

Respiratory Care Board

- At the end of FY 2006, the Board licensed approximately 6,900 respiratory care professionals and approximately 440 home medical equipment facilities
- The Board contributed \$300,186 more to Fund 4K9 than it expended during the FY 2005-2006 renewal cycle

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OVERVIEW

Duties and Responsibilities

The Ohio Respiratory Care Board was established in 1989 by Sub. S.B. 300 of the 118th General Assembly. The Board regulates the practice of respiratory care by licensing properly qualified individuals, acting on complaints filed with the Board, and monitoring continuing education requirements. In 2005, the Board acquired home medical equipment (HME) licensure and registration for certain HME facilities selling or renting HME equipment to the public in Ohio. The Board's fundamental mission is to efficiently provide services to both the public and the Board's licensees while ensuring public safety. The Board annually investigates all alleged complaints and monitors continuing education compliance. The Board also approves respiratory care educational programs and, when necessary, conducts on-site reviews.

Agency in Brief

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Number of Employees*	Total Appropriations-All Funds		GRF Appropriations		Appropriation Bill(s)
	2008	2009	2008	2009	
5	\$491,628	\$481,768	\$0	\$0	Am. Sub. H.B. 119

*Employee count obtained from the Department of Administrative Services (DAS) payroll reports as of June 2007.

Licensure

The Board grants two types of respiratory care licenses: respiratory care professional and limited permit. The Board also grants two types of home medical equipment licenses: HME licensed facilities and HME certificate of registrations. The Board also has a fee for HME facility inspections. Respiratory care professional licenses are renewed biennially, while limited permits are renewed annually. HME associated licenses are renewed biennially. Revenue is generated from new and renewal licensure fees, as well as fines, inspection fees, and miscellaneous sources. Expenditures are for operating expenses associated with the licensure, regulation, and enforcement processes. Revenues and expenditures for the FY 2005-2006 licensing cycle were \$1,073,158 and \$772,972, respectively. The Board contributed \$300,186 more to Fund 4K9 than it expended during the last renewal cycle.

Summary of Am. Sub. H.B. 119 Appropriations

The Board received total funding of \$491,628 in FY 2008 and \$481,768 in FY 2009. FY 2008 recommended levels are 9.1% higher than FY 2007 appropriations. The FY 2009 expenditures are 2.0% lower than FY 2008 appropriations. Expenditures in FY 2009 are expected to decrease due to federal

Medicare rule changes that would force licensed facilities to become registered facilities, thereby foregoing the inspection requirements and reducing inspection costs for the Board.

ANALYSIS OF THE BUDGET

Single Program Series

Operating Expenses

Purpose: License and regulate the practice of respiratory care and home medical equipment licensure

The following table shows the line items that are used to fund the Board, as well as the Board's funding for the FY 2008 - 2009 biennium by fiscal year.

Fund	ALI	Title	FY 2008	FY 2009
General Services Fund				
4K9	872-609	Operating Expenses	\$491,628	\$481,768
General Services Fund Subtotal			\$491,628	\$481,768
Total Funding: Regulation			\$491,628	\$481,768

This analysis focuses on the following specific programs within the Licensure/Enforcement program series:

- **Program 1.01: Licensing/Registration/Certification Issuance and Enforcement**
- **Program 1.02: Home Medical Equipment Regulation**

Program 1.01: Licensing/Registration/Certification Issuance and Enforcement

Program Description: In accordance with Chapter 4761. of the Revised Code, the Ohio Respiratory Care Board regulates the profession of respiratory care by licensing properly qualified applicants, acts on complaints filed with the Board, adjudicating violations of the respiratory care laws and rules, and monitors continuing education compliance. As of the end of FY 2006, the Board licensed approximately 6,900 respiratory professionals.

Funding Source: General Services Fund Group (Fund 4K9). Currently, all revenue from 27 occupational licensing boards is placed in Fund 4K9 and reallocated to each board. Each board is expected to raise enough revenue through its license fees to cover its expenses.

