

**OHIO BOARD OF DIETETICS  
MINUTES OF THE BOARD MEETING  
September 24, 2013  
31<sup>st</sup> Floor, Board Room, Vern Riffe Center  
Columbus, Ohio 10:00 A.M.**

**AGENDA ITEM #1 – CALL TO ORDER**

**BOARD MEMBERS PRESENT:** Leah Reibel, Susan Finn, Christopher Taylor, John Ridgway and Judith Nagy

**OTHERS PRESENT:** Pat McKnight, Ohio Academy of Nutrition and Dietetics liaison (Consumer Protection Coordinator); Donald Davis, Compliance Specialist; Karen Dion, OBD Executive Secretary; Charissa Payer, Senior Assistant Attorney General; Kay Mavko, Ohio Academy of Nutrition and Dietetics State Regulatory Specialist.

Chairman Reibel called the meeting to order at 10:15 a.m., noting that a quorum was in attendance. Ms. Reibel welcomed the group and Judith Nagy, who was appointed on July 22, 2013.

**AGENDA ITEM #2 – CREDENTIALING AND ADVANCED DEGREES DISCUSSION**

At the previous meeting of the board, Ms. McKnight requested that a discussion was needed at the September meeting, regarding certain advanced degrees and what the board's role or response would be if they wanted to be included in licensure. Ms. Finn attended the Academy of Nutrition and Dietetics board retreat and there was a presentation on this matter regarding the Certified Nutrition Specialist (CNS) credential and their education requirements. She provided a brief update for the group and emphasized the importance of being proactive with this potential issue.

The board agreed in reaching out to this group and inviting a representative to our next board meeting to learn more about the CNS credential. Also, the group discussed finding out how many CNS credentialed individuals are in Ohio. Ms. Dion was charged with the task of contacting the CNS board, extending the invitation and obtaining an approximate number of CNS who are residing or are employed in Ohio.

Another aspect of importance that the group discussed is obtaining consumer input. Ms. Dion will seek to establish a "standing public records request" for any complaints related to diet, nutrition, health/wellness, fitness, vitamin/mineral supplements and miscellaneous health areas.

The board broke briefly for lunch.

**AGENDA ITEM #3 –APPROVAL OF MINUTES OF THE JULY 19, 2013 MEETING**

The minutes of the July 19, 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**

**John Ridgway moved and Susan Finn seconded a motion to approve the minutes of the July 19, 2013 regular Board meeting as submitted by the Executive Secretary.**

**The motion was approved with vote as follows:**

<b>Leah Reibel</b>	<b>yes</b>	<b>John Ridgway</b>	<b>yes</b>
<b>Susan Finn</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Judith Nagy</b>	<b>yes</b>		

**AGENDA ITEM #4– APPROVAL OF LICENSES**

Ms. Dion presented the names of 11 individuals to the Board who were issued a Limited Permit license between July 19, 2013 and September 13, 2013 during Fiscal Year 2014. The Limited Permits expire on October 31, 2013. The following motion was made:

**RESOLUTION #2**

**Christopher Taylor moved and John Ridgway seconded a motion to place upon the minutes of the September 24, 2013 meeting the names of 11 individuals who were issued a Limited Permit during Fiscal Year 2014 since the July 19, 2013 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:**

<b>Leah Reibel</b>	<b>yes</b>	<b>John Ridgway</b>	<b>yes</b>
<b>Susan Finn</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Judith Nagy</b>	<b>yes</b>		

Ms. Dion presented the names of 85 individuals who were issued a license for the period between July 19, 2013 and September 13, 2013 for Fiscal Year 2014. The list included 75 initial licenses, 3 reactivations and 7 reinstatements. The following motion was made:

**RESOLUTION #3**

**Christopher Taylor moved and John Ridgway seconded a motion to place upon the minutes of the September 24, 2013 meeting the names of 85 individuals who were issued a**

license for Fiscal Year 2014 between July 19, 2013 and September 13, 2013. There were 75 initial licenses, 3 reactivations and 7 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:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes
Judith Nagy	yes		

#### **AGENDA ITEM #5 – ANNUAL ENFORCEMENT REPORT – DON DAVIS**

Mr. Davis presented the Annual Enforcement Report for Fiscal Year 2013. There was one cease and desist letter sent and 83 cases investigated. There were two investigations on unlicensed individuals.

A copy of the Annual Enforcement Report was provided and is attached to the minutes of this meeting.

