

**OH IO BOARD OF DIETETICS
MINUTES OF THE BOARD MEETING
November 13, 2009
Board Room 31st Floor, Vern Riffe Center
Columbus, Ohio 10:00 A.M.**

AGENDA ITEM #1 – CALL TO ORDER

BOARD MEMBERS PRESENT: Vandadean Rogers, Kay Soltesz, Mary Frances (Francie) Astrom, Marsha Dumm, Leah Reibel (arrived at 10:10 am)

OTHERS PRESENT: Pat McKnight, Ohio Dietetic Association liaison; Kristen Starr, Assistant Attorney General; Donald Davis, Compliance Specialist; Kay Mavko, OBD Executive Secretary; Mount Carmel College of Nursing Dietetic Interns including - Patty Duffey, Becky Harris, Lisa Kaiser, Jenny Lobb, Vishakha Magon, Erin Ress, Kelly Ventresco, Megan Ware

Chairman Rogers called the meeting to order at 10:03 a.m., noting that a quorum was in attendance. Ms. Rogers welcomed the interns. Each Board member introduced themselves and described their role on the Board, and each intern introduced themselves also.

AGENDA ITEM #2– APPROVAL OF MINUTES OF THE OCTOBER 2, 2009 MEETING

The minutes of the October 2, 2009 regular Board meeting were presented to the Board by the Executive Secretary and they were reviewed and approved as submitted. The following motion resulted:

RESOLUTION #1

Kay Soltesz moved and Francie Astrom seconded a motion to approve the minutes of the October 2, 2009 regular Board meeting as submitted by the Executive Secretary.

The motion was approved with vote as follows:

| | | | |
|-------------------------|------------|----------------------------|------------|
| Vandadean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

The minutes are filed in the official record at the Board office.

AGENDA ITEM #3 – APPROVAL OF LICENSES

Ms. Mavko presented the names of 11 individuals to the Board who were issued a Limited Permit license between October 2, 2009 and November 12, 2009. Two are supervised permits. Each of the limited permits issued expires on April 30, 2010.

RESOLUTION #2

Mary Frances Astrom moved and Marsha Dumm seconded a motion to place upon the minutes of the November 13, 2009 meeting the names of 11 individuals who were issued a Limited Permit during Fiscal Year 2010 with the expiration date of April 30, 2010 since the October 2, 2009 meeting of the Board. The names appear on the list presented to the Board by the Executive Secretary. (See attached list labeled Resolution #2)

The motion was approved with vote as follows:

| | | | |
|-----------------------|------------|----------------------------|------------|
| Vandean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

Ms. Mavko presented the names of 57 individuals who were issued a license for Fiscal Year 2010 since the October 2, 2009 Board meeting. The list included 52 initial licenses (1 with an advisory letter, and one with a consent agreement approved at the October meeting), 1 reinstatement, 2 reactivations, 2 duplicate license ID cards. The following motion was made:

RESOLUTION # 3

Marsha Dumm moved and Leah Reibel seconded a motion to place upon the minutes of the November 13, 2009 meeting, the names of 57 dietitians who met qualifications, pursuant to Section 4759.06 ORC, and who were issued a license by the Executive Secretary during Fiscal Year 2010 since the October 2, 2009 meeting of the Board, and whose names appear on the list presented to the Board by the Executive Secretary. (See attached list labeled Resolution #3)

The motion was approved with vote as follows:

| | | | |
|-----------------------|------------|----------------------------|------------|
| Vandean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

**AGENDA ITEM # 4 – DISCUSSION OF SUPERVISION REPORTING ON
FY 2011 RENEWAL APPLICATIONS**

Following enactment of the revised Standards of Practice and Supervision rules the Board expressed desire for dietitians who are renewing their licenses and reporting the persons who are being supervised under exemptions 4759.10 (B) & (E) to also report the status of the exempt person's compliance with the continuing education requirements.

OBD staff drafted a sample revision to include the continuing education reporting in the Supervision of Persons Claiming Exemption section of the renewal application for consideration by the Board.

The draft was reviewed and some changes suggested. The Application Committee will include the suggested changes in their review of all application types when they meet.

Additional discussion ensued about the Board's intent to review and or audit the continuing education of exempt practitioners. After some discussion it was the consensus of the Board that the information should be audited beginning with the FY 2011 renewal, with the intent of collecting compliance information for the Board's review, and to aid in providing information to licensees who supervise exempt practitioners.

The rules committee will be assigned to develop a plan for the audit process.

