

# OBD COMMUNIQUE

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## Ohio Board of Dietetics

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### Chairperson: Dietitian Member

Claire Adkins, MA, RD, LD  
Akron

### Vice Chairperson: Public Member

Jonathan S. Hughes  
Columbus

### Dietitian Member

Lorna Fuller, MS, RD, LD  
Cleveland

### Dietitian Member

Cynthia Blocksom, MEd, RD, LD, CHES  
Cincinnati

### Dietitian Educator Member

David H. Holben, PhD, RD, LD  
Athens

### Ohio Dietetic Association Liaison

Pat McKnight, MS, RD, LD  
Columbus

## Board Office Staff

Kay Mavko, MS, RD, LD  
- Executive Secretary

Beth Shaffer, MS, RD, LD  
- Compliance Specialist

Pat Cullen, BS  
- Office Assistant

### Assistant Attorney General

- Kelley Haddox

## Many, Many Thanks to Lori Mooney !

Lori Mooney has served the Ohio Board of Dietetics for over nine years as a Board member. She was first appointed by Governor Voinovich in 1993 to complete a partial term, and re-appointed for a full five-year term. During her tenure, Lori helped guide the activities of the board, and assumed positions of leadership multiple times. She served on the probable review disciplinary subcommittee for over three years, and was Chairman of the board for three years. Lori was also instrumental in providing for a smooth transition during the interim period when the Board Executive Secretary position was vacant.

The historical perspective of experienced board members is important - particularly in areas of policy and disciplinary case experience. We will miss Lori's thoughtful guidance in these areas.

Now Lori is free to devote more time to her dietetic practice at the Bariatric Care Center, and to the men in her life (husband Mike, and three sons).

Many, many thanks go out to Lori Mooney for her contributions.

## Please Welcome Cynthia Blocksom to the Board!

The Board is happy to announce that Governor Taft has appointed Cynthia Blocksom, MEd, RD, LD, CHES as one of the dietitian members, replacing Lori Mooney, whose term expired.

Cynthia grew up in Circleville, Ohio, attended Ohio Wesleyan, and Ohio State University for her dietetics education, then completed an internship at the Cincinnati Center for Developmental Disorders. She also earned Masters degrees in Nutrition Education and Community Health Education from the University of Cincinnati.

Cynthia works as a Senior Public Health Administrator at the Cincinnati Health Department where she has been employed since 1980. Additionally, she teaches nutrition and health education tutorial courses to non-science majors at the Union Institute and University.

The Board seeks diversity amongst its members, and we are pleased to have someone appointed from Cincinnati for the first time. Cynthia comes to us with significant experience with other professional and community related boards.

Cynthia lives in the Mt. Lookout section of Cincinnati with her husband David and two teenage daughters.

**SUMMARY OF ACTIONS TAKEN OR INITIATED BY THE BOARD****FISCAL YEAR 2002 (JULY 1, 2001 - JUNE 30, 2002)****NOTICE OF OPPORTUNITY FOR HEARING****Rebecca Sens - Ravenna**

Based on allegations of unlicensed practice, use of title, and failure to meet requirements of limited permit license pursuant to 4759-4-08 OAC, Notice of Opportunity for Hearing issued 12/6/01 proposing to deny limited permit license.

**FINAL ACTION****Cynthia Wagner Robbins (L#3972) - Circleville**

Based on allegations of failure to meet continuing education requirements, Notice of Opportunity for Hearing was issued on 9/8/00 proposing to deny renewal of license. An amended Notice of Opportunity for Hearing was issued on 11/30/00. Hearing was held on 2/22/01. Licensure denied. Adjudication hand delivered 6/5/01. Closed by the Board 7/13/01.

**CONSENT AGREEMENT****#01OBD98-(#5107) - Probation - Columbus**

Consent Agreement: Probationary conditions imposed on initial license to practice dietetics based on court probationary terms. effective 7/26/01. License issued 7/26/01.

**Rebecca Sens - Ravenna**

Consent Agreement: Limited permit licensure denied for failure to meet requirements. Conditions and limitations imposed for consideration of issuance of initial license based on unlicensed practice and use of title. Agreement effective 1/26/02.

**VOLUNTARY SURRENDER OF LICENSE****Patricia Maroney (#4865) - Glen Dale, WV**

License to practice dietetics in Ohio surrendered on February 26, 2002.

**LICENSE ISSUED WITH LETTER OF CAUTION**

Limited permit applicant - Columbus, OH \*  
 Reinstatement applicant - Columbus, OH \*  
 Limited permit applicant - Ashtabula, OH  
 Reinstatement applicant - Newark, OH  
 Supervised limited permit applicant - Columbus, OH

*\* issued on condition of completing a Board assignment*

**Update on HB 314**

Since the Spring Communique' 2002, there have been no hearings held in the Commerce and Labor Committee regarding HB 314 (which proposes to remove authority from the Ohio Board of Dietetics) and the legislature is in recess until after the November elections. However, there has been a significant change.

Due to political actions, the chairman of the Commerce and Labor Committee has changed. Chairman Williams was removed, and Representative Ron Young (R), from Lake County will now chair the committee. Although OBD has contacted Rep. Young's office, it is unclear if any more hearings on HB 314 will be held during the remainder of the current legislative session.

