

An overhead, top-down view of five medical professionals in a clinical setting. They are gathered around a table, looking at and pointing to documents. The individuals are wearing light blue scrubs or white lab coats. The background is a light-colored tiled floor.

State Medical Board of Ohio Updates

John F. Boyle, DPM – Board Member

November 4, 2023



Statutes

Laws enacted by Ohio legislature
Ohio Revised Code (ORC)

Rules

Regulations developed and enacted by Medical Board
Ohio Administrative Code (OAC)

Rules clarify & amplify provisions in the Ohio Revised
Code

Medical Board Members



Sherry Johnson, DO
President



Jonathan Feibel, MD
Vice President



Kim Rothermel, MD
Secretary



Harish Kakarala, MD
Supervising Member



Amol Soin, MD, MBA



Betty Montgomery, JD



Michael Gonidakis, JD



Yeshwant Reddy, MD



Mark Bechtel, MD



John F. Boyle, DPM



Jennifer D. Brumby, JD



Elaine M. Lewis, MD

License Types

The Medical Board regulates more than 98,000 licensees.

Allopathic Physicians 45,904	Anesthesiologist Assistants 377	Massage Therapists 11,334
Osteopathic Physicians 8,228	Physician Assistants 5,771	Dietitians 4,916
Podiatric Physicians 992	Radiologist Assistants 20	Acupuncturists 315
Training Certificates MD-DO-DPM 9,549	Genetic Counselors 650	Respiratory Care 9,117

Data from FY23 Annual Report

DPM Licenses

Total Active Licenses					
License Type	6/30/23	6/30/22	6/30/21	6/30/20	6/30/19
Podiatric Physician (DPM)	992	988	1,047	1,003	981

New Licenses Issued					
License Type	6/30/23	6/30/22	6/30/21	6/30/20	6/30/19
Podiatric Physician (DPM)	42	43	43	45	48

Data from FY23 Annual Report

Renewal Schedule

First initial of licensee's last name	Licensure expiration date	CME cycle
A-B	July 1 – odd years	7/1/2025
C-D	April 1 – odd years	4/1/2025
E-F-G	January 1- odd years	1/1/2025
H-I-J-K	October 1 even years	10/1/2024
L-M	July 1 – even years	7/1/2024
N-O-P-Q-R	April 1 – even years	4/1/2024
S	January 1 – even years	1/1/2024
T-U-V-W-X-Y-Z	October 1 – odd years	10/1/2025



Newly Proposed Rules

Chapter 4731-20-01 - Definition of Foot

Chapter 4731-20-02 - Surgery: Ankle Joint

- Initial circulation – Comments deadline Nov. 3
- File proposed rules with Common Sense Initiative Office
- File proposed rules with Joint Committee on Agency Rule Review (JCARR)
- Public hearing – opportunity for comments
- JCARR hearing – opportunity for comments
- Medical Board approval

Ohio's Biennium Budget

Ohio's biennium budget signed by Governor DeWine on July 3, 2023, includes changes that impact State Medical Board of Ohio (SMBO) licensees.

These changes went into **effect October 3, 2023.**



New Confidential Monitoring Program

The board created a **new** Confidential Monitoring Program for licensees impaired with the following conditions:

- Substance use disorder
- Mental illness
- Physical conditions
- Other potentially impairing illnesses

The newly created Confidential Monitoring Program will be managed by the **Ohio Professionals Health Program (OPHP)**.

New Confidential Monitoring Program

You will find more information and helpful resources at med.ohio.gov.

To seek help, contact OhioPHP at info@ohiophp.org or (614) 841-9690.





State Medical Board of
Ohio



OhioPHP

CONFIDENTIAL MONITORING PROGRAM

WHAT IS THE CONFIDENTIAL MONITORING PROGRAM?
Effective October of 2023, the State Medical Board of Ohio (SMBO) is replacing the One-bite Program with a more comprehensive Confidential Monitoring Program that will allow more practitioners to receive confidential, non-disciplinary support. The SMBO has partnered with the Ohio Professionals Health Program (OhioPHP) to administer the new Confidential Monitoring Program.