AGENDA ITEM # 5 -- QUESTION ON INTERPRETATION OF 4759.10 (C) ORC

An administrator at a military facility in Ohio contacted the Board to question if a civilian dietitian hired by the military is eligible for the exemption from licensure as described in Section 4759.10 (C) ORC, and if so could they provide services to enlisted persons, their family dependents, and other enlisted and civilian employees of the military facility.

After extensive discussion, the Board interpreted that "A person who practices dietetics related to their employment in the armed forces, veteran's administration, or the public health service of the United States" does exempt enlisted as well as employed civilians as long as they are doing something within their employment. That same unlicensed dietitian could not practice as a volunteer (for example at a church or school or in a local hospital) outside of their employment. The Board directed Ms. Mavko to check with both the Medical and Nursing Boards to see if they have similar exemptions and how the Federal Public Health and VA program regulations might apply. Ms. Mavko will follow-up with the administrator who posed the questions.

AGENDA ITEM #6 – FINANCIAL REPORT

The financial report was presented for the months of September and October 2009 including Allotments, Expenditures and Revenues to date. She reported that the Boards available balance in payroll allotment for first quarter was \$1,574.50 which will not be available for expenditure. Expenditures for the month of September were \$17,591 and \$24,812 for October.

September revenue totaled \$4,215.00 and \$5,805.00 for October. Ms. Mavko also provided the Board with a copy of the corrected August revenue report demonstrating that the Treasurer of State's office corrected it to include deposit #391 for \$543.50 which did not initially appear in the August monthly report total. Total Revenue to date is \$66,635.00.

Ms. Mavko reported that there has been no significant progress made related to the issue raised by Auditor of State, Mary Taylor causing OBD and 66 other agencies, boards, and commissions to be changed to annual auditing at the agencies' expense each year because the Auditor's funding for biennial auditing of the agencies was struck from HB1 - Budget bill for FY 2010-2011.

Since biennial audits have been appropriate until HB 1 was adopted, the affected agencies question why that standard would not still be appropriate. The unfunded mandate for the agencies to now pay for the audits themselves is an unexpected, unbudgeted expense that doubles if the audits are done annually. In this time of budgetary reductions, our agencies are cash strapped and unable to absorb such a significant obligation.

Mike Greene from the Collision Repair Board did challenge the auditor's attempt to audit his agency annually, and the estimated 200 hours for the audit within a letter to the Auditor's office. He has not had a formal response, but his audit was postponed.

Ms. Williams from the Governor's office did tell the Regulatory Board Directors that she would try to find a solution to this issue on behalf of the affected boards and commissions.

RESOLUTION # 4

Mary Frances Astrom moved and Kay Soltesz seconded a motion to approve expenditures as presented for September and October 2009 and to accept the Financial Report as submitted to the Board by the Executive Secretary.

The motion was approved with vote as follows:

| | | | |
|-----------------------|------------|----------------------------|------------|
| Vandean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

A copy of the Financial Report is attached to the minutes of the meeting.

AGENDA ITEM # 7-- DISCUSSION OF PERTINENT LEGISLATIVE ISSUES

Reorganization of state government - 3 bills have been introduced.

SB 52(Grendell) and HB 25(Adams) are companion bills that reflect the "Petro" approach to revising the executive branch from 20 cabinet agencies into 10 by consolidating departmental functions into departments comprised of functional divisions. Makes the Dept. of Education a cabinet department.

Moves the regulatory boards including OBD into Department of Health in the Division of Medical Professional and State Healthcare System Regulation.

HB 343 (Schneider) requires DAS to contract with an independent firm to study operational efficiencies with the goal of reducing government spending and eliminate political maneuvering. It also requires the consulting firm to review the ration of supervisors to subordinates in state government. It is funded with cost savings resulting from implementation of the recommendations.

SB 158 (R. Miller) - Cultural Competency - legislation was introduced and would require specific education in cultural competency for specific health professionals including physicians, dentists, nurses, pharmacists, optometrists, psychologists, and social workers. Dietitians were not named in the bill and some members of ODA have expressed concern that perhaps this exclusion separates dietitians from other health care professionals. Staff will discuss the bill with other boards legislative staff to assess the background and potential momentum of the legislation.

HB127 - Substantially related to bill - Permits (Requires) individual boards, commissions, and agencies to adopt rules to determine what criminal offenses are "substantially related" to an applicable profession, the committing of which offenses causes certain licenses, permits, registrations, and certificates to be denied, revoked, suspended, or not renewed.

