

**OHIO BOARD OF DIETETICS
MINUTES OF THE BOARD MEETING
December 10, 2010
Board Room 31st Floor, Vern Riffe Center
Columbus, Ohio 10:00 A.M.**

AGENDA ITEM #1 – CALL TO ORDER

BOARD MEMBERS PRESENT: Kay Soltesz, Mary Frances (Francie) Astrom, Marsha Dumm, Leah Reibel

BOARD MEMBERS ABSENT: Dorothy Clarke

OTHERS PRESENT: Pat McKnight, Ohio Dietetic Association liaison; Donald Davis, Compliance Specialist; Karen Dion, OBD Executive Secretary; and Yvonne Tertel, Principal Assistant Attorney General (AAG).

Chairman Soltesz called the meeting to order at 10:15 a.m., noting that a quorum was in attendance. Ms. Soltesz welcomed the group and noted that the Bluffton University dietetic students would not be in attendance due to inclement weather conditions.

AGENDA ITEM #2 – APPROVAL OF MINUTES OF THE OCTOBER 8, 2010 MEETING

The minutes of the October 8, 2010 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

Mary Frances Astrom moved and Marsha Dumm seconded a motion to approve the minutes of the October 8, 2010 regular Board meeting as submitted by the Executive Secretary.

The motion was approved with vote as follows:

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

AGENDA ITEM #3 - APPROVAL OF MINUTES OF THE OCTOBER 8, 2010 ADMINISTRATIVE RULES HEARING

The minutes of the October 8, 2010 administrative rules hearing were presented to the Board by the Executive Secretary and they were reviewed and approved as submitted. The following motion resulted:

RESOLUTION #2

Marsha Dumm moved and Mary Frances Astrom seconded a motion to approve the minutes of the October 8, 2010 administrative rules hearing as submitted by the Executive Secretary.

The motion was approved with vote as follows:

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

AGENDA ITEM #4 – APPROVAL OF THE OCTOBER 7, 2010 PLANNING MEETING MINUTES

The minutes of the October 7, 2010 planning meeting were presented to the Board by the Executive Secretary and they were reviewed and approved as submitted. The following motion resulted:

RESOLUTION #3

Marsha Dumm moved and Mary Frances Astrom seconded a motion to approve the minutes of the October 7, 2010 planning meeting as submitted by the Executive Secretary.

The motion was approved with vote as follows:

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

AGENDA ITEM #5 – APPROVAL OF LICENSES

Ms. Dion presented the names of 12 individuals to the Board who were issued a Limited Permit license between October 8, 2010 and December 9, 2010 during Fiscal Year 2011. All 12 of the limited permits issued expire on April 30, 2011. The following motion was made:

RESOLUTION #4

Marsha Dumm moved and Mary Frances Astrom seconded a motion to place upon the minutes of the December 10, 2010 meeting the names of 12 individuals who were issued a Limited Permit during Fiscal Year 2011 with the expiration date of April 30, 2011 since the October 8, 2010 meeting of the Board. 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:

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

Ms. Dion presented the names of 62 individuals who were issued a license for the period of October 8, 2010 through December 9, 2010 for Fiscal Year 2011. The list included 55 initial licenses, 3 reinstatements, and 4 duplicate license ID cards. The following motion was made:

RESOLUTION # 5

Mary Frances Astrom moved and Marsha Dumm seconded a motion to place upon the minutes of the December 10, 2010 meeting the names of 55 individuals who were issued an Initial License during Fiscal Year 2011 with the expiration date of June 30, 2011, 3 reinstatements and 4 duplicate license ID cards, since the October 8, 2010 meeting of the Board. The names appear on the list presented to the Board by the Executive Secretary. (See attached list labeled Resolution #5)

The motion was approved with vote as follows:

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

AGENDA ITEM # 6 – CONTINUING EDUCATION OPPORTUNITY

The Board was presented with a continuing education opportunity entitled “Infant Nutrition Research: Formula Ingredients Effect Developmental Outcomes.” The Board discussed if any members planned to participate in the event. After brief discussion, it was determined that no members were planning to attend.

AGENDA ITEM # 7-- ENFORCEMENT REPORT – DON DAVIS

Mr. Davis presented the Enforcement Report with statistics for the period of October 9, 2010 through December 10, 2010. The enforcement statistics indicate that the period started with 60 open cases, 58 were closed at the October 8, 2010 Board meeting, 9 cases were opened resulting in a pending caseload of 11 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 #8 – JURISPRUDENCE

The Board was presented with a new Ohio Board of Dietetics Self-Instructional Module for review. After brief discussion, it was determined that the jurisprudence module for 2011 was approved with minor changes. The title is “What Licensed Dietitians Should Know About Exempt Practitioners.” This module will be submitted to the Commission on Dietetic Registration for review and possible approval as well.