WHO?
All SMBO licensees and applicants of the State Medical Board of Ohio who may have issues impacting their health and well-being. This includes:

- Substance use disorders
- Mental health disorders (new)
- Physical conditions (new)
- Other potentially impairing illnesses (new)

HOW?
If you or someone you know needs support for a mental health disorder, substance use disorder or another potentially impairing condition, you can connect directly with SMBO or OhioPHP to access screenings, assessments or referrals to treatment if deemed necessary.

WHAT IS THE ROLE OF THE SMBO?
In order to provide licensees with a therapeutic alternative to discipline that still protects the public, recent legislative changes have allowed the SMBO to create the Confidential Monitoring Program in collaboration with OhioPHP. The role of the SMBO is to ensure that practitioners are safe to practice and

**STATE MEDICAL BOARD OF OHIO
CONFIDENTIAL MONITORING PROGRAM FAQ**

What is the SMBO Confidential Monitoring Program?
The Confidential Monitoring Program provides a path for Medical Board licensees and applicants to confidentially receive treatment and support in a non-disciplinary program. The newly expanded Confidential Monitoring Program (formerly the One-bite Program) is now available to all licensees and applicants of the State Medical Board of Ohio who may have issues impacting their health and well-being. This includes:

- Substance use disorders
- Mental health disorders
- Physical conditions
- Other potentially impairing illnesses

Who is eligible to participate in the SMBO's Confidential Monitoring Program?
All Licensees and applicants of the SMBO.

Will the SMBO know about my participation in the Confidential Monitoring Program?
No. If a licensee or applicant connects directly with OhioPHP to determine their eligibility, the Medical Board will have no record of the licensee's participation in the program. If a participant is referred to OhioPHP by SMBO as a result of an approved complaint, board staff may be aware of the referral but will take no further action. However, OhioPHP is required by law to report to SMBO any licensee or applicant that fails to meet the terms of their monitoring agreement, presenting a risk to patient safety.

How do I enroll in the Confidential Monitoring Program?
If you or a colleague needs help, contact OhioPHP. OhioPHP's clinical team will conduct an initial assessment followed by recommendations that may include additional evaluation for burnout, mental health or substance use disorders, individual counseling, and/or any necessary treatment. Once a diagnosis has been made, licensees or applicants may enroll in long-term, therapeutic monitoring through the confidential monitoring program.

Is there a cost associated with the Confidential Monitoring Program?
Licensees and applicants are not charged for OhioPHP services. OhioPHP has no financial relationship with any outside evaluators or treatment providers. During the monitoring phase, the participant pays directly to their providers and are responsible for any costs associated with toxicology testing (if deemed clinically necessary).

If I receive a diagnosis of a mental health or substance use disorder, what are the requirements to participate in the Confidential Monitoring Program?
After a diagnosis is made, OhioPHP will make recommendations for further evaluation and treatment as needed. Once those are completed, OhioPHP may also recommend monitoring for 1-5 years. Monitoring agreements may include therapy, group support, toxicology testing, and self-assessments. As long as an individual is compliant with the terms of their monitoring agreement, participation in the Confidential Monitoring Program will remain confidential.

Retired License Status

New ability to change license to a retired status.

- Eligibility requirements include a voluntary retirement from practice, a paid application fee, and no pending investigations or disciplinary actions.
- Retired status prohibits practice but continues the use of any title authorized for the license and allows the reactivation of the license if certain conditions are met.



State Medical Board of
Ohio



The board's active license roster (published on the SMBO website) now only includes the provider's public business address.

Providers should confirm they have listed the correct address in each field in their eLicense dashboard at elicense.ohio.gov.

The Medical Board will use the address in the **public business address** field in the active license roster.