This bill actually eliminates the board's discretion to determine whether or not any felony conviction adversely impacts the licensee and the public. By requiring the Board to list, and then only be able to discipline for felonies that are "closely related" to the professions regulated limits our autonomy and discretion.

Boards should have the discretion to decide if a conviction threatens the public without being bound to a menu of offenses and should be free to examine the facts and use its good judgment to decide if discipline should be imposed.

The act of defining the list, promulgating rules and then keeping up with it would be very expensive and time consuming initially and would be an on-going responsibility to maintain an accurate list.

School Nutrition bills

HB 60 (Pillich) - Requires food items sold to students through a vending machine in a school district, community school, and STEM school to meet certain nutritional standards.

Prohibits a public school district, community school, and STEM school from selling through a vending machine carbonated beverages or any beverage containing more than 150 calories per serving, and places additional restrictions on beverage sales to include only certain beverages.

Prohibits a school district, public school, community school, and STEM school from entering into a contract with any producer or distributor of a food or beverage in violation of the bill's provisions.

Exempts contracts with any food or beverage producer or distributor from the bill's provisions if the contract was entered into prior to the bill's effective date.

Requires school districts, community schools, and STEM schools to adopt standards governing beverage sales on school premises.

Sub bill was introduced 10/8/09. changing the definition of snack food by increasing percent calories from fat from 30% to 35% and including new language that defines the type of beverages that can be sold at different grade levels.

Testimony supporting provided by - Midwest Dairy Foods Assoc., OH Soft Drink Assoc, Dr. Teske from Nationwide Children's Hospital. Support letters - OH. Dental Assoc., OH Medical Assoc., Opposing - OH Restaurant Assoc.

Coughlin, Carney bill - School Nutrition bill - is scheduled for introduction on November 17, 2009 in the House Health Committee. The bill establishes standards for certain foods and beverages sold in public and chartered non-public schools. It requires public schools students to have periodic body mass index measurements; and requires daily physical activity for public school students. It makes other changes regarding physical education and establishes the Healthy Choices for Health Children Council.

The Ohio Dietetic Association is preparing an amendment, and the sponsors are aware of their plan to do so.

Dental Board bill - HB 215 (Letson, Mecklenborg) - Modifies the process by which the State Dental Board investigates and disciplines dentists, dental hygienists, and dental x-ray machine operators.

Requires the Board to appoint four supervisory investigative panels, each consisting of two Board members, and prohibits the panel members from participating in any additional deliberations the Board has on a case.

Requires the Board to instead develop its own roster of at least ten referees or examiners to oversee disciplinary hearings and makes the referee's or examiner's name a public record.

Requires the Board to adopt rules identifying criminal offenses that are substantially related to the practice of dentistry, dental hygiene, or any other profession the Board regulates for the purpose of the Board's responsibility to discipline dental professionals.

Makes applicants for a license or certificate issued by the State Dental Board subject to the grounds for discipline extended to licensees or certificate holders under current law.

Creates notification processes for the Board when a dentist or dental hygienist fails to renew a license or submit proper documentation regarding required continuing education, and eliminates provisions that require licenses to be automatically suspended for failure to renew.

Bill has been reported out of the committee with only one real change. Rather than requiring the panels for investigations, it now just requires a secretary and vice secretary for investigations. Has not been scheduled for a floor vote yet.

Diabetes Cost Reduction Act - HB 81(Boyd, Gardner) - (Pat McKnight closely follows this bill) Requires that multiple employer welfare arrangements, health insuring corporations, sickness and accident insurers, and public employee benefit plans, under certain circumstances, provide coverage for diabetes equipment, supplies, medication, diabetes medical nutrition therapy, and self-management education in the health care coverage, policies, or plans they offer.

Has been reported out of committee 6/09 waiting for floor vote.

Complementary and Alternative - no bill currently in the legislature. Rep. Yuko has expressed interest in introducing legislation and has a draft that he shared with OBD and other interested parties. Also attorneys at Kegler, Brown, Hill & Ritter are involved.

HB 43(Evans) - Eliminate duplicative fees for inspections of facility layout and equipment of relocated food service operations. Assigned to Local Government committee. No hearings yet.

AGEND ITEM # 8 -- REVIEW OF DRAFT GUIDELINE ON ORDER WRITING

Board members were presented with the latest (11/09) draft of a guideline on Order Writing that incorporates changes proposed at the October 2009 meeting. A couple of small technical corrections were proposed and the Board made a motion to approve the document as corrected, and to designate it as Guideline J. The following motion resulted:

RESOLUTION # 5

Kay Soltesz moved and Mary Frances Astrom seconded a motion to approve the 10/09 draft of Dietitian Guide to Diet and Nutrition Orders as corrected and to designate it as Guideline J.