Implication of the Budget: The Board received funding of \$345,476 in FY 2008 and \$352,935 in FY 2009 for this program. This funding maintains current service levels. The funding will: support licensing and renewal of respiratory care professionals, support investigation of complaints received and enforcement of Board adjudication orders, support the monitoring of continuing education compliance of the licensees, and allow the board to develop web-based application processes for all license types.

Program 1.02: Home Medical Equipment Regulation

Program Description: In accordance with Chapter 4752. of the Revised Code, the Board regulates the licensure and registration of home medical equipment facilities that sell, rent, or maintain defined medical equipment to Ohio citizens. Official licensure of home medical equipment facilities began in FY 2006. The types of licenses issued are as follows: (1) Certificate of Registration – this is issued to facilities that offer qualifying home medical equipment, but are nationally accredited, (2) license – this is issued to nonaccredited facilities offering qualifying home medical equipment that meet the standards for licensing adopted by the Board, and (3) provisional license – this is issued to nonaccredited facilities offering qualifying home medical equipment that fail to meet the standards for licensing adopted by the Board. As of the end of FY 2006, the Board licensed 142 HME facilities and certified 294 HME facilities. The Board regulates HME facilities through mandatory inspections. The inspection cycle is defined by the Board in rule. Inspection cycles for licensed HME facilities are established by the Board within a four-year cycle similar to private industry standards for HME accreditation surveys. The Board licenses 168 facilities that will require inspection; facilities with a certification are not inspected by the Board. Facilities with a certification are accredited by either the Joint Commission on Accreditation of Health Organizations, the Accreditation Commission of Health Care, the Community Health Accreditation Program, and the Compliance Team. These organizations survey HME certified facilities.

The Board has a goal of inspecting 50 licensed HME facilities in FY 2007 and 50 licensed HME facilities in FY 2008. In FY 2009, the Board anticipates that inspection requirements may decrease due to federal Medicare rule changes that would force licensed facilities to become registered facilities, thereby foregoing the inspection requirements. As a result, HME facilities would likely seek certification from the Board instead of licensure and would not be inspected by the Board. The Board currently uses contract services to provide the necessary specialization for inspections.

Funding Source: General Services Fund Group (Fund 4K9). Currently, all revenue from 27 occupational licensing boards is placed in Fund 4K9 and reallocated to each board. Each board is expected to raise enough revenue through its license fees to cover its expenses.

Implication of the Budget: The Board received funding of \$146,176 in FY 2008 and \$128,833 in FY 2009 for this program. This funding will: support the issuance and renewal of HME licenses/certificates, complete the inspection of approximately 80 licensed HME facilities, support investigation and enforcement activities pertaining to HME facilities, support the monitoring of continuing education compliance of the licensees, and allow the Board to develop web-based application processes for all license types. Funding in FY 2009 is decreased due to federal Medicare rule changes that would force licensed facilities to become registered facilities, thereby foregoing the inspection requirements and lowering costs to the Board.

FY 2008 - 2009 Final Appropriation Amounts

All Fund Groups

<i>Line Item Detail by Agency</i>	<i>FY 2005:</i>	<i>FY 2006:</i>	<i>FY 2007 Adj. Appropriations:</i>	<i>FY 2008 Appropriations:</i>	<i>% Change 2007 to 2008:</i>	<i>FY 2009 Appropriations:</i>	<i>% Change 2008 to 2009:</i>
Report For: Main Operating Appropriations Bill		Version: Enacted					
RCB Respiratory Care Board							
4K9 872-609 Operating Expenses	\$ 356,106	\$ 409,938	\$ 450,520	\$ 491,628	9.12%	\$ 481,768	-2.01%
General Services Fund Group Total	\$ 356,106	\$ 409,938	\$ 450,520	\$ 491,628	9.12%	\$ 481,768	-2.01%
Respiratory Care Board Total	\$ 356,106	\$ 409,938	\$ 450,520	\$ 491,628	9.12%	\$ 481,768	-2.01%