Active License Roster

Duty to Report

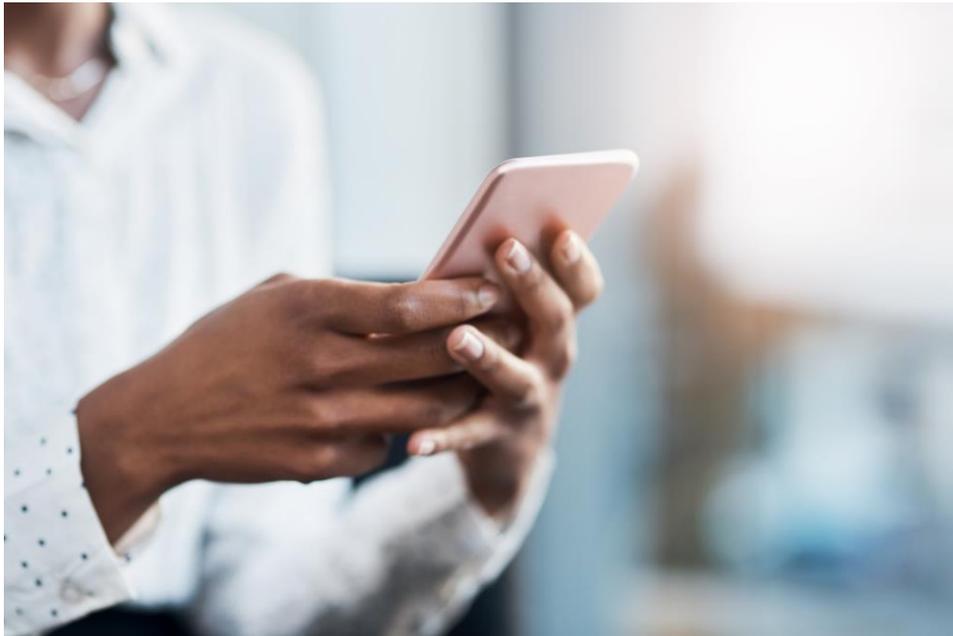
Licensees have a personal duty to report to the State Medical Board of Ohio when they believe an individual licensed by the Board has violated the Board's laws or rules including **sexual misconduct, impairment, practice below the minimal standards of care, and improper prescribing of controlled substances.**

Reports of misconduct to supervisors, law enforcement or health care system management do **NOT** fulfill the duty to report to the Board; failure to report could result in formal disciplinary action.

