

**OHIO BOARD OF DIETETICS
MINUTES OF THE BOARD MEETING
May 10, 2013
East B, 31st Floor, Vern Riffe Center
Columbus, Ohio 10:00 A.M.**

AGENDA ITEM #1 – CALL TO ORDER

BOARD MEMBERS PRESENT: Leah Reibel, Susan Finn, John Ridgway and Marsha Dumm

OTHERS PRESENT: Pat McKnight, Ohio Academy of Nutrition and Dietetics liaison; Donald Davis, Compliance Specialist; Karen Dion, OBD Executive Secretary; Charissa Payer, Senior Assistant Attorney General; and scheduled speaker Allan Showalter, Office of the Attorney General, accompanied by Stacey Hysell, Office of the Attorney General.

ABSENT: Christopher Taylor

Chairman Reibel called the meeting to order at 10:00 a.m., noting that a quorum was in attendance. Ms. Reibel welcomed the group.

AGENDA ITEM #2 – APPROVAL OF MINUTES OF THE MARCH 8, 2013 MEETING

The minutes of the March 8, 2013 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

Susan Finn moved and John Ridgway seconded a motion to approve the minutes of the March 8, 2013 regular Board meeting as submitted by the Executive Secretary.

The motion was approved with vote as follows:

| | | | |
|--------------------|------------|---------------------|------------|
| Leah Reibel | yes | John Ridgway | yes |
| Susan Finn | yes | Marsha Dumm | yes |

AGENDA ITEM #2 (a) - APPROVAL OF MINUTES OF THE MARCH 8, 2013 PUBLIC HEARING MINUTES

The minutes of the March 8, 2013 public hearing were presented to the Board by the Executive Secretary and they were reviewed and approved as submitted. The following motion resulted:

RESOLUTION #2

Susan Finn moved and John Ridgway seconded a motion to approve the minutes of the March 8, 2013 public hearing as submitted by the Executive Secretary.

The motion was approved with vote as follows:

| | | | |
|-------------|-----|--------------|-----|
| Leah Reibel | yes | John Ridgway | yes |
| Susan Finn | yes | Marsha Dumm | yes |

AGENDA ITEM #3– APPROVAL OF LICENSES

Ms. Dion presented the names of 9 individuals to the Board who were issued a Limited Permit license between March 8, 2013 and May 10, 2013 during Fiscal Year 2013. The Limited Permits expire on October 31, 2013. The following motion was made:

RESOLUTION #3

John Ridgway moved and Marsha Dumm seconded a motion to place upon the minutes of the May 10, 2013 meeting the names of 9 individuals who were issued a Limited Permit during Fiscal Year 2013 since the March 8, 2013 meeting of the Board. The 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:

| | | | |
|-------------|-----|--------------|-----|
| Leah Reibel | yes | John Ridgway | yes |
| Susan Finn | yes | Marsha Dumm | yes |

Ms. Dion presented the names of 39 individuals who were issued a license for the period between March 8, 2013 and May 3, 2013 for Fiscal Year 2013. The list included 29 pro-rated initial licenses (issued after April 1), 6 initial licenses and 4 reinstatements. The following motion was made:

RESOLUTION #4

John Ridgway moved and Marsha Dumm seconded a motion to place upon the minutes of the May 10, 2013 meeting the names of 39 individuals who were issued a license for Fiscal Year 2013 between March 8, 2013 and May 3, 2013. There were 6 initial licenses, 29 pro-rated initial licenses and 4 reinstatements. The names appear on the list presented to the Board by the Executive Secretary. (See attached list labeled Resolution #4)

The motion was approved with vote as follows:

Leah Reibel
Susan Finn

yes
yes

John Ridgway
Marsha Dumm

yes
yes

AGENDA ITEM # 4 – ENFORCEMENT REPORT- DON DAVIS

Mr. Davis presented the Enforcement Report with statistics for the period of March 9, 2013 through May 10, 2013. The enforcement statistics indicate that the period started with 2 open cases, 1 case was closed at the March 8, 2013 Board meeting. One case was opened resulting in a pending caseload of 2 cases.

A summary of completed and pending cases was provided.

