

**OHIO BOARD OF DIETETICS  
MINUTES OF THE BOARD MEETING  
August 5, 2011  
Board Room 31<sup>st</sup> Floor, Vern Riffe Center  
Columbus, Ohio 10:00 A.M.**

**AGENDA ITEM #1 – CALL TO ORDER**

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

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

Chairman Astrom called the meeting to order at 10:04 a.m., noting that a quorum was in attendance. Ms. Astrom welcomed the group and thanked Kay Soltesz for attending in lieu of Dorothy Clarke's resignation due to accepting a position out-of-state.

**AGENDA ITEM #2 – APPROVAL OF MINUTES OF THE JUNE 17, 2011 MEETING**

The minutes of the June 17, 2011 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**

**Marsha Dumm moved and Leah Reibel seconded a motion to approve the minutes of the June 17, 2011 regular Board meeting as submitted by the Executive Secretary.**

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

<b>Mary Frances Astrom</b>	<b>yes</b>	<b>Kay Soltesz</b>	<b>yes</b>
<b>Marsha Dumm</b>	<b>yes</b>	<b>Leah Reibel</b>	<b>yes</b>

**AGENDA ITEM #3 – APPROVAL OF LICENSES**

Ms. Dion presented the names of 8 individuals to the Board who were issued a Limited Permit license between June 11, 2011 and June 30, 2011 during Fiscal Year 2011. The limited permits expire on October 31, 2011. The following motion was made:

**RESOLUTION #2**

**Leah Reibel moved and Kay Soltesz seconded a motion to place upon the minutes of the August 5, 2011 meeting the names of 8 individuals who were issued a Limited Permit during Fiscal Year 2011 since the June 17, 2011 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>Mary Frances Astrom</b>	<b>yes</b>	<b>Kay Soltesz</b>	<b>yes</b>
<b>Marsha Dumm</b>	<b>yes</b>	<b>Leah Reibel</b>	<b>yes</b>

Ms. Dion presented the names of 17 individuals to the Board who were issued a Limited Permit license between July 1, 2011 and July 29, 2011 during Fiscal Year 2012. The limited permits expire on October 31, 2011. The following motion was made:

**RESOLUTION #3**

**Leah Reibel moved and Kay Soltesz seconded a motion to place upon the minutes of the August 5, 2011 meeting the names of 17 individuals who were issued a Limited Permit during Fiscal Year 2012 since the June 17, 2011 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:**

<b>Mary Frances Astrom</b>	<b>yes</b>	<b>Kay Soltesz</b>	<b>yes</b>
<b>Marsha Dumm</b>	<b>yes</b>	<b>Leah Reibel</b>	<b>yes</b>

Ms. Dion presented the names of 44 individuals who were issued a license for the period between July 1, 2011 and July 29, 2011 for Fiscal Year 2012. The list included 30 initial licenses, 8 reactivations, 4 reinstatements, and 2 duplicate licenses. The following motion was made:

**RESOLUTION # 4**

**Kay Soltesz moved and Leah Reibel seconded a motion to place upon the minutes of the August 5, 2011 meeting the names of 44 individuals who were issued an Initial License during Fiscal Year 2012 with the expiration date of June 30, 2011. There were 30 initial licenses, 8 reactivations, 4 reinstatements, and 2 duplicate licenses since the June 17, 2011 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

#### **AGENDA ITEM # 4 – ENFORCEMENT REPORT- DON DAVIS**

Mr. Davis presented the Enforcement Report with statistics for the period of June 18, 2011 through August 5, 2011. The enforcement statistics indicate that the period started with 6 open cases, 4 were closed at the June 17, 2011 Board meeting. Five cases were opened resulting in a pending caseload of 7 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 – FINANCIAL REPORT**

The financial report was presented by Ms. Dion for the month of June 2011 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$22.00 after encumbrances.

Routine expenditures occurred during the period including \$22,832.16 in June 2011.

