

**OHIO BOARD OF DIETETICS
MINUTES OF THE BOARD MEETING
September 21, 2012
Board Room 31st Floor, Vern Riffe Center
Columbus, Ohio 10:00 A.M.**

~~DRAFT~~
approved
11/16/12

AGENDA ITEM #1 – CALL TO ORDER

BOARD MEMBERS PRESENT: Marsha Dumm, Leah Reibel, Christopher Taylor, and John Ridgway

OTHERS PRESENT: Pat McKnight, Ohio Dietetic Association liaison; Donald Davis, Compliance Specialist; Karen Dion, OBD Executive Secretary; Melissa Wilburn, Associate Assistant Attorney General (AAG).

BOARD MEMBER ABSENT: Susan Finn

Chairman Dumm called the meeting to order at 10:05 a.m., noting that a quorum was in attendance. Ms. Dumm welcomed the group.

AGENDA ITEM #2 – APPROVAL OF MINUTES OF THE JULY 20, 2012 MEETING

The minutes of the July 20, 2012 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

Christopher Taylor moved and John Ridgway seconded a motion to approve the minutes of the July 20, 2012 regular Board meeting as submitted by the Executive Secretary.

The motion was approved with vote as follows:

Marsha Dumm	yes	Christopher Taylor	yes
Leah Reibel	not present	John Ridgway	yes

AGENDA ITEM #3– APPROVAL OF LICENSES

Ms. Dion presented the names of 25 individuals to the Board who were issued a Limited Permit license between July 20, 2012 and September 7, 2012 during Fiscal Year 2013. The Limited Permits expire on October 31, 2012. The following motion was made:

RESOLUTION #2

John Ridgway moved and Christopher Taylor seconded a motion to place upon the minutes of the September 21, 2012 meeting the names of 25 individuals who were issued a Limited Permit during Fiscal Year 2013 since the July 20, 2012 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:

Marsha Dumm	yes	Christopher Taylor	yes
Leah Reibel	not present	John Ridgway	yes

Ms. Dion presented the names of 80 individuals who were issued a license for the period between July 20, 2012 and September 14, 2012 for Fiscal Year 2013. The list included 65 initial licenses, 6 reactivations and 9 reinstatements. The following motion was made:

RESOLUTION #3

John Ridgway moved and Christopher Taylor seconded a motion to place upon the minutes of the September 21, 2012 meeting the names of 80 individuals who were issued a license for Fiscal Year 2013 between July 20, 2012 and September 14, 2012. There were 65 initial licenses, 6 reactivations and 9 reinstatements. 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:

Marsha Dumm	yes	Christopher Taylor	yes
Leah Reibel	not present	John Ridgway	yes

AGENDA ITEM # 4 – ENFORCEMENT REPORT- DON DAVIS

Mr. Davis presented the Enforcement Report with statistics for the period of July 21, 2012 through September 21, 2012. The enforcement statistics indicate that the period started with 7 open cases, 6 were closed at the July 20, 2012 Board meeting. Sixty-three cases were opened resulting in a pending caseload of 64 cases.

A summary of completed and pending cases was provided.

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

Mr. Davis also provided a copy of the Annual Enforcement Report which is attached to the minutes of this meeting.

AGENDA ITEM # 5 – EXECUTIVE SESSION – ENFORCEMENT

The Board moved into Executive Session at 10:20 a.m. with the following motion:

RESOLUTION #4

Christopher Taylor moved and John Ridgway 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:

Marsha Dumm	yes	Christopher Taylor	yes
Leah Reibel	yes	John Ridgway	yes

The Board came out of Executive Session at 11:05 a.m.

AGENDA ITEM # 6 – FINDINGS, ORDERS, AND ACTIONS

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

RESOLUTION #5

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

12OBD82	Warning letter for inappropriate conduct
13OBD02	Unfounded
13OBD64	Unfounded

The motion was approved with vote as follows:

Marsha Dumm	yes	Christopher Taylor	yes
Leah Reibel	recused	John Ridgway	yes

STATUS OF BOARD ACTIONS

There were no board actions to report.

AGENDA ITEM # 7 – FINANCIAL REPORT

The financial report was presented by Ms. Dion for the months of July and August 2012 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$253,468.76 after encumbrances.

Routine expenditures occurred during the period including \$43,016.32 in July and \$25,018.49 in August 2012.

Revenues of \$68,382.50 for July and \$9,627.50 for August 2012 were reported in OAKS. Total revenue for FY 2013 is \$78,010.00.

