05

Dr. Riles licensed since 1982 is currently in practice at a LensCrafters Optical with her husband, Holbrook Riles, O.D. in Mansfield, Ohio.

Lawrence J. Barger, O.D.

Member Term 3/2/01 - 9/25/06

Dr. Barger licensed since 1968 is currently in private practice in Akron, Ohio. Dr. Barger is a Past President of the Ohio Optometric Association.

Ronald L. Detwiler, O.D.

Member Term 9/25/93 - 9/25/03

Dr. Detwiler licensed since 1975, served as President of the Board in 1997 and 2002. He has served as the chair of three national committees for the Association of Regulatory Boards of Optometry and is a Past President of the Ohio Optometric Association. Dr. Detwiler has a private practice in E. Liverpool, Ohio.

Dennis O. Roark, O. D.

Member Term 10/25/02 - 9/25/07

Dr. Roark licensed since 1970 is a Past President of the Ohio Optometric Association and also served as an optometrist in the U.S. Army. He currently practices with two other optometrists in Springfield, Ohio.

Ms. Patricia M. Scharf

Member Term 10/25/02 - 9/25/07

Ms. Scharf who is a retired educator was appointed to the Board as the public member in October, 2002. She resides in Toledo, Ohio.

Gary A. Hyde, O.D.

Member Term 12/12/03 - 9/25/08

Dr. Hyde licensed since 1968. He served as an Optometry Officer in the U.S. Navy. Dr. Hyde has been in private practice in Warren, Ohio since 1971.

President's Letter

The year 2003 was an eventful and busy year for the State Board of Optometry. It has been a year full of change, successes and a true sense of accomplishment. I was honored to serve as President during this year, but it has been the combined efforts of dedicated and talented Board members and an excellent staff that have allowed the Board to accomplish so much. I am proud to be a member of this Board.

Our biggest project for the year has been the mandated five year review which requires us to carefully evaluate and examine every rule to see if changes are needed to keep our rules current with the changing needs of our profession and the patients we serve. We completed this ahead of schedule thanks to our exceptionally well-organized and capable staff.

Ongoing projects for the Board include: maintaining a website, publishing a newsletter twice yearly, continuing a dialog with optometrists in the state so that we can be responsive to their needs and the needs of their patients, and investigating complaints. Complaints are investigated in a fair and impartial manner and resolved quickly. The average time between receiving a complaint and its resolution is 45 days.

In addition to these ongoing activities, we also faced a possible reorganization of our Board by the legislature. We felt this was not in the best interest of consumers or optometrists. We were able to defeat this and to retain the Board as it has been in the past. We

now have a new dedication to prove that this was the right choice.

We accepted, with regrets, the resignation of Wendell Webb as our Executive Director effective in the spring of 2004 and we are currently looking for his replacement. Wendell has been with the Board for ten years serving first as our Investigator and since 2000 as our Executive Director. We will miss his excellent leadership and guidance. In November, Dr. Ron Detwiler completed his second term on the Board. His expertise and knowledge have served the Board well for the last ten years and I would like to thank him for his help, leadership and dedication. Dr. Gary Hyde was appointed as our newest Board member. He will attend his first meeting in January, 2004. We look forward to his input.

This year also marked a change in our Assistant Attorney General. Hanz Wasserburger has served the Board well for the past three years. He has our gratitude for a job well done. Michelle Rosamond began to work with our Board in January 2003 and has already been invaluable in her advice. We're looking forward to working with her in the future.

It has indeed been a busy year and one filled with change. In the next year I am sure we will be faced with new challenges and that we will again rise to the occasion under the capable leadership of our new President, Dr. Rhonda Riles.

Organizational
Chart

GOVERNOR
BOB TAFT

e
e
e
e

SIX MEMBERS
BOARD/COMMISSION MEMBER I
Beth Workman, O.D. President
Rhonda Riles, O.D., Secretary
Lawrence Barger, O.D.
Ronald Detwiler, O.D.
Dennis Roark, O.D.
Ms. Patricia Scharf

e
e

BOARD COMMISSION SECRETARY 2
Wendell W. Webb

e
e

ADMINISTRATIVE ASSISTANT 3
Nancy L. Ott

e
e

ADMINISTRATIVE ASSISTANT 2
Jeff A. May

Board
Member
Responsibilities

Dr. Riles, Dr. Barger	Supervision of patient complaints and other investigations
Dr. Detwiler	Liaison to the Association of Regulatory Boards of Optometry and the National Board of Examiners in Optometry
Dr. Barger and Dr. Roark	Supervision of continuing education matters
Dr. Detwiler, Ms. Scharf	Legislative matters
Dr. Workman and Ms. Scharf	Budgetary issues
Dr. Roark and Ms. Scharf	OSU senior class laws and rules
Dr. Workman	Review of licensure
Dr. Riles	Monitor drug induced incident cases and report to the Board
Dr. Riles	Pharmacology matters

