

Ohio State Board of Optometry

77 S. High St., 16th Floor

Columbus, Ohio 43215-6108

ANNUAL REPORT

Calendar Year 2012

Table
of
Contents

President's Letter	1
Introduction, Mission Statement & The Board	2-3
Board Members	3-4
Organizational Chart	5
Board Member's Responsibilities	6
Board Meetings	7
Licensing	7-8
Continuing Education	9
Financial Report	10
Investigations	11-12

January 31, 2013

Governor John Kasich
State of Ohio
77 S. High St., 30th Floor
Columbus, Ohio 43215

Dear Governor Kasich and Members of the 130th General Assembly:

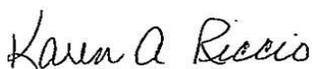
On behalf of the Ohio State Board of Optometry, we are pleased to submit this annual report for calendar year 2012. This annual report highlights the work of the six-member Board, supported by a staff of three employees.

All activities have been directed towards fulfillment of the Board's mission, 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.

This report reflects the efforts made by the Board to ensure that all persons licensed by the Board are properly qualified to provide the appropriate care to the citizens of Ohio. In addition to providing information on the financial picture of the Board, this report summarizes licensure activities and enforcement activities undertaken during the previous year.

We thank you for your on-going support of the Board's efforts to enforce Chapter 4725 of the Ohio Revised Code.

Respectfully yours,



Karen Riccio, O.D.
Board President – 2012



Jeffrey W. Greene
Executive Director

KR/nlo

File 6-5

President's
Letter

2012 proved to be another interesting and challenging year for the State Board of Optometry. Budgetary, regulatory and staff issues have demanded much of our time. Jeffery Greene has completed his first year as our Executive Director. He, Nancy Ott, Administrative Assistant, and Jeff May, Chief Investigator have proved to be an effective, responsible, and caring administrative team that works well together to serve the needs of the citizens and optometrists of Ohio. It has been an honor and pleasure to work with them as Board President.

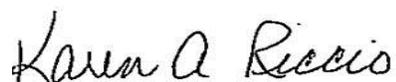
It has been equally gratifying to work with our dedicated and capable Board Members. Two members, Thomas Bobst and Jeff Fogt were appointed in 2011. Dr. Thomas Nye was appointed in 2012. We were also delighted to welcome back Michael Everhart. He was the past executive director, and has now been appointed to a five year term as the Board lay member. His previous experience as Executive Director will be incredibly useful. The Board reviewed our rules and policies and many changes were considered. These will be acted upon in 2013. We have been using computer technology to improve office efficiency. This included developing a comprehensive email list of Ohio Optometrists as well as utilizing ARBO's CE Tracker to help keep track of CE credits and improve the efficiency of auditing 100% of all education submitted to the State Board. The Board is also following the debate concerning board certification and continuing competency that is occurring within our profession at the state and national levels.

The Board and staff continued to maintain our website, publish the Board newsletter, investigate consumer complaints, monitor licensure issues, approve continuing education courses and respond to optometrists' inquires. We value our positive relationships with the Ohio Optometric Association, the Ohio State University College of Optometry, the Association of Regulatory Boards of Optometry, and the Ohio Ophthalmological Society.

Dr. Dennis Roark completed his second five year term on the Board in 2012. Denny was well respected by our Board and staff, providing good insight as well as a good sense of humor. He will be missed by both the Board and staff. Lay member Patricia Scharf completed her second five year term as well. She provided a calming presence, always putting the concerns of our patients primary, and then also showed compassion in a few unusual situations presented to the Board this past year.

It has been a pleasure to serve as Board President and to work with the Board and administrative staff. The citizens and optometrists of Ohio should know that their cares and concerns are foremost in our thoughts and decision making.

Respectively submitted,



Karen Riccio, O.D.

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 provide consumer protection.

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 approved by the Joint Committee on Agency Rule Review.

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 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.

2012 Highlights

- Dr. Thomas Bobst and Executive Director Jeff Greene represented the Board at the Association of Regulatory Boards of Optometry 2012 Annual Meeting in Chicago, Illinois in June. Meeting highlights included discussion on Board Certification, OE Tracker, Citizen Advocacy, continuing education, new legislation and optometry accelerated programs.

- Mr. Greene attended the East/West Conference in Cleveland, Ohio in October as well as other optometry functions in Columbus and Cincinnati during the year.
- Dr. Dennis Roark and Public Member Patricia Scharf finished their second five year terms in September. Dr. Roark was replaced by Dr. Thomas Nye of Hamilton, Ohio and Ms. Scharf was replaced by Michael Everhart of Blacklick, Ohio. Mr. Everhart had previously served as the Board's Executive Director.

Board
Members

Karen A. Riccio, O.D.

President Term 10/3/08 – 9/25/13

Dr. Riccio, licensed since 1982, is currently in private practice in New Albany, Ohio. Dr. Riccio previously practiced at the Veteran's Administration, Cincinnati Eye Institute and the OSU College of Optometry. Dr. Riccio is a Past President of the Ohio Optometric Association.

Stanley Warn, O.D.

Secretary Term 11/19/09 – 9/24/14

Dr. Warn has been licensed since 1981. He currently practices in Cleveland, Ohio and resides in Beachwood, Ohio.

Thomas Bobst, O.D.

Member Term 6/1/11 – 9/24/15

Dr. Bobst, licensed since 1983, currently practices in North Olmsted, Ohio and resides in Rocky River, Ohio.

Jeffrey Fogt, O.D.

Member Term 10/27/11 – 9/24/16

Dr. Fogt, licensed since 1989 currently practices and resides in Defiance, Ohio.

Dennis O. Roark, O.D.