#### **AGENDA ITEM # 6 – ENFORCEMENT REPORT- DON DAVIS**

Mr. Davis presented the Enforcement Report with statistics for the period of July 20, 2013 to September 24, 2013. The enforcement statistics indicate that the period started with three open cases and one case was closed at the July 19, 2013 Board meeting. Sixty-five cases were opened resulting in a pending caseload of sixty-seven 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 # 7 – FINANCIAL REPORT**

The financial report was presented by Ms. Dion for the months of July and August 2013 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$275,349.56 after encumbrances.

Routine expenditures occurred during the period including \$31,541.32 in July and \$34,486.66 in August 2013. Revenues of \$79,940.00 for July and \$7667.50 for August 2013 were reported in OAKS. Total revenue for FY 2014 is \$87,607.50.

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

**RESOLUTION # 4**

**Christopher Taylor moved and John Ridgway seconded a motion to approve expenditures as presented for July and August 2013 and to accept the Financial Report as submitted to the Board by the Executive Secretary.**

**The motion was approved with vote as follows:**

<b>Leah Reibel</b>	<b>yes</b>	<b>John Ridgway</b>	<b>yes</b>
<b>Susan Finn</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Judith Nagy</b>	<b>yes</b>		

**AGENDA ITEM # 8 – EXECUTIVE SESSION – ENFORCEMENT**

The Board moved into Executive Session at 1:10 p.m. with the following motion:

**RESOLUTION #5**

**Christopher Taylor moved and Susan Finn 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:**

<b>Leah Reibel</b>	<b>yes</b>	<b>John Ridgway</b>	<b>yes</b>
<b>Susan Finn</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Judith Nagy</b>	<b>yes</b>		

The Board came out of Executive Session at 1:20 p.m.

**AGENDA ITEM #9 – FINDINGS, ORDERS, AND ACTIONS**

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

**RESOLUTION #6**

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

<b>14OBD66</b>	<b>Unfounded</b>
<b>14OBD04-64</b>	<b>Expired without reason</b>

**The motion was approved with vote as follows:**

<b>Leah Reibel</b>	<b>yes</b>	<b>John Ridgway</b>	<b>yes</b>
<b>Susan Finn</b>	<b>recused</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Judith Nagy</b>	<b>yes</b>		

## **STATUS OF BOARD ACTIONS**

There were no board actions to report.

## **AGENDA ITEM # 10– BOARD REPORTS**

Chairman Reibel had no updates at this time.

### **OAND LIAISON – Pat McKnight**

Ms. McKnight informed the board that OAND is preparing for their annual conference which will be held in Sandusky, Ohio in May 2014.

Ms. McKnight informed the board the Academy of Nutrition and Dietetics is changing the title of OAND Liaison to “Consumer Protection Coordinator”. The job description remains consistent with minor changes. A copy of the job description is attached to the minutes of the meeting.

Ms. McKnight reminded the board that the 6th Annual Legislation and Public Policy Day for dietetic interns and students is scheduled for October 8, 2013. The board’s presentation on dietetic licensure in Ohio will be included in the agenda. Universities and Dietetic Internship programs in Ohio have been notified and encouraged to send students to the event, rather than requesting that the board travel to conduct a licensure presentation an additional time throughout the year. Ms. McKnight also stated that Natalie Stephens, OAND State Policy Chair will attend the licensure summit in Houston and will assist with the policy day on October 8, 2013.

Ms. McKnight briefed the group on the Patient Centered Medical Home topic. She emphasized the importance of trying to get more dietitians involved in this area.

### **DIRECTORS REPORT – Karen Dion**

Ms. Dion informed the board that the quarterly expenditure reports for the Office of the Legislative Inspector General due September 30 were filed on September 4, 2013. There were no expenditures for the quarter.

Ms. Dion notified the board that an individual who has held a dietetics license in the past has requested to appear before the board on November 8, 2013 to inform the board as to how she meets the requirements for reinstatement or why the board should waive the requirements for her situation. Since this is not a hearing, there will be no questions asked of the individual or of the board at that time.

The Board is in the process of conducting a random audit for eleven out of sixty dietitians that are licensed but not registered, to monitor their continuing education compliance. A full report will be given at the November 8, 2013 meeting when the audit is complete.

The Board is also conducting a random audit to monitor compliance for jurisprudence continuing education. Three hundred and seventy eight out of 3777 licensees were audited. A full report will be given at the November 8, 2013 meeting when the audit is complete.

Ms. Dion provided an update on the status of Elicense 2.0. A forty hour training session will be held to learn the components to be able to test the system. After reviewing details of the contract with IronData, it was determined that an additional forty hours will be needed in order to accommodate a representative from each Board and Commission. The additional week of training will be an additional cost to Boards and Commissions, collectively.