Board Meetings

January 8, 2003	Columbus, Ohio	Board Meeting
March 19, 2003	Columbus, Ohio	Board Meeting
May 21, 2003	Columbus, Ohio	Board Meeting
July 9, 2003	Columbus, Ohio	Board Meeting
September 10, 2003	Columbus, Ohio	Board Meeting Rules Hearing
November 19, 2003	Columbus, Ohio	Board Meeting Rules Hearing Adjudication Hearing
December 10, 2003	Columbus, Ohio	Special Board Meeting Rule Filing Motions

Licensing

Licensing is the process by which an agency of government grants to individuals the right to engage in certain professions, occupations or businesses. Licensure is also an effective tool used for the protection of the citizens of the State of Ohio. This is done by assuring that the persons licensed have the skills, training and qualifications required to practice that profession. In order to be licensed in Ohio, optometrists must have an undergraduate degree and must be a graduate of an accredited College of Optometry with a Doctor of Optometry degree.

The State Board of Optometry is granted its authority under Chapter 4725 of the Ohio Revised Code. This chapter determines who may engage in the practice of optometry. The practice of optometry has been greatly enhanced by the use of diagnostic and therapeutic drugs. The laws that provide the authority for the Board to grant licenses also provide the necessary administrative mechanisms whereby such authority to practice can be renewed, suspended, permanently revoked or limited. Fines may also be

imposed. Accordingly, persons granted authority by the Board to engage in the practice of optometry also are monitored to determine whether they should be permitted to continue in such activity.

Licensure
breakdown

Licensed optometrists as of 12/31/02:	2,048
Optometrists deceased in 2003:	3
Optometrists filing for inactive status for 2003:	63
Delinquent optometrists in 2003:	13
New optometry licensees issued:	81
Licensure reinstatements:	1
Licensure by reciprocity:	1
Licensed optometrists as of 12/31/03:	2,052

Licensees by
license type

Optometrists holding therapeutic certification:	1,885
Optometrists holding diagnostic certification:	74
Optometrists licensed in general optometry only:	93

Licensees by
location

Optometrists practicing in Ohio:	1,716
Optometrists licensed in Ohio, but practicing out of state:	314
Optometrists on active military duty:	22

Miscellaneous
licensure
information

Therapeutic certification by previously licensed optometrists:	1
Total optometrists on inactive status	382

(2000 through 2004):

Continuing Education

All licensed optometrists are required to submit proof of attendance for fifteen hours of continuing education annually. Those optometrists who hold either a diagnostic or a therapeutic agents license must obtain an additional five hours of pharmacology continuing education each year. The continuing education programs are directed to patient care, the utilization of new techniques, scientific and clinical advances and the diagnosis and treatment of eye disease. The submission of continuing education is closely monitored by the Board. The application to renew optometric licenses is not sent to those licensees who do not obtain the required hours of continuing education and submit such proof of attendance to the Board. Failure to submit continuing education by October 20th each year results in a \$75.00 penalty fee unless a time waiver has been approved by the Board. In 2003 the Board approved five waiver requests.

During 2003 the Optometry Board members reviewed a total of 293 proposed continuing education programs; 275 were granted full approval, 16 were approved in part and there were 2 courses, totaling 7 hours, that were denied continuing education credit. The courses approved in part contained a total of 551 hours of continuing education that were not approved for credit.

Financial
Report

Statement of Revenues and Expenditures
July 1, 2002 - June 30, 2003

FY 2003 Revenues

Licensure fees	\$271,660.00
Late fees	10,575.00
ARBO refund	500.00
Miscellaneous fees	<u>2,260.00</u>
	\$284,995.00

FY 2003 Allotments and Expenditures

	<u>Original</u> <u>Allotment</u>	<u>Expenditures</u>	<u>Unspent</u> <u>Funds</u>
Board member payroll	\$ 12,500.00	\$ 10,803.25	\$ 1,696.75
Staff payroll	232,929.00	198,808.02	34,120.98
Maintenance fund	46,956.00	47,890.41	2,065.59
Equipment fund	4,600.00	665.00	3,935.00
Board members' travel	8,500.00	7,722.88	777.12
Refund account	<u>566.00</u>	<u>245.00</u>	<u>321.00</u>
	\$306,051.00	\$266,134.56	\$ 39,916.44

Historical Revenues and Expenditures

<u>Year</u>	<u>Budget</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Unspent Funds</u>
2002	\$289,600.00	\$287,286.00	\$251,434.00	\$35,852.00
2001	266,297.00	282,400.00	225,806.00	56,594.00
2000	267,672.00	282,530.00	249,500.00	33,030.00
1999	243,965.00	268,619.00	234,212.00	34,407.00
1998	231,140.00	289,901.00	225,461.00	64,440.00

Budget Overview

In 1999 legislation was enacted which permitted Ohio licensed optometrists, that were practicing in other states, to go into an inactive status. The inactive status exempted them from paying annual fees and filing continuing education. If those optometrists then wished to be reinstated to practice in Ohio, they could then file a request application form along with a fee and the Board would consider reinstatement based upon their practice status since leaving Ohio.