Member Term 10/25/02 - 9/25/12

Dr. Roark, licensed since 1970, is a Past President of the Ohio Optometric Association. He currently practices with four other optometrists in Springfield, Ohio.

Ms. Patricia M. Scharf

Member Term 10/25/02 - 9/25/12

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

Organizational
Chart

GOVERNOR
JOHN R. KASICH

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SIX MEMBERS
BOARD/COMMISSION MEMBER I
Karen Riccio, O.D. President
Stan Warn, O.D., Secretary
Thomas Bobst, O.D.
Jeff Fogt, O.D.
Dennis Roark, O.D.
Ms. Patricia Scharf

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BOARD COMMISSION SECRETARY 2
Jeffrey W. Greene

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ADMINISTRATIVE ASSISTANT 3
Nancy L. Ott

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ADMINISTRATIVE ASSISTANT 2
Jeff A. May

Board
Member
Responsibilities

Dr. Riccio	Supervision of patient complaints and other investigations
Dr. Riccio	Liaison to the Association of Regulatory Boards of Optometry and the National Board of Examiners in Optometry
Dr. Warn	Supervision of continuing education matters
Dr. Bobst	Legislative matters
Ms. Scharf	Budgetary issues
Dr. Roark	Monitor drug induced incident cases and report to the Board on pharmacology matters

Board Meetings

April 11, 2012	Columbus, Ohio	Board Meeting
July 11, 2012	Columbus, Ohio	Board Meeting
October 10, 2012	Columbus, Ohio	Board Meeting
December 12, 2012	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 required skills, training and qualifications to practice that profession. In order to be licensed in Ohio, optometrists must complete at least six years of college, be a graduate of an accredited College of Optometry and pass the required testing.

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, therapeutic and limited Schedule III 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 12/31/11:	2,197
Optometrists deceased in 2012:	5
Optometrists filing for inactive status for 2012:	66
Delinquent optometrists in 2012:	11
Revocation	1
New optometry licensees issued:	82
Licensure reinstatements:	3
Licensure by endorsement:	0
Licensed optometrists as of 12/31/12:	2,199

Licensees by
license type

Optometrists holding therapeutic certification:	2,143
Optometrists holding diagnostic certification:	27
Optometrists licensed in general optometry only:	29

Licensees by
location

Optometrists practicing in Ohio:	1,921
Optometrists licensed in Ohio, but practicing out of state:	269
Optometrists on active military duty:	9

Continuing Education

During 2012 all licensed optometrists were required to submit proof of attendance for twenty five hours of annual continuing education. 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. Applications for renewal are not processed for licensees until the required hours of continuing education are submitted to the Board. Failure to complete continuing education by September 30th and/or submit continuing education by October 20th each year results in a \$125.00 penalty fee unless a time waiver has been approved by the Board. In 2012 there were three various waiver requests approved.

During 2012 the Optometry Board members reviewed a total of 237 proposed continuing education programs.

The Board Staff implemented the use of the OE Tracker Program for auditing of the continuing education. The OE Tracker Program is a highly recognized program developed by the Association of Regulatory Boards of Optometry. This program can be utilized by the Board Staff at no additional cost and will save optometrists from having to forward all certificates to the Board, thus saving time, paper and costs associated with our 100% auditing of continuing education. Although not mandatory, most optometrists are participating and we have received extremely favorable feedback regarding the change in policy.

Financial
Report

Statement of Revenues and Expenditures
July 1, 2011 - June 30, 2012

FY 2012 Revenues

Licensure/renewal fees	\$383,875.00
Late/reinstatement fees	20,250.00
Miscellaneous fees	<u>620.00</u>
	\$404,745.00

FY 2012 Expenditures

Payroll & Benefits (Board & Staff)	\$266,268.00
Purchased Personal Services (Hearing officer, court reporter, Insurance, dues, etc.)	1,656.00
Expendable Goods & Services (Staff & Board travel, lodging, parking, conference fees, expendable office supplies)	56,935.00
Equipment (Computers, furniture, etc.)	1,857.00
Refunds	<u>.00</u>
	\$326,716.00
Unspent funds	\$ 30,198.00
<u>FY 2012 Budget</u>	\$356,914.00

Historical Revenues and Expenditures

<u>Year</u>	<u>Budget</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Unspent Funds</u>
2011	\$346,185	\$307,549	\$336,517	\$ 9,667
2010	\$346,185	\$300,025	\$317,928	\$28,257
2009	351,071	297,945	331,015	20,056

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 2012, the Board forwarded 38 sets of complaint forms to patients who had contacted the Board regarding problems with optometrists. Patients filed a total of 12 formal complaints in addition to 1 complaint initiated by the Board for investigation. During the year all 13 complaints were investigated and finalized. Additionally, 182 on-site inspections were conducted statewide. Advertising violation notification letters to optometrists were sent in 2 advertising matters. In all instances, responses were received that proper corrective action was being taken to address the problems. The Board Investigator made 16 laws and rules presentations with 85 licensees in attendance.

During 2012 three disciplinary actions were taken by the Board:

1 – Discipline was for a violation of 4725.19(B)(4), guilty of felony, license was revoked.

2 – Discipline was for a violation of 4725.19(B)(12), addiction to drugs, which resulted in 90 day suspension, treatment program, counseling, testing and 5 years probation.

3 – Discipline was for a violation of 4725.19(B)(9), standard of care. Doctor required to take 10 additional continuing education hours in area of glaucoma.

Refunds in complaint resolutions to consumers totaled \$1,004.00 for the year.

Investigator's
Activity

	<u>2011</u>	<u>2012</u>
Complaints Investigated	16	13
Miscellaneous Investigations (office inquiries, office complaints)	22	15
Advertising Violation Investigations	4	2
Total Investigations	42	30
On-Site Inspections	117	182