



State of Ohio

# Ohio State Chiropractic Board

Kelly A. Caudill, Executive Director

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## OHIO STATE CHIROPRACTIC BOARD TESTIMONY BIENNIAL OPERATING BUDGET 2012-2013

Senate Finance Subcommittee  
Senator Chris Widener, Chair

*Good Morning – Mr. Chairman - Members of the Committee:*

Thank you for the opportunity to appear before you. My name is Kelly Caudill and I am the Executive Director of the State Chiropractic Board. I have served in this capacity since July 2000 and have been employed by the Board since 1986. Today I'll speak about the Board, our function, personnel, goals and accomplishments, and our biennial budget request.

Since its inception in 1975, the Board has consisted of four chiropractic physicians and one representative of the public, all of whom are appointed by the Governor to four-year terms.

The Board employs a staff of five full time employees to carry out its duties – an executive director, administrative assistant, paralegal, and two investigators. The Board receives no General Revenue Funding with fees entirely supporting the Board's operational costs. Revenue projections continue to exceed expenditures.

In preparing the budget for the upcoming biennium, the Board's priority continues to be meeting our mission: *To proactively protect the health and welfare of Ohio's citizens and to regulate the chiropractic profession with vision by setting high standards for licensure and by fairly and consistently enforcing those standards through examination of new doctors, biennial license renewal, clinic inspections, and timely investigation and disciplinary action when indicated.*

In order to accomplish our mission, the Board has numerous responsibilities to fulfill to make certain that the citizens of the state of Ohio are afforded care from competent, qualified chiropractic physicians. Said responsibilities include:

**Chiropractic Licensure:** The Board must ensure that each person granted a license to practice chiropractic meets certain educational and testing requirements, as well as possess the character and fitness to practice chiropractic in the state of Ohio. This goal is accomplished via our licensing process. Upon applying for a license, the Board requires a comprehensive licensure application that includes detailed background information and a fingerprint check.

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Each applicant is tested on their knowledge of the Board's laws and rules and is required to submit to an oath attesting and affirming that he or she has read, understands, and will abide by the Board's laws and rules. Any applicant that the Board determines is not fit to practice chiropractic in the state of Ohio is afforded an opportunity for hearing through the Ohio Revised Code Chapter 119 process. New licenses issued increased by 50% this fiscal year over last fiscal year, reflecting levels not seen since fiscal year 2005.

***Acupuncture Certification:*** This certification became effective in fiscal year 2008. The Board must review credentials and approve applications to ensure that each person granted a certificate to practice acupuncture meets certain educational and testing requirements.

***Chiropractic License and Acupuncture Certificate Renewal:*** Once licensed, the Board must ensure the continued competency and character of each licensee. This is accomplished via our continuing education (CE) and license renewal process. Each licensee must earn CE hours biennially and apply for renewal of his or her chiropractic license and acupuncture certificate. Applicants must disclose certain information regarding their activities and moral character and fitness on their renewal applications.

***Investigation:*** The Board investigates allegations of violations of our laws and rules as well as the unlicensed practice of chiropractic. The Board's minor violations caseload has increased over 50% since FY 09 and we currently have an unprecedented number of cases to adjudicate. Allegations may range from minor infractions such as improper signage and advertising to much more serious and complex allegations such as fraud, sexual misconduct, and impairment. Since many allegations of wrongdoing encompass more than just the Chiropractic Practice Act, the Board has developed relationships with other agencies in order to conduct collaborative investigations. The Board frequently works with the Dept. of Insurance, the Bureau of Worker's Compensation, the U.S. District Attorneys' Offices, managed care organizations and other licensing boards to investigate and combat wrongdoing that globally affects the citizens of Ohio.

***Discipline and Monitoring:*** Licensees found to be in violation of the Board's laws and rules are appropriately disciplined. The Board typically imposes probationary conditions on disciplined licensees in order to correct improper behavior and prevent future instances of wrongdoing. The Board frequently orders additional post graduate education and/or testing as well as many other stipulations and monitoring conditions. For example, doctors found guilty of fraudulent billing activities are typically required to utilize a Compliance Program to monitor their practice; doctors found guilty of impairment issues are intensely monitored and randomly screened for drugs and/or alcohol. Monitoring of doctors on suspension or probation is conducted by the Board's investigatory staff. The Board currently has 1 hearing and 22 cases pending adjudication.

***Quality Intervention Program:*** This program was implemented to address quality of care and communication complaints that do not necessarily rise to the level of discipline. All referrals to date are for poor documentation and recordkeeping issues. This program effectively addresses the Board's concerns and brings licensees into compliance without necessitating the time and

expense of the disciplinary process. Coordination and monitoring of participants is conducted by the Board's investigatory staff.

**Continuing Education:** The Board requires 36 hours of CE biennially for chiropractic license renewal and 12 hours of CE biennially for acupuncture certificate renewal. The Board approves CE sponsors who register more than 100 clinical and/or core curriculum programs per year.

**Preceptorship Program:** The Board reviews and approves preceptorship programs for students in their final clinical phase of chiropractic college. The Board also reviews and approves all applications of each chiropractic physician and student who wish to participate in the program. Monitoring of participants is conducted by the Board's investigatory staff.

The Board performs numerous other activities and services for the public and our licensees, such as providing clarification on our laws and rules, clarifying scope of practice issues, filling public records requests and completing documentation to verify licenses.

To reduce costs, the Board implemented biennial license renewal in this biennium, which will result in an \$8-10,000 savings. The Board members have decreased the number of meetings they hold to six per year in order to reduce payroll and travel related costs. We continue to lease cars through Fleet Management and monitor fuel prices and adjust investigative travel to stay within our budgeted allowance. The Board will maintain these cost savings in the upcoming biennium as well as other cost savings measures that have been taken.

Obviously the Board is aware of the difficult and challenging economic circumstances in the state and fiscal responsibility was foremost the Board's goal in developing its budget request. However, the Board respectfully requests that if the requirement of the additional 2% employee pension pick up is not contained in the final budget that this funding be restored in our request. The Board cannot absorb this 2% reduction in our recommended funding without eliminating essential services that are mission critical, particularly in light of the new \$265 per month fee for internet access which further exacerbates our budgetary limitations.

Thank you for the opportunity to present the Ohio State Chiropractic Board's 2012/2013 biennial budget request. The Board appreciates the support it has historically received from the General Assembly. If you should have any questions or concerns I would be happy to address them with you.

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