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

RESOLUTION # 6

Christopher Taylor moved and John Ridgway seconded a motion to approve expenditures as presented for July and August 2012 and to accept the Financial Report as submitted to the Board by the Executive Secretary.

The motion was approved with vote as follows:

Marsha Dumm	yes	Christopher Taylor	yes
Leah Reibel	yes	John Ridgway	yes

AGENDA ITEM # 8 – FY 2014-2015 BUDGET

Ms. Dion discussed the budget for the upcoming biennium. The amount the agency was given in the Budget Guidance was \$330,592. Ms. Dion stated that due to the increasing cost of health insurance, intrastate agency expenses and other mandates, this is a very slim budget. Historically the Board’s revenue has always exceeded its expenses, and this trend is expected to continue. If additional funds need to be released, Ms. Dion will plan to present the issue(s) before the Controlling Board.

AGENDA ITEM # 9– SCOPE OF PRACTICE DISCUSSION

The Board discussed the Visioning Report by the Academy of Nutrition and Dietetics. The concept of Advanced Practice is being discussed and developed by the Academy. The Dietetic Practice Act cannot include “Advanced Practice” concepts until the Academy has completed the process. The Board also discussed ensuring that our rules are consistent with the Academy, the Federal Register, and CMS rulings. A new rule is being developed to be included in the Five Year Rule Review. It will reiterate that the Board is consistent with the aforementioned organizations and that health care facilities may designate dietitian’s duties as consistent with those organizations statements or laws.

AGENDA ITEM #10 – FIVE YEAR RULE REVIEW

Ms. Dion reviewed the timeline for the five year rule review. There are 66 rules which are due for review. Ms. Dion solicited input from the Board prior to the meeting. Suggestions were reviewed with the group and changes will be included.

AGENDA ITEM #11 – BOARD REPORTS

Chairman Dumm reported that John Ridgway has been appointed to the Board with a term ending 6/30/17.

ODA LIAISON – Pat McKnight

Ms. McKnight discussed the Policy Day for students and interns to be held on October 23, 2012. Registration is already full at 100 registrants. A one hour licensure presentation is included to avoid universities having to set time aside for Ms. Dion to present to them, and also to decrease travel expenses for the Board.

Ms. McKnight informed the Board that the Ohio Dietetics Association is following the Academy of Nutrition and Dietetics in changing their name. The new name will be the Ohio Academy of Nutrition and Dietetics. They have also developed a new brochure to educate the public about Registered Dietitians.

Ms. McKnight attended a webinar sponsored by the Academy of Nutrition and Dietetics about the importance of the licensure liaison. She shared the Academy's expectations of the liaison's duties.

Ms. McKnight discussed the annual conference sponsored by the Council for Licensure Enforcement and Regulation (CLEAR). The Academy is an advocate for licensure. They sent one dietitian from each state to attend the conference, and had a separate pre-conference meeting only for the dietitians, to learn more about licensure. Ms. McKnight reported that the Academy sent Cynthia Blocksom from Ohio. Ms. McKnight shared Ms. Blocksom's report of the meeting with the Board. The Academy charged each dietitian with an assignment to share the licensure powerpoint presentation with their districts.

Ms. McKnight also discussed the Visioning Report produced by the Academy. The Visioning Report includes 9 recommendations from the Council on Future Practice, which are attached to the meeting minutes.

DIRECTORS REPORT – Karen Dion

Ms. Dion provided an update from a previous inquiry by a member of the Ohio Lactation Consultants Association about licensure for their group. Upon following up with OLCA, it was determined that they have not met with a legislator to consider taking on this bill; OLCA will

hold an annual meeting in November (though members meet informally 3-4 times per year); OLCA would like the Board's role to include administering licenses as they do for dietitians; OLCA plans to gather information from the United States Breastfeeding Committee and other states who have moved forward with licensure. Ms. Dion will follow up with the contact from OLCA prior to the November 16 meeting of the Board

Ms. Dion reported that in fulfillment of the Board's request, the Ohio Board of Dietetics 25 year licensure poster has been printed, laminated and sent to Philadelphia to be presented during a poster session for the annual Academy's Food and Nutrition Conference and Expo (FNCE). The conference will be held October 6-9, 2012.

Ms. Dion referenced two documents which she emailed to the Board prior to the Sept 20, 2012 meeting of the Board. They were the Workforce Planning document and the Cyber Security Plan. Everyone confirmed receipt of the documents and there were no questions for Ms. Dion.