In addition, the Board reviewed a module created by the American Dietetic Association, “Nutrition (Diet) Order Writing and Hospital Privileges.” The Board decided that it would be appropriate and beneficial for our licensees. Since it is an American Dietetic Association (ADA) module, interested individuals will need to access the module through ADA’s website and adhering to ADA’s requirements.

The Board broke briefly for lunch.

AGENDA ITEM #9 – EXECUTIVE SESSION - ENFORCEMENT

The Board moved into Executive Session at 12:30 p.m. with the following motion:

RESOLUTION # 6

Leah Reibel moved and Marsha Dumm 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:

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

The Board came out of executive session at 12:55 p.m.

AGENDA ITEM # 10 – FINDINGS, ORDERS, AND ACTIONS

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

RESOLUTION # 7

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

| | |
|-------------------|---|
| 11OBD61-67 | No longer practicing dietetics in Ohio |
| 11OBD68 | Moral character, unfounded |

The motion was approved with vote as follows:

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

STATUS OF BOARD ACTIONS

There were no board actions to report.

AGENDA ITEM # 11 – FINANCIAL REPORT

The financial report was presented by Ms. Dion for the months of October and November 2010 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$194,854.53.

Routine expenditures occurred during the period including \$34,509.35 in October and \$28,171.19 in November 2010.

Revenues of \$7,515.00 for October and \$1,605.00 for November were reported in OAKS. Ms. Dion noted that \$180.00 was deducted from deposit #570 for non-payment of a returned licensee’s check. Total revenue for FY 2011 \$63,156.50.

A copy of the financial report is attached to the minutes of the meeting.

RESOLUTION # 8

Mary Frances Astrom moved and Marsha Dumm seconded a motion to approve expenditures as presented for October and November 2010 and to accept the Financial Report as submitted to the Board by the Executive Secretary.

The motion was approved with vote as follows:

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

AGENDA ITEM # 12 -- DISCUSSION OF PERTINENT LEGISLATIVE ISSUES

Updates on legislation previously introduced into the 128th Legislative Session and that are being followed by the Board were discussed. The legislative report is attached to the minutes of the meeting.

Legislation that was brought to the attention of the Board members included:

Ms. McKnight discussed **SB 210 (the school nutrition bill)** which passed in June 2010. She announced there will be district (regional) trainings set up in the schools to train dietitians, school food service workers, or others, to implement this law. The implementation of this new law is effective next school year (2011), for 613 school districts. The trainings have been approved for jurisprudence. Ms. Dion will prepare certificates for these trainings and will also retain a copy of each trainings sign-in sheet.

SB 265- Acupuncturists-to allow to practice with herbs – Sen. Kirk Schuring sponsor This bill has been introduced into the Senate Health, Human Services and Aging Committee. There are concerns about some of the practices listed in the bill, regarding the various use of herbs.

Ms. Dion and Ms. McKnight held a meeting with Mr. Miller from the State of Ohio Medical Board on November 2, 2010. The content of the meeting was to discuss concerns about much of the language in the bill as well as the status of the bill.

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

AGENDA ITEM # 13 --BOARD REPORTS

CHAIRMAN – Chairman Soltesz commented that this meeting was her last meeting as chairman and thanked the board members for their work and commitment to the Board. She apologized that the Bluffton dietetic students could not attend the meeting today, due to inclement weather conditions for travel.

ODA LIAISON – Pat McKnight

1. The Ohio Dietetic Association's Legislative Day for undergraduates and graduate took place on November 10, 2010 at the Vern Riffe Center. This event was very well-attended and received positive reviews from attendees.

