



OPP Board News and Notes
Meeting: September 22, 2015 [published 10.20.2015]

State Board Of Orthotics, Prosthetics, & Pedorthics

New Fee Schedule Effective; Rule Review Begins Anew

The Board's new [fee rule](#) – the major emphasis of the FYR (five-year review) process just completed – became effective September 1st following the Board's final approval in June and after passing review by the Office of the Common Sense Initiative (CSI) and the Joint Committee on Agency Rule Review (JCARR).

Initial License Application – All Types – Full	\$150
Initial License Application – All Types – TEMP	\$150
Annual License Renewal – All Types – Full	\$400
One-time License Renewal – All Types – TEMP	\$400
Late Fee – License Renewal	\$200
Late Fee – OPPCE	\$200
License Upgrade – TEMP>Full	\$100
License Consolidate – LO or LP > LPO	\$100
License Issuance	\$100
New OPPCE Activity Review	\$ 50
Certified license verification	\$ 25
Fine, per violation	\$250

“Fee increases are an unpleasant fact of professional licensing life,” said Mark Levy, Board Director. “However, the OPP Board like all other professional/occupational licensing agencies in Ohio, operates under a budgetary paradigm that it must generate enough revenue through licensing assessments to cover its operational costs. OPP avoided fee increases for nearly fifteen years – this was the first major revamp to the schedule since the first licenses were issued in September 2001.”

But just as keeping regulatory language current and relevant is a continuing obligation, so the Board must continue its rule review mission. In doing so, the Board's stakeholders are invited and encouraged to make concerns and suggestions known. Please review the information at the [Rules Pending Review tab](#) on the website and offer your input and expertise as the Board seeks to keep its rule language clear, accurate and up-to-date.

Officers re-elected

The September meeting is the Annual Meeting at which the Board elects its officers. Brian M. Weaver, LPO.203, was re-elected to the post of President; Tamara A. Daulton, LPED.113, retains the office of Secretary.

Weaver is co-owner of [American Orthopedics](#); earned a BS Degree in Biology from Oregon State University; and did post-grad work in Prosthetics Northwestern University (NUPOC) and in Orthotics, from the Newington Program in Connecticut. Brian is an active member of the [American Academy of Orthotists and Prosthetists](#), as well as its Ohio Chapter.

Daulton practices at [BioWorks](#) in **Southwest Ohio**, graduated in 1996 from the University of **Akron**, and completed her pre-certification education at Northwestern University. She also served on the Board of the National Podiatric Footcare Association from 2008 to 2013, has presented at numerous PFA Symposia, and continues to serve on various PFA committees.

Formal Actions: Diabetic Therapeutic Shoe Standard of Care; OPPCE Compliance

The Board approved Consent Agreements in the following matters:

Frank Denton, LPED.217 – Accepted a Reprimand, a 2-month license suspension October-November 2015, and agreed to complete an additional ten (10) hours of remedial targeted Continuing Education in order to renew the license during the January 2016 renewal period. The agreement addressed the Board’s review of services which did not meet the minimum standard of care for a Podiatric practitioner fitting shoes and inserts for Therapeutic Shoes for Diabetic beneficiaries, citing composition of inserts, discrepancies between documentation and number of items dispensed, and unauthorized representation of patient’s signature on file documentation.

Brent Libby, LPO.215 – To address OPPCE accrual non-compliance subsequent to audit; requires completion of deficiency of fifteen (15) units, completion of additional twenty (20) units, and payment of \$150 late fee.

In addition, the Board accepted recommendations-to-close enforcement files as follows:

- 15 C 03 – OPPCE – Consent Agreement compliance achieved; no further action required
- 15 C 17 – DME – Unlicensed Practice – Out of state DME inquiry regarding OTS device policy. Statement of intent to comply in file. Educative / in compliance.
- 16 C 02 – OPPCE Remediation agreement approved March 2015 meeting, CE augmentation required, late fee waived. In audit process, licensee submitted incorrect/incomplete report, has not responded to repeated informal requests for correct/complete filing. Recommended to close with letter of warning/admonition.

