

*Ohio State Board of Optometry  
77 S. High St., 16th Floor  
Columbus, Ohio 43215-6108*

**ANNUAL REPORT**



*Calendar Year 2014*

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**Ohio State Board of Optometry**  
**77 S. High St., 16<sup>th</sup> Floor, Columbus, OH 43215-6108 (614)466-5115**

January 30, 2015

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

Dear Governor Kasich and Members of the 131st General Assembly:

On behalf of the Ohio State Board of Optometry, we are pleased to submit this annual report for calendar year 2014. 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,

Handwritten signature of Thomas Bobst in black ink.

Thomas Bobst, O.D.  
Board President – 2014

Handwritten signature of Jeffrey W. Greene in black ink.

Jeffrey W. Greene  
Executive Director

TB/nlo

File 6-5

## President's Letter

It has been a pleasure to serve as Board President and to work with the Board and administrative staff. The calendar year 2014 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. Jeff Greene has completed his third year as our Executive Director. Nancy Ott, Administrative Assistant, and Brian Landis, our Investigator, have proven 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. Dr. LaMar Zigler was our new appointee in 2014. We are delighted that he has been appointed to a five year term. We look forward to his insight and leadership. The Board reviewed our rules and policies and many changes were considered. With our Executive Director Jeff Greene's leadership we have continued to realize the many advantages and efficiencies of computer technology. We have continued to utilize ARBO's OE Tracker to help keep track of CE credits and improve the efficiency of auditing 100% of education submitted to the State Board. We worked to address changes in the classification of controlled substances by the United States Drug Enforcement Agency (D.E.A.). We also issued a policy concerning online refractions in order to ensure the safety of the citizens of Ohio.

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' inquiries. We value our positive relationships with the Ohio Optometric Association, the Ohio State University College of Optometry, and the Ohio Ophthalmological Society.

Dr. Stanley Warn completed his five-year term on the Board in 2014. Stanley was well respected by our Board and staff, providing good insights and promulgating good values. He will be missed by the Board and staff. Our Investigator, Mr. Brian Landis resigned his position effective in December. He was a tireless advocate for the citizens of Ohio and we wish him well. We are working to replace him with all possible speed.

It has been a pleasure to serve as Board President and to work with the Board and administrative staff. The mission of the Board is to serve the citizens of the State of Ohio and that will be the primary focus of our thoughts and decision making.

Respectfully submitted,



Thomas Bobst, O.D.  
Board President

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 fifty 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.

2014 Highlights

- Dr. Thomas Bobst, Board President, and Dr. Stanley Warn, Board Member represented the Board at the Association of Regulatory Boards of Optometry 2014 Annual Meeting in Philadelphia in June. Meeting highlights included discussion on Board Certification, OE Tracker, Citizen Advocacy,

accreditation of continuing education, new legislation and optometry accelerated programs.

- In response to the Governor’s Executive Order 2013-05K, Streamlining the Occupational Licensing Process for Veterans, the Board approved two new rules, which will expedite the application process when possible for veterans and their spouses.
- Mr. Greene worked closely with the Ohio Optometric Association, their lobbyist and the Pharmacy Board to address the rescheduling of Hydrocodone from a Schedule III controlled substance to a Schedule II and the scheduling of Tramadol to Schedule IV. Language was passed to address the rescheduling and ensure that Ohio licensed optometrist continue to maintain their level of prescribing.
- Dr. Stanley Warn completed his five year term as a member of the Board. His replacement, Dr. LaMar Zigler, was appointed in December.
- We completed our mandated five year rule review, carefully examining and evaluating every rule to see if any changes were needed. Several small changes were made after review from the Common Sense Initiative Office.

Board  
Members

Thomas Bobst, O.D.

Board President                      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.

Board Secretary                      Term 10/27/11 – 9/24/16

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

Cheryl Archer, O.D.

Member

Dr. Archer, licensed since 1984 currently practices in Lima, Ohio.

Michael R. Everhart

Public Member            Term 11/16/12 – 9/24/17

Mr. Everhart is the former Executive Director of the Ohio State Board of Optometry and is also retired from the Ohio State Highway Patrol.

Thomas Nye, O.D.

Member                      Term 10/10/12 – 9/24/17

Dr. Nye has been licensed since 1987. He currently practices and resides in Hamilton, Ohio.

Stanley Warn, O.D.

Member                      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.

Organizational  
Chart

GOVERNOR  
JOHN R. KASICH

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SIX MEMBERS  
BOARD/COMMISSION MEMBER I  
Thomas Bobst, O.D. President  
Jeff Fogt, O.D., Secretary  
Cheryl Archer, O.D.  
Mr. Michael Everhart  
Thomas Nye, O.D.  
Stanley Warn, O.D.

