

ANNUAL REPORT

OHIO OPTICAL DISPENSERS BOARD

JULY 1, 2008 THROUGH JUNE 30, 2009



The mission of the Ohio Optical Dispensers Board is to protect and serve the public of Ohio by effectively and efficiently regulating the practice of Opticianry and Ocularistry in the State of Ohio

Prepared for The Honorable Ted Strickland, Governor



OHIO OPTICAL DISPENSERS BOARD

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November 1, 2008

The Honorable Ted Strickland
Governor, State of Ohio
77 South High Street, 30th Floor
Columbus, Ohio 43215

Dear Governor Strickland,

On behalf of the Ohio Optical Dispensers Board (Board), we are pleased to submit this annual report for fiscal year 2009. This annual report highlights the work of the nine-member Board, supported by a staff of three employees.

The Board continues to meet the obligations specified by Sections 4725.40-4725.99 Ohio Revised Code. All activities have been directed towards fulfillment of the Board's mission, to actively safeguard the optical health of the public through the effective regulation of Opticianry and Ocularistry care in Ohio. Licenses and apprentice registrations were issued to qualified individuals and renewed according to the Board's schedule. Continuing education programs were approved by the Board. The Board has taken actions against entities that illegally dispense and sell decorative contact lenses and individual licensees who failed to practice in accordance to standards set forth in the law and rules.

Thank you for your support as the Board administers and enforces Sections 4725.40-4725.99 of the Revised Code.

Respectfully yours,

Michael Wm Hall, President

Nancy Manns, RN, MS, CNS
Executive Director

INTRODUCTION

The Mission of the Ohio Optical Dispensers Board is to protect and serve the public of Ohio by effectively and efficiently regulating the practice of Opticianry and Ocularistry in the state of Ohio through the licensing of qualified practitioners, the establishment of standards for Optician and Ocularistry education programs and the enforcement of the law and rules governing their practice.

This report will reflect the accomplishments of the Ohio Optical Dispensers Board (Board) toward meeting the mission and the goals of the Board for FY'09.

DRAFT

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BOARD MEMBERS

<u>NAME</u>	<u>CITY</u>	<u>TERM EXPIRES</u>
Michael Wm. Hall, President Optician	Cincinnati	3/21/2011
Susan Bender, Vice-President Optician	Columbus	3/21/2012
Brian Miller, Treasurer Optician/Ocularist	Toledo	3/21/2010
Dr. Susan Benes Ophthalmologist	Columbus	3/21/2011
Dr. Timothy Fries Optometrist	Worthington	3/21/2012
James M. DeDario Optician	Centerville	3/21/2010
A. Joseph Bitonte Optician	Columbus	3/21/2010
James Fortune, Sr. Public Member	Youngstown	3/21/2012
Oscar J. Watson Public/Senior Member	Columbus	3/21/2010

Governor-appointed Board members serve for a five-year term and are eligible to serve a second five-year term. The Board met every other month for 1-day meetings. As a cost saving measure, the Board voted at the December, 2007 meeting to pilot one day Board meetings that would be held every other month. That has continued through FY '09 and resulted in a savings of approximately \$8700 for FY '09.

STAFF

<u>NAME</u>	<u>POSITION</u>
Nancy Manns	Executive Director
William Lehman	Investigator
Wilma Simmons	Executive Secretary

FISCAL OPERATIONS

The chart below depicts the income collected by the Board from licensing and other fees. The majority of Optician (\$97.50 renewal fee) and Ocularist renewals (\$97.50 renewal fee) occur during November and December of each year. The majority of the apprentice renewals (\$10 renewal fee) occur during May and June of each year. Due to the disproportionate amount of the Optician/Ocularistry fees to the amount of the apprentice fees, the Board experiences an irregular flow of income throughout the year making it possible for the Board to expend more than it takes in during a six-month period of time. The Board expects continued increases in its operation cost due to the expected increases in payroll, inflation and increased CSA/DAS costs.

The budgeted allotment for FY '10 and FY '11 was decreased from \$345,324 to \$316,664 in the final version of the Budget Bill. This is a decrease of \$29,324 or approximately 9% of the total amount.

Ohio Optical Dispensers Board **4K9 Fund FY '09** **Revenue**

<u>SOURCE OF REVENUE</u>	<u>TOTAL COLLECTED</u>
	\$
Apprentice Registration /Renewal Fee	17,100
Optician Renewal	309,270
Ocularist Renewal	877.50
Penalty Fee	10,875
New Optician/Ocularist License	6387.50
License by Endorsement	225
Duplicate Licenses	155
Fines	1700
Rosters/Misc.	366
Total Revenue FY'09	346,956

The total revenue collected for FY '09 reflects an increase of 1% in revenue. The increase in revenue is the result of the increased numbers of Optician renewals and an increased number of apprentice registrations.