AVOID CE COMPLIANCE PROBLEMS BY INCORPORATING CE LEARNING INTO YOUR ANNUAL PRACTICE PROTOCOLS

Although national credentialing bodies in O&P allow certified individuals to gain mandatory Continuing Education over a 5-year time span, the state of Ohio accounting presently runs on a 3-year cycle. To stay compliant with both state and national credentialing partners, ***the State Board of Orthotics Prosthetics and Podiatrics urges its licensees to think of CE as an annual requirement:***

- ✓ 25 units per year for an LPO or dual-licensed LO/LP
- ✓ 15 units per year for an LO or LP
- ✓ 11 units per year for an LPED

Pending Legislation Would Require a Two-Year License Effective/Renewal Period

[HB 213](#), introduced by [Rep. Thomas E. Brinkman, Jr.](#) (Eastern Hamilton County) seeks to require most if not all license-issuing agencies that administer a license valid for only one year to adopt a two-year renewal cycle. The legislative intent is to reduce the administrative burden on agencies and thus reducing costs to the state, as well as freeing licensees from the redundant and repetitive annual process.

Rep. Brinkman engaged in early outreach with agencies that would be affected, and the Board offered technical information to his office to help inform the legislation that has been introduced. The bill has been assigned to the [House Commerce and Labor Committee](#). First hearing with Sponsor's testimony was conducted on June 23, 2015.

Bill Would Allow Broad Claim of Alternative Health Care Practice Defense

[SB194](#) has been introduced as the latest in a long-running legislative effort to authorize various loosely defined "alternative health care" practices and to shield those that claim to offer same from being cited for unlicensed practice. Among other provisions, bill language provides that "Complimentary or alternative health care services' includes but is not limited to ... non-invasive instrumentalities."

A coalition of organizations representing allied healthcare professions – mostly associations but including some licensing boards – has formed to organize opposition to the measure. Concerned practitioners should contact their state [Representatives](#) and [Senators](#) and [association staff](#).

Policy change: BOC Transcripts Approved as Evidence of OPPCE Compliance

Regulatory language requires OPP licensees to maintain all of their own Continuing Education compliance documentation – [OAC Agency Rule 4779-9-01](#) provides, in part, that "It shall be the responsibility of the licensee to maintain and keep all records to serve as documentation for any audit pertaining to the completion of OPPCE requirements" for up to four (4) years past the renewal reporting date. However, it had been Board policy over the years to accept a transcript from ABC or BOC to serve as evidence of completion. That changed in 2013 when the Board noted a shift in BOC policy and procedure that appeared to call into question the accountable reliability of data referenced in such transcripts.

Based on its acceptance of a new statement from BOC leadership attesting that BOC staff would assure that documentation substantiating any entry on a BOC Continuing Education transcript would be reviewed to justify its transcript entry for any Ohio OPP licensee, the Board agreed to allow OPP staff to once again accept BOC transcripts as evidence of completion of OPPCE activity.

Represent!

Terms of service on the Board are for three years and an initial term is subject to re-appointment at the discretion of the Governor. Appointment authority is vested in the Governor, and the Governor’s office is interested in the active involvement of stakeholders and professional associations in forwarding candidates for consideration. Active, informed and committed-to-service licensees are encouraged to consider the leadership opportunity. Contact the office for further information, or just see and submit the application (we appreciate being notified of your submission, but that’s not a requirement):

<http://www.governor.ohio.gov/Portals/0/Boards%20and%20Commissions%20Application.pdf>

Current Board Members and their terms are:

<u>President</u>	<u>Secretary</u>
<u>Brian M. Weaver, LPO</u>	<u>Tamara A. Daulton, LPED</u>
<u>Grove City, Ohio</u>	<u>Batavia, Ohio</u>
<u>(first term)</u>	<u>(first term)</u>
<u>Term Ends: 12/06/2015</u>	<u>Term Ends: 12/06/2015</u>
<u>Animesh S. Bhatia, DPM</u>	<u>Jeffrey Hagman, LP</u>
<u>New Albany, Ohio</u>	<u>Warrensville Heights, Ohio</u>
<u>(first term)</u>	<u>(first term)</u>
<u>Term Ends: 12/06/2015</u>	<u>Term Ends: 12/06/2016</u>
<u>Jason Macedonia, LPO</u>	<u>VACANT (Practitioner LO or LPO)</u>
<u>Columbus, Ohio</u>	
<u>(second term)</u>	<u>(first term)</u>
<u>Term Ends: 12/06/2017</u>	<u>Term Ends: 12/06/2017</u>
<u>VACANT (consumer)</u>	* Members serve for up to 60 days past the term expiration date when no new appointment has been made.
<u>(first term)</u>	
<u>Term Ends: 12/06/2017</u>	

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