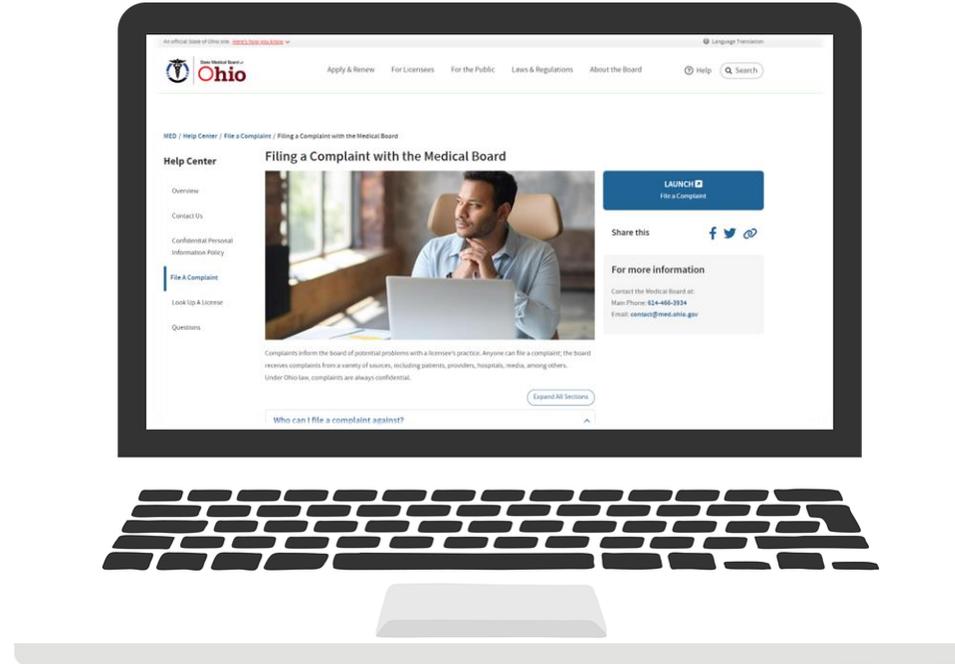


Filing a Complaint

Confidential Complaint Hotline
1-833-333-SMBO (7626)



Online at med.ohio.gov





State Medical Board of Ohio



Issuing a Valid Prescription: What Every Prescriber Needs to Know

New Limits on Prescription Opioids for Acute Pain

Many individuals who are addicted to opioids received their first pill through a prescription

from a valid prescription OR from a friend or family member

10-step Prescriptions:

1. Verify the patient's identity and address.
2. Verify the patient's insurance information.
3. Verify the patient's medical history and current medications.
4. Verify the patient's pain level and history.
5. Verify the patient's ability to take the medication.
6. Verify the patient's understanding of the medication and its risks.
7. Verify the patient's ability to pay for the medication.
8. Verify the patient's ability to understand and follow the instructions.
9. Verify the patient's ability to understand and follow the instructions.
10. Verify the patient's ability to understand and follow the instructions.



Medical Board Adopts New Telehealth Rules

The State Medical Board adopted new telehealth rules that will become effective on February 20, 2023. These rules implement the requirements of the telehealth statute (R.C. 4743.09) for the following Medical Board health care professionals: physicians (MD, DO, and DPM), physician assistants, dentists, respiratory care professionals, and genetic counselors. Below is a quick summary of these new rules. Licensees are encouraged to read the complete law and rules which are available in the Laws & Rules section on [med.ohio.gov](#).

General Telehealth Provisions (OAC rule 4731-37-01)

- Allows health care professionals to provide telehealth services to a patient located in Ohio if they can meet the standard of care for the patient and their medical condition. Because the rules only address telehealth services provided to patients located in Ohio, health care professionals should consult the laws and rules of any other state where a prospective patient is located to determine how to provide telehealth services lawfully in that situation.
- Requires that the standard of care for telehealth services is the same as the standard of care for an in-person visit. Health care professionals must meet the standard of care requirements in this rule when providing telehealth services and any other standard of care requirements applicable to the patient and their medical condition for the telehealth visit.
- Permits health care professionals to use synchronous or asynchronous communication technology to provide telehealth services if the standard of care for an in-person visit can be met for the patient and their medical condition with the technology selected. Telephone calls can only be used for telehealth services when all the elements of a bona fide health care visit meeting the standard of care are performed. Telephone calls that are routine or simply communicate information to the patient are not telehealth services.
- Explains when a health care professional must see the patient in person or refer the patient. If a health care professional determines at any time while providing telehealth services to a patient that the standard of care for an in-person visit cannot be met, the health care professional shall either see the patient in person within a reasonable time or make an appropriate referral to another health care professional that can meet the standard of care.
- Describes requirements for formal consultations with another health care professional.
- Allows physicians and physician assistants to provide telehealth services using remote monitoring devices if consent from patient is obtained and the devices have been cleared, approved, or authorized by the FDA and comply with all federal requirements.
- Provides requirements for a physician or physician assistant, who holds a valid prescriber number and has been granted physician-delegated prescriptive authority, to prescribe, personally furnish, or otherwise provide a non-controlled prescription drug while providing telehealth services.

Resources

med.ohio.gov

988 Suicide & Crisis Lifeline

988 offers 24/7 access to trained crisis counselors who can help healthcare providers experiencing mental health-related distress.

Website: 988lifeline.org



988

**SUICIDE
& CRISIS
LIFELINE**

Ohio



Questions?

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