With new leadership in place on the committee, it is important that dietitians continue to contact their Ohio legislators to convince them to oppose HB 314.

The Board is proposing an amendment to its Administrative Rules to better define "general nutrition education" that may be provided without a license. It is hoped that this clarification will satisfy some of the concerns raised about the board's authority in this area.

Please contact Kay Mavko at the Board office or Pat McKnight with the Ohio Dietetic Association if you need more information about HB 314, or need help contacting your legislator.

## Summary of Rule Changes Proposed by the Ohio Board of Dietetics

11/02

<u>4759-1-01</u>	<u>Public Notice of Rule Adoption</u>	Allows notification of the public regarding rule adoption, rescission, or amendment via the Register of Ohio, and use of Board website.
<u>4759-1-02</u>	<u>Notice of Board Meetings</u>	Changes the process for persons or organizations requesting routine notification of scheduled board meetings.
<u>4759-2-01</u>	<u>Definitions</u>	Changes definitions of terms: nutritional counseling, nutritional education, nutritional care, medical nutrition therapy.  Adds new definition of general non-medical nutrition information .
<u>4759-3-01</u>	<u>Duties of Board members</u>	Clarifies information regarding compensation of Board members.
<u>4759-4-01</u>	<u>Applications</u>	technical change.
<u>4759-4-02</u>	<u>Pre-professional experience</u>	Technical change.
<u>4759-4-03</u>	<u>Examination</u>	Rescinds language that the Board may designate coursework for applicants who have failed the exam.
<u>4759-4-04</u>	<u>Continuing Education</u>	Explains process beginning 7/1/03 for licensed non-registered dietitians to comply with continuing education/professional development requirements.  Adds a requirement for all licensees to provide evidence of completion of at least one hour of Board approved education in jurisprudence on odd-numbered calendar years beginning in 2005.
<u>4759-4-06</u>	<u>Inactive Status</u>	Expands the rule to describe inactive status, expired status, and lapsed status.
<u>4759-4-08</u>	<u>Limited Permit</u>	Technical changes.

## OBD Proposes Fee Increase

All licensure boards in Ohio are expected to be self-supporting from licensing fees, and fines (as authorized). OBD's current fees were set in 1994, and the Board and staff have been able to operate on those revenues for ten years by maintaining tight fiscal controls. At the same time we have continued to fulfill the Board's mission of protecting the public, and increased service to licensees and the public by working efficiently and effectively. During this same time period, costs to run the agency have increased dramatically. And now, because state government in Ohio is in a severe financial situation, the board must absorb more increases in expenses passed along by other businesses and government entities that support our agency.

In FY 2003 the board's anticipated revenues will be outstripped by projected expenses for the first time. In order to make ends meet, we will be operating out of small reserves that we have built up in the state's fund for Boards and Commissions. A fee increase has become a necessity.

The Board is sensitive to the financial demands placed upon its licensees, and has delayed the proposed fee increase for as long as possible – until the beginning of fiscal year 2005. OBD is proposing the following fee structure:

<b>Annual Renewal of License</b>	<b>\$110</b>	
<b>Initial License, Reactivation</b>	<b>\$140</b>	
<b>Reinstatement of lapsed, revoked, or suspended license</b>	<b>\$200</b>	
<b>Limited Permit</b>		<b>\$ 70</b>

**The fee request must be approved by the Office of Budget and Management, and by the Ohio Legislature. If approved, the proposed fees will become effective for fiscal 2005 license renewal.**

**OBD will keep licensees updated as the budget process proceeds, and encourages anyone with concerns or comments to contact Kay Mavko at the Board office.**

## Board proposes changes to Administrative Rules

In order for OBD to accomplish regulation of the practice of dietetics, the Ohio General Assembly authorized the Board to develop and enact rules. Rules are not laws, but can have similar effect once enacted. They are written to better explain a process or regulatory requirement within the law. Rules regarding the practice of dietetics are found in Chapter 4759 of the Ohio Administrative Code, and are subject to cyclic review at least every five years.

An agency's cyclic review is for the purpose of determining whether a rule should be continued, amended, or rescinded. In making its review, the agency is generally required to consider the need for the rule, complaints or comments received concerning the rule, and relevant factors that have changed in the subject matter area affected by the rule.

OBD has begun the process of its cyclic rule review. We are aiming for a February 9, 2003 enactment date. The Board has drafted some new rules, is recommending amendments to some existing rules, and is recommending rescission of parts of some rules.

The Board welcomes public participation in the rules process. Licensees and the public are welcome to provide comment, recommend new rules – or changes to existing rules, and provide verbal or written testimony at public rule hearings.

The Board publishes a brochure about the Rule-making Process on our web-site for your information.

A brief summary of the proposed rule changes is included on the insert page of this newsletter. We suggest that you review the summary closely, and if you would like to receive a copy of the proposed rule changes contact the Board office.

The public hearing at which all persons may provide written or verbal testimony regarding the proposed rule changes is scheduled for January 3, 2003. You may contact the Board office for details on time and place.