Operational Costs

FY08

<u>Description of Expenditure</u>	<u>\$ Amount</u>	<u>% of Operational Costs</u>
Staff and Board Member Payroll	277,820	81
Office Maintenance	65,469	18.9
Equipment	1,605	0.1
Refunds	0	0
Total Expenditures	344,894	100%

INFORMATION TECHNOLOGY (IT)

The Board works diligently to keep pace with the changing IT needs of the office and advantages offered through technological innovations.

- The Board continues to review and implement data security measures to ensure safety and security of sensitive employee, Board member and licensee information in accordance with the Governor's Executive Orders.
- The Board continues a service contact with the Department of Administrative Services, IT Services Division. The IT Services Division will be providing desk-top services support, shared drive services, secure storage, and encryption of data at a cost savings to the Board of approximately \$250/year.
- The Board replaced the three five-year-old desk top computers with Hewlett-Packard models that meet all state specifications. The computers were purchased through a state-approved MBE vendor.

COMMUNICATIONS

Throughout the year, the Board continues to inform the public, licensees, apprentice registrants and other interested parties about the laws and rules governing practice and other issues regulating the practice of Opticianry and Ocularistry. The Board has also provided information to employers regarding regulations, standards and disciplinary actions. The Board relies on personal interaction, written materials, and the use of technologies such as e-mail, the Board's web page and newsletters of professional organizations and other state agencies to disseminate information about the law and rules, changes to the law and rules and the work of the Board.

The prominent message of most of the newsletter articles focused on the regulations related to the practice of Opticianry and Ocularistry in Ohio.

The Executive Director provided one two-hour program for the American Board of Opticians National Education Conference held in Cincinnati in September, 2008. The presentation focused on the laws and rules regulating the practice of Opticians, Ocularists and apprentices in the state of Ohio.

The Board's web page, www.optical.ohio.gov, continues to be an excellent source of information for employers and licensees and is a repository of the Board's current publications, applications, forms, past and future Board meeting information, and the current list of Board approved continuing education programs. For the FY '09 reporting period there were 112,055 successful hits to the Board's web site. This is an average of 432 hits per day.

The Board continues to provide the "Open Forum" agenda item for each Board meeting. The intended purpose of the open forum agenda item is to provide an opportunity for individuals or representatives of a group to communicate directly with the Board on a specific issue or topic at the presenters request or by invitation of the Board. This set-aside time on the agenda has been used successfully by licensees, employers and professional association members to address practice and licensure issues directly with the Board members for quick resolution of practice and licensure issues.

REGULATORY ACTION/ LEGISLATIVE ACTION

The Board initiated a review of the laws that regulate the practice of Opticianry, Ocularistry and Apprentice practice to determine the relevancy to the current standards of safe practice and to ensure that the law and rules meet Governor Strickland's Executive Order outlining "Common Sense Business Regulation." The Board has made an effort to identify areas of the law that can be revised in order to streamline processes, make language clear and easy for licensee and employers to understand and implement. The law review process was completed by the end of 2008. The Board continued to review segments of the law, sought input from interested parties, and to seek sponsorship for introduction of the much-needed revision to the law.

Opticianry and Ocularistry Practice

An initiative of the Board is to promote public safety according to established regulatory standards by responding to questions regarding the practice of Opticianry and Ocularistry based on relevant law and rules governing the practice; by providing public information and education; and, assisting in the development of legislation and regulation. Opticianry and Ocularistry, for the purposes of the Board, encompasses the practice of Optician and Ocularistry apprentices as well.

Board staff answered approximately 3600-4000 phone calls during the year, a similar number compared with the previous reporting period, and responded to numerous e-mail inquiries dealing with Opticianry and Ocularistry practice, licensure and renewal issues, and, the supervision and registration of apprentices. There was an increase in the number of registered apprentices over this time period resulting in a noticeable increase in the calls related to the registration and supervision of apprentice Opticians.

The Board web page has been updated frequently with information concerning Board meetings, publications and forms. A section for "Frequently Asked Questions" was added to the web page. The web page itself was revised to make it easier to navigate. The web page continues to be an easily accessible venue for licensees to obtain the most commonly requested forms and applications.

