

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, and 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 who is 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

Rhonda B. Riles, O.D.

President 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.

Secretary 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.

Gary A. Hyde, O.D.

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

Dr. Hyde has been 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.

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.

Beth A. Workman, O.D.

Member

Term 9/25/99 - 9/25/09

Dr. Workman has been licensed since 1975. Dr. Workman was reappointed this year to her second five year term. She is currently in practice with another optometrist in Lorain, Ohio. Dr. Workman has also practiced in a clinical setting at the Cleveland Clinic.

President's Letter

It has been a great pleasure to serve as the Board President for 2004. The year 2004 presented many challenges and opportunities. I would like to thank my fellow Board members - Ms. Scharf, Dr. Roark, Dr. Barger, Dr. Workman and Dr. Hyde for their cooperation and dedication to the mission and purpose of the State Board of Optometry. I would also like to thank our tremendous Board staff - Mr. Webb, Mr. Everhart, Mrs. Ott, and Mr. May for all that they do to help the Board accomplish its mission.

One of the highlights of 2004 was the revision of the optometry drug formulary. Through a cooperative effort with several professional groups and the state legislature, we were able to add three oral antivirals to the list of medications that Ohio optometrists can prescribe.

Another accomplishment was the expansion of the website by Nancy Ott, our Administrative Assistant. The website is an excellent resource that is user friendly for optometrists and consumers alike. We were able to reduce the number of Laws and Administrative Rules Books printed, because that information is now available on the website. Our newsletter is also being published on the web.

The Board is in the process of reviewing our contact lens prescription rules and policies to comply with the federal guidelines established by the

FTC Contact Lens Rule of 2004. We are also reviewing our application procedures and policies for optometrists in the interest of protecting our consumers.

Wendell Webb retired from the Board on March 12, 2004 after ten years of dedicated service. The Board appointed Mike Everhart as his replacement. Mike has made the transition from dentistry to optometry with ease, and will provide excellent leadership for the Board. We also welcomed Dr. Gary Hyde to the Board in 2004. His input has been wonderful. We accepted the resignation of our Assistant Attorney General, Michelle Rosamond in November, 2004. She has our gratitude for a job well done.

Ongoing projects include the handling of complaints, investigations, and on-site inspections. Under the capable direction of Jeff May, the Board now averages 38 days from initiation of a complaint to its resolution.

It has been an eventful year with numerous accomplishments. We look forward to another challenging year in 2005! We are confident in the leadership of our new President, Dr. Larry Barger.

Rhonda Riles, O.D.

Organizational
Chart

GOVERNOR
BOB TAFT

e
e
e
e

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

e
e

BOARD COMMISSION SECRETARY 2
Michael R. Everhart

e
e

ADMINISTRATIVE ASSISTANT 3
Nancy L. Ott

e
e

ADMINISTRATIVE ASSISTANT 2
Jeff A. May

Board
Member
Responsibilities

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

Board Meetings

| | | |
|-------------------|----------------|-------------------------------|
| January 28, 2004 | Columbus, Ohio | Board Meeting |
| February 11, 2004 | Columbus, Ohio | Executive Director Interviews |
| March 17, 2004 | Columbus, Ohio | Board Meeting |
| May 19, 2004 | Columbus, Ohio | Board Meeting |
| July 7, 2004 | Columbus, Ohio | Board Meeting |
| October 20, 2004 | Columbus, Ohio | Board Meeting |

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 12/31/03: | 2,052 |
| Optometrists deceased in 2004: | 7 |
| Optometrists filing for inactive status for 2004: | 69 |
| Delinquent optometrists in 2004: | 11 |
| New optometry licensees issued: | 79 |
| Licensure reinstatements: | 8 |
| Licensure by endorsement: | 9 |
| Licensed optometrists as of 12/31/04: | 2,061 |

Licensees by
license type

| | |
|--|-------|
| Optometrists holding therapeutic certification: | 1,912 |
| Optometrists holding diagnostic certification: | 69 |
| Optometrists licensed in general optometry only: | 80 |

Licensees by
location

| | |
|---|-------|
| Optometrists practicing in Ohio: | 1,756 |
| Optometrists licensed in Ohio, but practicing out of state: | 287 |
| Optometrists on active military duty: | 18 |

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 2004 there were no waiver requests approved.

During 2004 the Optometry Board members reviewed a total of 273 proposed continuing education programs; 258 were granted full approval, 13 were approved in part and there were 2 courses, totaling 6 hours, that were denied continuing education credit. The courses approved in part contained a total of 215 hours of continuing education that were not approved for credit.

Financial
Report

Statement of Revenues and Expenditures
July 1, 2003 - June 30, 2004

FY 2004 Revenues

| | |
|--------------------|-----------------|
| Licensure fees | \$274,340.00 |
| Late fees | 10,750.00 |
| NBEO refund | 1,000.00 |
| Miscellaneous fees | <u>3,141.00</u> |
| | \$289,231.00 |

FY 2004 Allotments and Expenditures

| | <u>Original Allotment</u> | <u>Expenditures</u> | <u>Unspent Funds</u> |
|-----------------------|-------------------------------|---------------------|--------------------------|
| Board member payroll | \$ 16,073.64 | \$ 14,196.26 | \$ 1,877.38 |
| Staff payroll | 229,626.36 | 223,975.60 | 5,650.76 |
| Maintenance fund | 47,340.00 | 46,889.08 | 450.92 |
| Equipment fund | 3,700.00 | 3,231.20 | 468.80 |
| Board members' travel | 9,100.00 | 9,065.88 | 34.12 |
| Refund account | <u>300.00</u> | <u>.00</u> | <u>300.00</u> |
| | \$306,140.00 | \$297,358.02 | \$ 8,781.98 |

Historical Revenues and Expenditures

| <u>Year</u> | <u>Budget</u> | <u>Revenues</u> | <u>Expenditures</u> | <u>Unspent Funds</u> |
|-------------|---------------|-----------------|---------------------|----------------------|
| 2003 | \$306,051.00 | \$284,995.00 | \$266,134.56 | \$39,916.44 |
| 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 |

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 and conducts Laws and Rules sessions for newly licensed optometrists.

During 2004, the Board forwarded 76 sets of complaint forms to patients who had contacted the Board regarding problems with optometrists. Patients filed a total of 28 formal complaints in addition to 7 complaints initiated by the Board for investigation. During the year 24 of the 35 formal complaints were investigated and finalized with the remaining 11 pending either further investigation, a hearing or final review. Additionally, 126 on-site inspections were conducted statewide. This represents an increase of 26% in inspections from the previous year. Advertising violation notification letters to optometrists were sent in 22 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 letter of concern, a criminal complaint, and a notice of opportunity (pending) for violations of Ohio Optometry Laws and Rules. Refunds in complaint resolutions to consumers totaled \$1,850.85 during the year.

Investigator's Activity

| | <u>2003</u> | <u>2004</u> |
|---|-------------|-------------|
| Complaints Investigated | 28 | 35 |
| Miscellaneous Investigations (office inquiries, office complaints) | 28 | 19 |
| Advertising Violation Investigations | 54 | 22 |
| Total Investigations | 110 | 76 |
| On-Site Inspections | 100 | 126 |