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

AGENDA ITEM #5 – OPEN MEETING ACT PRESENTATION

Ms. Payer introduced Allan Showalter, from the Attorney General's office. Mr. Showalter provided an "Open Meetings Act" presentation and answered the board's questions. Mr. Showalter agreed to share the power point presentation via email with the group. Ms. Dion will forward the presentation to the board.

AGENDA ITEM # 6 – FINANCIAL REPORT

The financial report was presented by Ms. Dion for the months of February, March and April 2013 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$164,537.71 after encumbrances.

Routine expenditures occurred during the period including \$27,370.30 in February, \$34,442.32 in March and \$25,587.16 in April 2013. Revenues of \$680.00 for February, \$1,552.50 for March and \$2,690.00 for April 2013 were reported in OAKS. Total revenue for FY 2013 is \$102,317.96.

A copy of the financial report is attached to the minutes of the meeting. The following motion was made:

RESOLUTION # 5

Susan Finn moved and John Ridgway seconded a motion to approve expenditures as presented for February, March and April 2013 and to accept the Financial Report as submitted to the Board by the Executive Secretary.

The motion was approved with vote as follows:

| | | | |
|--------------------|------------|---------------------|------------|
| Leah Reibel | yes | John Ridgway | yes |
| Susan Finn | yes | Marsha Dumm | yes |

AGENDA ITEM # 7 – EXECUTIVE SESSION – ENFORCEMENT

The Board moved into Executive Session at 11:10 a.m. with the following motion:

RESOLUTION #6

Marsha Dumm moved and John Ridgway seconded a motion for the Board to move into Executive Session pursuant to Revised Code Section 121.22(G) purposes of deliberation on matters pertaining to enforcement.

The motion was approved with roll call vote as follows:

| | | | |
|--------------------|------------|---------------------|------------|
| Leah Reibel | yes | John Ridgway | yes |
| Susan Finn | yes | Marsha Dumm | yes |

The Board came out of Executive Session at 11:25 a.m.

AGENDA ITEM #8 – FINDINGS, ORDERS, AND ACTIONS

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

RESOLUTION #7

Marsha Dumm moved and John Ridgway seconded a motion to close the following cases for the reasons cited:

| | |
|----------------|-----------------------------|
| 13OBD75 | Unfounded |
| 13OBD77 | Came into compliance |

The motion was approved with vote as follows:

| | | | |
|--------------------|----------------|---------------------|------------|
| Leah Reibel | yes | John Ridgway | yes |
| Susan Finn | recused | Marsha Dumm | yes |

STATUS OF BOARD ACTIONS

There were no board actions to report.

AGENDA ITEM # 9– BOARD REPORTS

Chair Reibel had no updates at this time.

ODA LIAISON – Pat McKnight

Ms. McKnight provided information to the Board regarding the Annual Legislation and Public Policy Day for dietitians held on April 17, 2013. Ms. McKnight is exploring the possibility of having a breakfast for future events, rather than lunch, to decrease the cost. There is a concern that attendance would be negatively affected. The feedback from the participants was very positive and there were 60 Ohio Academy members in attendance as well as a record high of 81 legislators and aides.

Ms. McKnight discussed the upcoming board member vacancy on June 30, 2013. Marsha Dumm's term ends on June 30. The names of three interested applicants have been submitted to the Governor's office. An appointment is expected to be made in July or August.

Ms. McKnight announced that Kay Mavko, previous OBD executive director, was awarded the President's Award from the Ohio Academy and was invited by the President of the Academy of Nutrition and Dietetics (AND) to be on the new AND subcommittee on licensure.

Ms. McKnight announced that Natalie Ridgway was awarded Recognized Young Dietitian of the Year.

Ms. McKnight discussed the Academy's monthly telephone call on licensure, in which Cynthia Blocksom participated. The discussion was about reporting and documenting harm.

DIRECTORS REPORT – Karen Dion

Ms. Dion informed the board that the copier in the board office has been malfunctioning for some time. It has been serviced several times recently. The board was recently notified that Konica Minolta will no longer service the make/model copier as of July 31. The next option is to become a customer of the Cost-Per-Copy program through the Department of Administrative Services. As options were pursued, the most cost-efficient option was to lease a machine from Konica Minolta because the lease could accommodate our low volume of copies per month, without having to pay a flat rate for copies we would not make. Konica-Minolta's leasing package met our needs better than the Cost-Per-Copy program.