Opticianry and Ocularistry Education

Another initiative of the Board in its mission to promote public safety and the safe practice of Opticianry and Ocularistry in Ohio is to approve basic Opticianry education programs in schools of higher learning. As of June 30, 2009 there were two Board approved pre-licensure Opticianry programs in Ohio:

- ◆ Hocking College, New Lexington
- ◆ Cuyahoga Community College, Cleveland

The Board approved two out-of-state schools in the previous reporting period:

- ◆ Indiana University Optician/Technical Program
Bloomington, IN
- ◆ Hillsborough Community College Opticianry Program
Tampa, FL.

The Board approved Roane State Community College Opticianry Program, Harriman, TN in FY '09.

The majority of applicants for licensure have completed a two thousand hour (minimum of two calendar years) of on-the-job apprenticeship training under the direct supervision of a licensed Optician.. The earn-as-you-learn apprenticeship provides an excellent opportunity for individuals to be a productive citizen while learning a viable profession.

Continuing Education

A third initiative of the Board in keeping with its mission to promote public safety and the safe practice of Opticianry and Ocularistry is accomplished by assuring that licensees maintain competency based on continuing education standards set forth in the law and rules. The Board approved 43 classroom programs for 908 hours of continuing education and 6 on-line internet programs for a number of 274 hours of approved continuing education. The Board approved 1182 hours of continuing education in this reporting period. This number indicates an increase of 15% for the total number of continuing education hours approved by the Board. Licensees may attend Board-approved classroom programs, complete on-line courses, or complete a combination of classroom and on-line courses in order to meet the licensure renewal requirements.

To assure compliance with the continuing education requirements, all Opticians and Ocularists were expected to provide verification of completion of these requirements by sending to the Board documentation of courses taken during the renewal period. Individual licensees who did not meet the continuing education requirements within the specified time were not issued a license until the required documentation and any applicable late fees were received at the Board offices.

LICENSURE

TYPE OF LICENSEE	NUMBER AS OF 6/30/07	NUMBER AS OF 6/30/08	NUMBER AS OF 6/30/09
Optician	3159	3156	3172
Ocularist	8	9	8
Apprentice	1179	1437	1085

The number of licensed Opticians has increased by 1% over last fiscal year ending a decline of 1.3% over the previous two renewal periods. This percentage reflects the first increase in the number of licensed Opticians over the last 3 years. The number of registered apprentices declined by 25% since the last reporting period. The decline in the number of registered apprentices can be attributed, in part, to the number of individuals who completed the two-year apprenticeship and obtained a license offsetting the normal attrition of about 250 licensees each renewal period. The apprentices complete a two-year on-the-job training after which they are required to pass a national certifying exam in order to apply for licensure as a dispensing Optician.

The Board provides verification of licensure in good standing by phone and in writing to those Opticians and Ocularists who are seeking licensure into another state. Licensure verification is also available to the public via the web page. The Board provided approximately forty letters of good standing for licensees who are seeking licensure in other states. This number remained stable compared with the previous reporting period.

DISCIPLINE

An additional strategic initiative of the Board is to promote public safety and the safe practice of Opticianry and Ocularistry by providing timely and effective investigatory and adjudication processes while preserving the individual's right to due process under the law. There were a total of 32 cases investigated during FY'09 compared to a total of 68 cases in FY'08

The chart below outlines the types and numbers for FY'08 and FY'09

Type of Investigation	FY'08	FY'09
Illegal sales/dispensing of contact lenses	25	10
Repeat offenders sales/dispensing of contact lens resulting in permanent injunctions	3	1
Consumer complaints	21	9
Practice issues	18	12
Misc. (Unlicensed practice, etc.)	1	0
TOTAL	68	32

The number of investigations decreased by more than 50% over the last reporting period. The largest percentage of change is the number of complaints received regarding the illegal sales/dispensing of contact lenses. The decline in the number of these types of complaints followed a state-wide press conference held by the Attorney General's office in the fall of 2007. The state-wide media attention that focused on the issue could be directly attributed to the decline in the number of facilities, such as gas stations, beauty supply stores, convenience stores, and costume shops selling the decorative/plano lenses.

SUMMARY

The Optical Dispensers Board has demonstrated in FY'09 effective regulation of Ohio's licensed Opticians, Ocularists, and registered apprentices by:

- ▶ Adopting and implementing fiscally responsible practices;
- ▶ Maintaining current knowledge of the OAKS Financial, HCM, Time and Labor management programs and other statewide initiatives;
- ▶ Implementing effective electronic, personal, and written communication with licensees, employers and consumers; and
- ▶ Continuing review and revision, as appropriated, of the law and rules regulating the practice of Opticianry and Ocularistry in Ohio to ensure that the statutes and rules reflect current standards of safe practice as well as the Governor's Executive Orders.