The motion was approved with vote as follows:

| | | | |
|-------------------------|------------|----------------------------|------------|
| Vandadean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

The guideline will be posted on the Board website as soon as possible.

AGENDA ITEM # 9 -- REVIEW OF NEW ADA CODE OF ETHICS

The American Dietetic Association recently released their revised Code of Ethics for the Profession of Dietetics and Process for consideration of Ethics Issues. Copies were provided for the Board members to review.

OBD staff reviewed the document and compared it to our Standards of Practice and Standards of Professional Performance rules. 5 responsibilities within the Code of Ethics either are not addressed specifically in our rules, or are minimally covered. The next time rule revisions are put forth the Board consensus is to consider incorporating the items.

The process for consideration of Ethics Issues was discussed, and the definitions for ADA's disciplinary actions reviewed.

A copy of the document is attached to the minutes of the meeting.

AGENDA ITEM # 10 --BOARD REPORTS

CHAIRMAN – Ms. Rogers had no report.

ODA LIAISON – Pat McKnight

1. The Ohio Dietetic Association's Legislative Day for dietitians is planned for March 17, 2010 and for students is scheduled for April 21st. ADA's Public Policy Workshop is March 22, 2010 and the ODA annual meeting will be held on the evening of April 8 and all day April 9, 2010.
2. The American Diabetes Association is sponsoring Diabetes Day on October 13, 2009 at the Ohio Statehouse featuring Governor Mike Huckabee.

DIRECTORS REPORT – Kay Mavko

1. Ms. Mavko reminded those Board members who were not able to attend the Fiduciary Training (V. Rogers, K. Soltesz, F. Astrom, L. Reibel) that they will need to re-schedule when another program is available. Ms. Dumm and Mavko commented that the content was a bit repetitious.
2. Ms. Mavko informed the Board that she will make arrangements for those members who need Riffe building photo ID's to have them made during the February 26, 2010 Board meeting.

3. The Fall Communique' newsletter was provided to the Board for it's review and will be mailed to licensees during the last week of November. It reports the budget related changes, board member changes, website updates, and FY 2009 enforcement activities. A copy is attached to the minutes of the meeting.
4. The Board members were provided with a copy of the Pandemic Flu Plan that was prepared and submitted by the Executive Secretary. The Prioritization of Critical Services section is key to the decision making that would occur in the event that the flu would significantly reduce staff available to perform key functions.

To date, 2 staff members and/or their families have had the flu requiring the use of some ill time...but adequate staffing has been maintained and with no interruption in services.

5. Ms. Mavko reported that the licensure workgroup that she is chairing, has had multiple presentations regarding the general licensure terminology, licensure environment, understanding scope of practice issues, review of existing licensure statutes, reciprocity, education, internship and professional practice issues, connecting with state licensure boards and associations, and current strategies for maintaining licensure for public protection. The group will soon begin drafting a written report document that will make strategic recommendations to the association, its affiliates and membership.
6. Ms. Mavko has researched how OBD might e-mail blast upcoming newsletters to licensees and is assured that it can be done by downloading an e-license report into a list serve through the Office of Information Technology. She suggested the collection of e-mail addresses during the FY 2011 renewal process. The Board members discussed the idea, and directed that the e-mail addresses be collected as soon as possible. The application committee will incorporate the collection of e-mail addresses into application forms.
7. Staff have drafted a letter to licensees who have reported supervising exempt dietetic technicians and nutrition associates. The letter outlines the responsibilities of the supervising dietitian to assure that dietetic technicians and nutrition associates are competent to perform the nutrition tasks assigned to them, and to assure that each dietetic technician or nutrition associate is engaged in on-going continuing education equivalent to 50 hours in 5 years. The letter was reviewed by the Board members, and suggestions made.

When the letters are mailed, the supervising dietitians will also be asked to verify each person supervised, as it appears that some records currently in the e-license system may be incorrect.

8. Ms. Mavko reported that she attended the Council on Licensure Enforcement and Regulation meeting in September, and provided them with a brief summary of

some of the presentations that she attended. A copy of the information is attached to the minutes of the meeting.