Ms. Dion shared the comments from licensees regarding the on-line renewal process. The majority of the comments were very positive. In discussing the few requests for Discover or American Express, the Board was in agreement that both MasterCard and Visa would continue to be the accepted cards for on-line renewal. Expansion to other cards would be more costly for the Board. The Board briefly discussed that a new process needs to be developed for issuing user ID's and passwords to licensees for the on-line renewal application. Last year approximately \$1500.00 was spent to mail letters to the licensees, which many claimed to never have received or had lost the letter. Ms. Dion will explore the options of emailing this information to licensees.

Ms. Dion provided an update from the Boards and Commissions Management Group. The Governor's Office representative provided information that the problem of human trafficking needs to have attention dedicated to it because it is a growing problem in Ohio. A one hour training is being developed by the Department of Health. Each Board will be expected to provide this as an option to their licensees for one hour continuing education credit.

Ms. Dion sought the Board's input as to choosing the upcoming year's jurisprudence topic. After brief discussion, it was determined that the topic of "Unlicensed Practice" was appropriate. The presentation will address unlicensed practice from various perspectives such as a licensee, a recent graduate, a supervising licensee and an unlicensed person.

Ms. Dion reviewed the results of the Financial Audit for fiscal years 2011 and 2012. There were two comments in the management letter. One comment addressed documenting payroll reconciliation and the second comment addressed untimely deposits. Ms. Dion shared with the Board a proposed policy to document payroll reconciliation and they provided input for the policy. Ms. Dion developed a procedure for deposits, but not a formal policy. To address the instances in which deposits were untimely, Ms. Dion has communicated with office staff that deposits will be completed every Monday, Wednesday and Friday and taken to the Treasurer of State's office no later than 1:00 p.m. to ensure that the deposit is posted and deposited on that day. Deposits processed by the Treasurer's office after 2:00 p.m. are posted the following business day.

There were no presentations on licensure since the July 20, 2012 meeting of the Board.

AGENDA ITEM #12 – DISCUSSION OF PERTINENT LEGISLATIVE ISSUES

HB 259 (Alternative Practitioners) – On August 24, 2012 the first meeting of the coalition was held. Ms. McKnight discussed the coalition to coordinate efforts among affected professionals. Members began meeting with Senators on September 18, 2012. Meetings are scheduled through November 15. This bill will be monitored for any activity.

Ms. Dion discussed House Bill 251 (Acupuncturists Practicing with Herbs). There has been no further movement since HB 251 was assigned to the Senate Health, Human Services and Aging Committee.

Ms. Dion brought to the Board’s attention that the Ohio Chiropractic Board had added the word “clinical” before the term “nutrition” in rules pertaining to continuing education. The Board decided that Ms. Dion would discuss the proposed wording with the Director of the Chiropractic Board.

AGENDA ITEM #13 and #14– SUBCOMMITTEE MEETINGS AND REPORTS

The Education subcommittee met to review Continuing Education / Professional Development Learning Plans and Learning Logs, and one presentation for Continuing Education. The Rules committee did not have any items to discuss.

Each committee provided a brief report.

EDUCATION COMMITTEE – The Education committee reported that they reviewed three Learning Logs and one Learning Plan, which were approved by the committee. The committee approved the presentation for 1 hour of jurisprudence continuing education as well.

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

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

AGENDA ITEM # 15 – UPCOMING MEETINGS

Upcoming Regular Board meeting dates proposed for the upcoming calendar year include the following:

- November 16, 2012
- January 18, 2013
- March 8, 2013
- May 10, 2013
- July 19, 2013
- September 20, 2013
- November 8, 2013

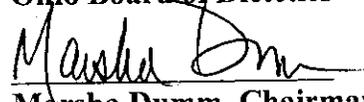
AGENDA ITEM #16 – ADJOURNMENT

A motion was made to adjourn the meeting. There was consensus by the Board to adjourn the September 21, 2012 meeting of the Ohio Board of Dietetics at 3:35 p.m.

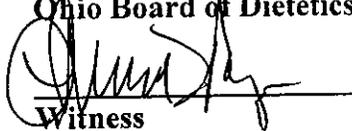
Respectfully submitted,

 Date 11/16/12.

Karen Dion, Executive Secretary
Ohio Board of Dietetics

 Date 11/16/12

Marsha Dumm, Chairman
Ohio Board of Dietetics

 Date 11/16/12
Witness