DIRECTORS REPORT – Karen Dion

DIRECTOR’S REPORT

1. Ms. Dion reported that Rules 4759-10-01 to 05 which were heard before the Board on October 8, 2010, were reviewed by the Joint Committee on Agency Rule Review on October 25, 2010. The rules were final filed, and will be effective on December 19, 2010.
2. Ms. Dion reported that the Council on Licensure Enforcement and Regulation (CLEAR) will have webinars for 2011. New board members participate in this webinar. Dorothy Clarke, our newest board member will be contacted with the available dates, which will be in March/April. Exact dates have not been set yet. Ms. Dion will register Ms. Clarke for the webinar.
3. Ms. Dion discussed the license verification statement topic from the previous meeting. After contacting several other boards, it was determined that the statement we wanted to include on the license verification page referencing the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), does not need approval from JCAHO. It simply refers to JCAHO’s rules and it places the responsibility with the reviewer. The Board was in agreement to include the updated wording, which includes definitions of various “active” statuses.
4. Ms. Dion reported that she has presented for various organizations since the October 8, 2010 board meeting. The presentations are listed as follows:

Columbus Dietetic Association (CDA) on October 13, 2010
Kent State undergraduate students on October 18, 2010
Kent State dietetic interns on October 19, 2010
Ohio Dietetics Association 3rd Legislation and Public Policy Day on November 10, 2010
Ohio Dietetic Educator Practitioners on November 19, 2010
University of Dayton undergraduate students on November 29, 2010
5. Ms. Dion updated the Board on the submission of the budget. It was submitted promptly on November 1, 2010. Additional funds were requested to maintain business operations as well as moving our number of board meetings to 6 per year, online renewal and credit card processing and recently a new cost for internet access of \$250 per month. The Office of Budget and Management strategized to decrease disparity among agencies costs. They are aligning service used/consumption to rates. These additional costs were not included in the FY12-13 budget, as we were notified of this cost after the budget submission.

6. Ms. Dion reported that the Board and Commissions Management group relayed the possibility of being able to proceed with building a project plan for updating our licensing database. There has been a delay in proceeding until budgets are reviewed and approved.
7. Ms. Dion presented the updated Ohio Dietetic Association brochure to review for possible use by the Board, rather than producing an additional brochure. The Board suggested a minor wording change. The Board was asked to review the brochure in further detail and to submit comments only to Ms. Dion. The brochure's intended use will be to relay information to communicate to consumers, policymakers, etc.
8. Ms. Dion briefly updated the Board on her attendance at the American Dietetic Association's Annual Food and Nutrition Conference and Expo. She reported that the conference was a beneficial experience. She spoke about one particular session regarding Advanced Practice in Dietetics.

AGENDA ITEM #14 – ELECTION OF OFFICERS FOR CALENDAR YEAR 2011

Chairman Soltesz indicated that the informal procedure for the election of officers for calendar 2011 is for the Board Chairman to request nominations from the floor for the leadership positions of Board Chairman and Vice Chairman. Ms. Soltesz called for nominations.

The following motions resulted:

RESOLUTION # 9

Marsha Dumm moved and Leah Reibel seconded a motion to nominate Mary Frances Astrom for Chairman of the Ohio Board of Dietetics for calendar year 2011 effective January 1, 2011. Ms. Astrom indicated that she would accept the nomination.

The motion was approved with vote as follows:

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

RESOLUTION # 10

Leah Reibel moved and Mary Frances Astrom seconded a motion to elect Marsha Dumm as Vice-Chairman of the Ohio Board of Dietetics for calendar year 2011, effective January 1, 2011. Ms. Dumm accepted the nomination.

The motion was approved with vote as follows:

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

Chairman Soltesz thanked the Board members for agreeing to serve in the leadership positions during calendar year 2011. She indicated that it is traditional for the incoming Chairman to make committee appointments at this time, and asked Ms. Dion to describe the current committees and their make-up.

Appointment of Board Committees for Calendar Year 2011

Ms. Dion described the current make-up of Board committees. The 2010 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 2011. The Board members were polled for their individual interest in service on particular committees.

The following Board member committee assignments were made:

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

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

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 did not have any items to discuss.

Each committee provided a brief report.

EDUCATION COMMITTEE – The Education committee reported that they reviewed one learning log. One learning log was approved by the committee.

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 # 17 – UPCOMING MEETINGS

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

| | |
|-------------------|------------------|
| February 11, 2011 | August 5, 2011 |
| April 15, 2011 | October 14, 2011 |
| June 17, 2011 | December 9, 2011 |

AGENDA ITEM #15 - ADJOURNMENT

A motion was made to adjourn the meeting. There was consensus by the Board to adjourn the December 10, 2010 meeting of the Ohio Board of Dietetics at 2:51 p.m.

Respectfully submitted,

Date _____
Karen Dion, Executive Secretary
Ohio Board of Dietetics

Date _____
Kay Soltesz, Chairman
Ohio Board of Dietetics

Date _____
Witness