AGENDA ITEM #11 --ELECTION OF OFFICERS FOR CALENDAR 2010

Chairman Rogers indicated that the informal procedure for the election of officers for calendar 2010 is for the Board Chairman to request nominations from the floor for the leadership positions of Board Chairman and Vice Chairman. Ms. Rogers called for nominations.

The following motions resulted:

RESOLUTION # 6

Mary Frances Astrom moved and Leah Reibel seconded a motion to nominate Kay Soltesz for Chairman of the Ohio Board of Dietetics for calendar year 2010 effective January 1, 2010. Ms. Soltesz indicated that she would accept the nomination.

The motion was approved with vote as follows:

| | | | |
|-----------------------|------------|----------------------------|------------|
| Vandean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

RESOLUTION # 7

Marsha Dumm moved and Leah Reibel seconded a motion to elect Mary Frances Astrom as Vice-Chairman of the Ohio Board of Dietetics for calendar year 2010, effective January 2, 1010. Ms. Astrom accepted the nomination.

The motion was approved with vote as follows:

| | | | |
|-----------------------|------------|----------------------------|------------|
| Vandean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

Chairman Rogers thanked the Board members for agreeing to serve in the leadership positions during calendar year 2010. She indicated that it is traditional for the incoming Chairman to make committee appointments at this time, and asked Ms. Mavko to describe the current committees and their make-up.

Appointment of Board Committees for Calendar Year 2010

Ms. Mavko described the current make-up of Board committees. The 2009 committees included the following:

Probable Review Panel: Board Vice-chairman, AAG, Compliance Specialist,
Director

Application Review: Dietitian member, Compliance Specialist, AAG, Director
Continuing Education / Professional Development: Educator member, Director,

Dietitian member
Rules Committee: Public member, Dietitian member, ODA liaison, Compliance Specialist, Director

The consensus of the Board was to continue the same committees and member make-up for 2010. The Board members were polled for their individual interest in service on particular committees.

The following Board member committee assignments were made:

| | |
|--------------|--|
| Ms. Rogers | Rules Committee |
| Ms. Soltesz | Rules Committee |
| Mr. Astrom | Probable Review and Education Committees |
| Ms. Dumm | Education |
| Ms. Reibel | Application and Rules Committee |
| Ms. McKnight | Rules Committee |

Ms. Mavko agreed to coordinate committee meetings and agendas as required for the work of the committees.

AGENDA ITEM # 12 -- ENFORCEMENT REPORT – DON DAVIS

Mr. Davis presented the Enforcement Report with statistics for the period of October 2, 2009 through November 12, 2009. The enforcement statistics indicate that the period started with 66 open cases, 48 were closed at the October 2, 2009 Board meeting, 4 cases were opened resulting in a pending caseload of 22 cases.

A summary of completed and pending cases was provided.

A copy of the Enforcement Report is attached to the minutes of this meeting.

STATUS OF BOARD ACTIONS

Mr. Davis reported that the Notice of Opportunity for Hearing for alleged violations of 4759.06 (A)(8) ORC and Rule 4759-4-04 (D) OAC (incomplete renewal application) that was approved at the October 2, 2009 meeting was issued to Julie Ann Kubiak as directed, and the respondent did not request a hearing. A "Goldman" hearing will be scheduled for the February 26, 2010 meeting of the Board.

AGENDA ITEM #13 - EXECUTIVE SESSION – ENFORCEMENT

The Board moved into Executive Session at 1:50 p.m. with the following motion:

RESOLUTION # 8

Marsha Dumm moved and Mary Frances Astrom seconded a motion for the Board to move into Executive Session pursuant to Revised Code Section

121.22, for the purpose of considering the investigation of charges or complaints against licensees or regulated individuals under the Board's jurisdiction.

The motion was approved with roll call vote as follows:

| | | | |
|-------------------------|------------|----------------------------|------------|
| Vandadean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

The Board came out of executive session at 2:10 p.m.

AGENDA ITEM # 14– FINDINGS, ORDERS, AND ACTIONS

Following Executive Session the following findings, orders and actions were made::

RESOLUTION # 9

Kay Soltesz moved and Mary Frances Astrom seconded a motion to close the following cases for the reasons cited:

| | |
|----------------|---|
| 09OBD70 | Beyond scope of practice, unfounded |
| 10OBD04 | Unlicensed practice, terms of consent agreement met |
| 10OBD57 | Unlicensed practice, came into compliance |
| 10OBD58 | Unlicensed practice, came into compliance |
| 10OBD61 | Unlicensed practice, unfounded (LP expired without reason) |
| 10OBD62 | Unlicensed practice, unfounded (LP expired without reason) |
| 10OBD17 | Expired without reason, No longer practicing dietetics in OH |
| 10OBD30 | Expired without reason, No longer practicing dietetics in OH |
| 10OBD34 | Expired without reason, Working at VA hospital |
| 10OBD37 | Expired without reason, Unable to locate |
| 10OBD50 | Expired without reason, Unable to locate |
| 10OBD52 | Expired without reason, Relocated to TX |