The Boards and Commissions management group made a unanimous decision to be trained to be able to create our own form letters in the Elicense 2.0 system, rather than seeking DAS/OIT for this service each time we need a letter updated. A training program is being developed for this material for Boards and Commissions.

Ms. Dion sought the board's input, regarding an invitation by Dietary Solutions, Inc. to be the featured speaker for an ethics webinar. After the board declined the invitation which was first extended in July, a representative from Dietary Solutions proposed that if the webinar was free of charge, would they consider this invitation? The board again, concluded that the invitation should be declined. It could be seen as a conflict of interest and it could give the appearance that the board is receiving payment from Dietary Solutions to present the webinar.

Ms. Dion extended the invitation for contributions, to the board regarding the State of Ohio Combined Charitable Campaign. A staff person of the board previously contributed monies to meet the state assigned goal for FY 2014. Board members were welcomed to contribute but not required.

Ms. Dion informed the board that a response was sent to Senator David Burke from his inquiry on September 19, 2013. The complaint to Representative Adams was initiated by a constituent who is associated with The Alliance on Natural Health.

Ms. Dion discussed the three documents emailed to the board members prior to the present meeting: Annual Report, Veterans Policy and 2013 Workforce Plan. There were no questions for Ms. Dion regarding the reports.

#### **AGENDA ITEM #11 – DISCUSSION OF PERTINENT LEGISLATIVE ISSUES**

Ms. McKnight discussed current legislative issues. HB 264 sponsored by Representative Wachtmann is the "safe at school" bill for children with diabetes. It would allow schools to competently train unlicensed personnel to assist children in the management of their condition. Since every school does not have a school nurse, this bill supports allowing children to self-manage when they are able, to miss less time out of the classroom, to be able to attend field trips, to not be transferred to a different school because of their diabetes.

Ms. McKnight also discussed HB 260 for health education standards. Ohio is one of two states in the country that does not have health education standards. This bill will continue to be monitored.

#### **AGENDA ITEM #12 – BOARD MEETING SCHEDULE FOR 2014**

Ms. Dion lead the discussion regarding the upcoming calendar year and meeting schedule. After brief discussion, the board determined that the schedule for 2014 would be as follows:

February 21, 2014  
April 25, 2014  
August 1, 2014  
November 14, 2014

The board agreed to decrease the number of meetings from 6 to 4 per year to assist with cost-saving measures.

#### **AGENDA ITEM #13 & #14 – SUBCOMMITTEE MEETINGS AND REPORTS**

Several learning activity logs and learning plans were received by the board after the May 10 board meeting.

The Education subcommittee reviewed two corrected Activity Logs submitted after the July 19, 2013 meeting and 15 Continuing Education / Professional Development Learning Plans. 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 two Activity Logs. Fifteen Professional Development Learning Plans were reviewed and approved.

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

**APPLICATIONS COMMITTEE**- The applications committee did not have any items to discuss.

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

#### **AGENDA ITEM #15 – STATUS OF UPCOMING PRESENTATIONS AND FEEDBACK FROM INSTRUCTORS**

Ms. Dion sought the boards input for licensure presentations and minimizing travel costs. Ms. Dion reached out to Ohio universities and dietetic internship programs to determine which programs have an interest in the licensure presentation for their students. Options to receive this presentation were given, to minimize costs to the board. The responses indicated that most prefer a Skype presentation. The board agreed that traveling around the state is not cost effective and future presentations should be completed via Skype or voice over PowerPoint.

In addition, Natalie Stephens, State Policy Chair of the Ohio Academy of Nutrition and Dietetics, also has a licensure presentation which discusses the importance of reporting possible unlicensed practice situations to enable the board to investigate and determine how to proceed and ultimately protect the public. The board agreed that Natalie may continue to fill requests for this presentation and participants will receive one hour continuing education credit for jurisprudence.

The following presentations have been scheduled:

Miami University	40 senior dietetic students	November 12, 2013 (SKYPE)
University of Dayton	undergraduate dietetic students	November 21, 2013 (SKYPE)

**AGENDA ITEM #16 – NEXT BOARD MEETING**

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

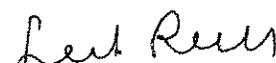
November 8, 2013

**AGENDA ITEM #17 – ADJOURNMENT**

**A motion was made to adjourn the meeting. There was consensus by the Board to adjourn the September 24, 2013 meeting of the Ohio Board of Dietetics at 2:40 p.m.**

Respectfully submitted,

  
Date 11/8/13  
**Karen Dion, Executive Secretary**  
**Ohio Board of Dietetics**

  
Date 11/8/13  
**Leah Reibel, Chairperson**  
**Ohio Board of Dietetics**

  
Date 11/8/13  
**Witness**