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EXECUTIVE DIRECTOR  
Jeffrey W. Greene

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ε

PROGRAM ADMINISTRATOR 2  
Nancy L. Ott

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INVESTIGATOR  
Brian W. Landis

Board  
Member  
Responsibilities

Dr. Bobst	Supervision of patient complaints and other investigations
Dr. Bobst	Liaison to the Association of Regulatory Boards of Optometry and the National Board of Examiners in Optometry
Dr. Everhart	Supervision of continuing education matters
Dr. Archer	Legislative matters
Dr. Nye	Budgetary issues
Dr. Fogt	Monitor drug induced incident cases and report to the Board on pharmacology matters

## Board Meetings

March 12, 2014	Columbus, Ohio	Board Meeting and Public Hearing on rules
May 14, 2014	Columbus, Ohio	Public Hearing on rules
June 11, 2014	Columbus, Ohio	Board Meeting
August 22, 2014	Columbus, Ohio	Public Hearing on rules
September 17, 2014	Columbus, Ohio	Board Meeting
December 10, 2014	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 12/31/13:	2,204
Optometrists deceased in 2014:	6
Optometrists filing for inactive status for 2014:	48
Delinquent optometrists in 2014:	7
New optometry licensees issued:	86
Licensure reinstatements:	12
Licensure by endorsement:	4
Licensed optometrists as of 12/31/14:	2,245

Licensees by  
license type

Optometrists holding therapeutic certification:	2,202
Optometrists holding diagnostic certification:	20
Optometrists licensed in general optometry only:	23

Licensees by  
location

Optometrists practicing in Ohio:	1,944
Optometrists licensed in Ohio, but practicing out of state:	292
Optometrists on active military duty:	9

## Continuing Education

During 2014 all licensed optometrists were required to submit proof of attendance for twenty five hours of annual continuing education or inform the Board to audit their hours on OE Tracker. 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 30<sup>th</sup> and/or submit continuing education by October 20<sup>th</sup> each year results in a \$125.00 penalty fee unless a time waiver has been approved by the Board. In 2014 there were two various waiver requests approved.

During 2014 the Optometry Board members reviewed a total of 218 proposed continuing education programs.

The Board Staff continued to expand 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 continue to receive extremely favorable feedback regarding the change in policy.

Financial  
Report

Statement of Revenues and Expenditures  
July 1, 2013 - June 30, 2014

FY 2014 Revenues

Licensure/renewal fees	\$390,965.00
Late/reinstatement fees	17,350.00
Miscellaneous fees	<u>1,850.00</u>
	\$410,165.00

FY 2014 Expenditures

Payroll & Benefits (Board & Staff)	\$280,877.15
Purchased Personal Services (Hearing officer, court reporter, insurance, dues, etc.)	1,800.00
Expendable Goods & Services (Staff & Board travel, lodging, parking, conference fees, expendable office supplies)	53,867.18
Equipment (Computers, furniture, etc.)	1,009.00
Refunds	<u>.00</u>
	\$337,553.33
Unspent funds	\$ 9,724.67
<u>FY 2014 Budget</u>	\$347,278.00

Historical Revenues and Expenditures

<u>Year</u>	<u>Budget</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Unspent Funds</u>
2013	\$347,278	\$400,849	\$346,145	\$ 1,132
2012	\$356,914	\$404,745	\$326,716	\$30,198
2011	\$346,185	\$307,549	\$336,517	\$ 9,667

## Investigations

The role of the Investigator for the Ohio State Board of Optometry is clearly defined as a position created to serve the 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 & Rules relating to licenses, name display, equipment requirements, and other Board regulations. The Board Investigator also enforces laws concerning advertising by Ohio optometrists and conducts Laws & Rules training sessions for newly licensed optometrists.

During 2014, the Board forwarded 17 sets of complaint forms to patients who had contacted the Board regarding problems with optometrists. Other sets of complaint forms were printed directly from the Board's website from patients. There were a total of 22 formal complaints which included 3 complaints which were initiated by the Board for investigation. During the year 13 complaints were investigated and finalized. Additionally, 37 on-site inspections were performed statewide. Advertising violation notification letters to optometrists were sent in regard to 8 separate advertising matters. In all advertising issues, responses were received that proper corrective action was taken to correct the matters. Additionally, the Investigator handled 12 office complaints and 2 office inquiries with satisfactory resolution in each case.

The Board Investigator presented Laws & Rules training sessions to 77 licensees on a number of different dates throughout the year which included 2 sessions for the OSU College of Optometry.

There were two formal disciplinary actions taken by the Board for the year. Additionally, one optometrist was recommended to undergo a refresher education regarding prescribing authority of licensees at the direction of the Board and after conferring with the Assistant Attorney General on the matter. That optometrist graciously accepted the recommendation in lieu of formal discipline and underwent the refresher after guidance from legal counsel.

Records retention for inactive optometrists files were changed from a 20-year requirement to destruction after scanned. Currently there are 10 years of records scanned and paper files destroyed.

Investigator's  
Activity

	<u>2013</u>	<u>2014</u>
Complaints Investigated	23	22
Miscellaneous Investigations (office complaints)	11	12
Advertising Violation Investigations	6	8
Total Investigations	40	42
On-Site Inspections	109	37