The motion was approved with vote as follows:

| | | | |
|-------------------------|------------|----------------------------|------------|
| Vandadean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

AGENDA ITEM # 15 & 16 – SUBCOMMITTEE MEETINGS AND REPORTS

The Education subcommittee met to review Continuing Education / Professional Development Learning Plans and Learning Logs. The Rules committee met to review staff proposed changes to Guideline G, and the Application Committee met to review the FY 2011 renewal application, and all other application types.

Each committee provided a brief report.

EDUCATION COMMITTEE – The Education committee reported that they had no learning logs or learning plans submitted for review since the October meeting. The committee reviewed the Program "Doing What Is Right; Ethical Applications in Dietetics" presented by Marianne Smith Edge, MS, RD, FADA and approved it for 2.0 Jurisprudence CPE. It will be added to the list of OBD approved programs on the website.

RULES COMMITTEE – The Rules Committee reviewed proposed changes to Guideline G that incorporated pertinent parts of the 2008 Commission on Accreditation for Dietetic Education Foundation Knowledge and Competencies for Dietetic Technician Education. A copy of the draft was then presented to the full Board and the following motion resulted:

RESOLUTION # 10

Marsha Dumm moved and Kay Soltesz seconded a motion to approve Guideline G - Dietetic Technician as amended by the Rules Committee, and to post it on the Board's website as soon as possible.

The motion was approved with vote as follows:

| | | | |
|-------------------------|------------|----------------------------|------------|
| Vandadean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

APPLICATION COMMITTEE - The Application committee reported that it reviewed all application types including the FY 2011 renewal application, and proposed changes that included the collection of e-mail addresses, consistently placing yes/no responses, revising the supervision of persons claiming exemption section to include the reporting of continuing education for exempt practitioners, and minor technical changes to language, spacing of questions on the application types. Discussion regarding legal question #6 ensued, and Ms. Mavko was asked to research other Board's approaches, and to discuss the question with counsel to see if requiring the reporting of "charges" continues to be appropriate. The consensus was that the Board still wanted the information to consider when reviewing the application.

The committee's recommendations for changes to each application type was reviewed with the full board, and the following motion resulted:

RESOLUTION #11

Kay Soltesz moved and Mary Frances Astrom seconded a motion to approve the proposed changes to the FY 2011 renewal application, and to the limited permit, initial, reinstatement, and reactivation applications.

The motion was approved with vote as follows:

| | | | |
|-------------------------|------------|----------------------------|------------|
| Vandadean Rogers | yes | Mary Frances Astrom | yes |
| Kay Soltesz | yes | Marsha Dumm | yes |
| | | Leah Reibel | yes |

NEW BUSINESS - Kay Mavko submitted her resignation from the position of Executive Secretary. She expressed her sincere appreciation for the opportunity to work with the Board members and staff over the past 13 1/2 years, and for the State of Ohio. She expressed that she has enjoyed the work, the people, the camaraderie, and the challenges, but that it is time to explore other personal interests and opportunities. She agreed to assist in the transition, be available for questions and consultation, and be available to help in training when a new dietitian is hired to fill the vacancy.

The Board members accepted the resignation, and Chairman Rogers and incoming Chairman Soltesz agreed to coordinate the hiring processes with the assistance of Ms. Mavko.

AGENDA ITEM # 17 – UPCOMING MEETINGS

Due to budget reductions the Board plans to meet 5 times in 2010 rather than 6. Dates proposed for calendar year 2010 include the following:

| | |
|-------------|-------------|
| February 26 | October 8 |
| May 21 | December 10 |
| July 30 | |

AGENDA ITEM #18 - ADJOURNMENT

A motion was made to adjourn the meeting. There was consensus by the Board to adjourn the November 13, 2009 meeting of the Ohio Board of Dietetics at 3:20 p.m.

Respectfully submitted,

_____ **Date** _____
Kay Mavko, Executive Secretary
Ohio Board of Dietetics

_____ **Date** _____
Vandadean Rogers, Chairman,
Ohio Board of Dietetics

_____ **Date** _____
Witness