Ms. Dion informed the board that the representative from American Express requested to meet on April 25. There is an additional cost to process American Express cards compared to MasterCard and VISA. The board continued with the decision to not accept American Express cards for the online renewal application. It is our hope that next year the updated license system will have ACH capabilities, which is even less costly than the MasterCard/VISA transactions.

Ms. Dion informed the Board that Irondata, Inc. was selected through the bid process for the new e-license system. The Board will participate in a 4 day "Business Process Discovery Session" (board specific) from May 14 to May 17 with Irondata representatives.

Ms. Dion reminded the group that Financial Disclosure Statements (FDS) must be filed with the Ohio Ethics Commission no later than May 15. Members are asked to provide either an original, a copy or email verification that the FDS was completed.

Ms. Dion explained to the board that there are about 40 licensed dietitians (non-RDs) that must submit their learning activities log by June 30, 2013 to comply with the continuing education requirement. These are reviewed by the Education Committee. After brief discussion, it was decided that Ms. Dion could approve logs fulfilling the requirements, so licensees could be placed in "ACTIVE" status prior to our next board meeting, July 19, 2013.

Ms. Dion sought input from the board as to end of year purchases that are needed. The board agreed that purchasing a web-camera (about \$70) would allow presentations to be done, in certain circumstances, via Skype to save money on travel.

Ms. Dion reported that the FY14-15 budget testimony was presented to the Senate Finance Subcommittee on March 26.

Ms. Dion briefed the board on an upcoming initiative by the Ohio Department of Health on Minimum Data Set Requirements Collection. Boards and Commissions may be required to collect specific information in the licensing application process. There will be more information on this matter to clarify what agencies may be required to do.

Ms. Dion provided an update on the "2.0 E-license project". It is estimated that the FY15 projected e-license costs will be FY13 e-license expenditures multiplied by 3.4. For OBD this will equal an approximate figure of \$5440.00. FY13 expenses were approximately \$1600.00.

AGENDA ITEM #10 – DISCUSSION OF PERTINENT LEGISLATIVE ISSUES

Ms. Dion discussed the confidentiality statute that was made as a suggestion for the Board to consider. Charissa Payer, AAG, answered questions and discussed the pros and cons of moving forward to add this language to the statute. This will protect sensitive information that is requested of the board. The board will revisit this in the future but will table the discussion at this time.

AGENDA ITEM #11 – FY 14 RENEWAL STATUS

Ms. Dion provided an update to the board on the FY14 renewal status. On April 19, 2013, Ms. Dion sent an email to all licensees alerting them that their individual user ID and password for online renewal was sent via postal mail on April 17, 2013. Licensees were directed to contact

the board office if they did not receive the mailing by May 1, 2013. Requests for paper renewal applications were accepted in writing by the board office. A second reminder was emailed on June 7. The deadline for renewal is June 30.

AGENDA ITEM #12 & #13 – SUBCOMMITTEE MEETINGS AND REPORTS

The Education subcommittee had five Continuing Education / Professional Development Learning Plans and Activity Logs to review. The Rules committee did not have any items to discuss. The applications committee did not have any items to discuss.

Each committee provided a brief report.

EDUCATION COMMITTEE – The Education committee reported that they reviewed and approved five activity logs.

RULES COMMITTEE – The Rules committee did not have any items to discuss.

APPLICATIONS COMMITTEE- The applications committee concluded that there were no major changes to the applications except the year.

NEW BUSINESS – There was no new business to report at this time.

AGENDA ITEM #14 – PRESENTATIONS SINCE MARCH 8, 2013

There were ten presentations since the March 8, 2013 meeting of the Board.

| | | |
|----------------|----------------------------------|-----------------------|
| March 12, 2013 | Dayton Dietetic Association | 60 dietitians |
| March 16, 2013 | Super Saturday | 50 dietitians |
| March 20, 2013 | Columbus State Community College | 30 diet tech students |
| April 1, 2013 | Case Western Reserve University | 20 interns |
| April 1, 2013 | University Hospitals | 15 dietitians |
| April 16, 2013 | Nationwide Children’s Hospital | 10 dietitians |
| April 17, 2013 | Legislative Policy Day | 100 dietitians |
| April 18, 2013 | Toledo Dialysis group | 15 dietitians |
| April 30, 2013 | Kidney and Transplant Symposium | 50 dietitians |