Since 1999 over 300 optometrists have chosen to go inactive. This created a loss in revenues of over \$40,000 annually. The Board has taken steps to maintain a positive revenue to expenditure rate. From 1999 through FY 03 the Board has accomplished this by staying under budget thus avoiding an increase in licensure renewal fees. However, during FY 03 additional optometrists requesting inactive status decreased greatly and as a result we are now seeing revenues start to rise (from revenues of \$268,000 in 1999 to a level of \$287,000 in 2003.) It is anticipated that revenues will continue to rise in FY 04 and the Board will continue to meet budgetary guidelines.

Some of the steps taken to hold expenditures in line were increased usage of the web site information and downloadable forms, obtaining an 800 number, increased use of fax machine and E-mail versus using the mail service and in-house processing of renewals rather than paying a bank several thousand dollars to handle this process.

Investigations

The role of the Investigator for the Ohio State Board of Optometry is clearly defined as a position that was created to serve Ohio citizens through the enforcement of Ohio Optometry Board Laws and Administrative Rules. While the primary function of the Investigator is the investigation of patient complaints, the Investigator also conducts unannounced on-site inspections of optometry offices to check for compliance with Board Laws and Rules relating to licenses and name display, equipment requirements, and other Board regulations. The Board Investigator also enforces laws concerning advertising by Ohio optometrists.

During 2003 the Board forwarded 71 sets of complaint forms to patients who had contacted the Board regarding problems with optometrists. Twenty-two patients followed through and filed formal complaints in addition to 6 complaints initiated by the Board for investigation. During the year 25 of the 28 formal complaints were investigated and finalized with three pending either further investigation or final review. Additionally, 100 on-site inspections were conducted statewide. Advertising violation notification letters to optometrists were sent in 54 advertising matters. In all instances, responses were received that proper corrective action was being taken to address the problems. Discipline taken by the Board in completed investigations included a license suspension, reprimand, two fines, and order to release records letter for violations of Ohio Optometry Laws and Rules. Refunds in complaint resolutions to consumers totaled \$229.00 during the year.

Investigator's Activity

	<u>2002</u>	<u>2003</u>
Complaints Investigated	32	28
Miscellaneous Investigations (office inquiries, office complaints)	38	28
Advertising Violation Investigations	64	54
Total Investigations	134	110
On-Site Inspections	131	100

Board
Activities
and
Accomplishments

Year 2003 Highlights and Calendar of Events

January 2003

The Board commenced the five year rule review process by scheduling a portion of the rules for Board review at each meeting with a goal of completing the process by November 2003. The Board licensed one optometry applicant at the January Board meeting.

March 2003

The proposed Endorsement Bill (previously HB 497) was reassigned as HB 23 and is moving through the Ohio House of Representatives. The Board started the process of testifying before the Senate and House Finance Committees on the Fiscal 2004-2005 budget. One Ohio optometrist was fined for failure to maintain patient records. The Board licensed three optometry applicants at the March Board meeting.

May, June 2003

The Ohio House of Representatives eliminated the Optometry Board in the 2004-05 Budget Bill. The Bill combined the Optometry Board with the Optical Dispensers Board and renamed the Boards "The Ohio Vision Board." This action was reversed by the Ohio Senate and the Optometry Board retained its status quo. The Endorsement Bill passed the House floor by a 96-0 vote and is currently in the Ohio Senate for action. The Board licensed two optometry applicants at the May Board meeting.

On June 15-17 Dr. Beth Workman, Dr. Ronald Detwiler and Executive Director Wendell Webb attended the Association of Regulatory Boards of Optometry National Convention in San Diego, California.

July 2003

Governor Taft signed HB 23 after it had passed the Ohio Senate

unanimously. The Bill will be effective on October 28, 2003. The Board received the report on the audit of the Board by the Auditor of State's Office. The report was complementary and did not require any follow up action by the Board. The Board licensed 60 optometry applicants at the July Board meeting.

September 2003

A public hearing was held at the September Board meeting for three Administrative Rules. The Board licensed seven licensure applicants at the September Board meeting, while denying licensure to one applicant. One optometrist's license was suspended for violation of Ohio child support statutes.

November 2003

The Board conducted a Public Hearing for 53 Administrative Rules to complete the five year rule review process. The Board fined an optometrist for improperly using the word "Specialist." The Board licensed nine optometry applicants at the November Board meeting.

The Board members elected Dr. Rhonda Riles to the Board Presidency and Dr. Lawrence Barger as Board Secretary for the year 2004.

December 2003

The Board held a special meeting to discuss an Administrative Rule concerning additions to the optometry drug formulary. It had been filed with JCARR and withdrawn due to opposition by the Ophthalmological Society. Board members voted to refile the rule as it had originally been filed.