Revenues of \$159,950.00 for June 2011 were reported in OAKS. Total revenue for FY 2011 was \$348,384.00.

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

#### **RESOLUTION # 5**

**Leah Reibel moved and Kay Soltesz seconded a motion to approve expenditures as presented for June 2011 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

Ms. Dion sought the Board's input regarding representation of the Board at the annual American Dietetic Association's Food and Nutrition Conference and Expo in September

2011. After brief discussion it was determined that Don Davis would represent the Board. The following motion was made:

**RESOLUTION # 6**

**Leah Reibel moved and Kay Soltesz seconded a motion to approve Don Davis' upcoming attendance at the American Dietetic Association's Food and Nutrition Conference and Expo and to reimburse for all routine and necessary expenditures related to the conference.**

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

<b>Mary Frances Astrom</b>	<b>yes</b>	<b>Kay Soltesz</b>	<b>yes</b>
<b>Marsha Dumm</b>	<b>yes</b>	<b>Leah Reibel</b>	<b>yes</b>

**AGENDA ITEM # 6 -- DISCUSSION OF PERTINENT LEGISLATIVE ISSUES**

Ms. Dion discussed HB 259 (Alternative Health Services) which was introduced on June 14, 2011. The Board discussed similar concerns that have been addressed with previous versions of the bill. This bill will be monitored for any activity and the Board will respond as appropriate. There has been no activity on this bill since the June 17, 2011 meeting of the Board.

Ms. Dion discussed House Bill 251 (Acupuncturists Practicing with Herbs). Sponsor and proponent testimony occurred on June 22, 2011. The concern with HB 251 is the vagueness in which herbs will be "used". This bill will be monitored for any further activity and the Board will respond as appropriate.

Ms. McKnight discussed Senate Bill 118 (sponsor Senator Cates) which is an amendment that gives the schools the option to obtain Body Mass Index information. The bill passed the Senate with no opposition and passed the House Health Committee. The Senate Budget Committee took BMI out for charter schools. There was a line item veto that all other schools have to do BMI. OAFHC will work with school nurses to develop materials to execute this requirement.

Ms. Dion reported that there are no updates to House Bill 169 (sponsor Representative Williams) which is related to criminal offenses that are substantially related to the professional practices of the licensee. There are no updates to report.

Ms. Dion briefly reported that there are no updates to Senate Bill 123 (sponsor Senator Bacon). This bill would require that the Ohio e-License Center web site include information submitted by certain health professionals to their licensing boards regarding the characteristics of their professional practice. There were no significant concerns with the Bill and no updates to report.

## **AGENDA ITEM # 7 --BOARD REPORTS**

### **CHAIRMAN – Francie Astrom**

Chairman Astrom thanked Kay Soltesz for her attendance which enabled the Board to have a quorum. Kay Soltesz has fulfilled her five-year term position on the Board as the PhD Educator position.

### **ODA LIAISON – Pat McKnight**

Ms. McKnight discussed the Patient-Centered Medical Home (PDMH). Ms. McKnight and Kay Mavko met with the Medicaid director. The meeting was beneficial and a survey is being developed for Ohio to determine who is getting Medicaid coverage. Ms. McKnight reported that there is currently no coding for nutrition services through Medicaid. Medicare has a Medical Nutrition Therapy code, but it does not work for Medicaid reimbursement.

Ms. McKnight also discussed the upcoming Board Member Educator vacancy as of July 1, 2011. There have been no updates as to the status of filling the position. The second recent vacancy is the Dietitian member position. To assist with obtaining applicants, the Board determined that an e-mail should be sent to all Ohio licensees. The deadline to apply will be September 1, 2011.

### **DIRECTORS REPORT – Karen Dion**

Ms. Dion discussed a recent situation in which a previously licensed dietitian (never registered) let her license expire several years ago. It was determined that this individual would need to meet current licensure requirements, including requirements to sit for the National Registration Exam.

Ms. Dion informed the Board that the Commission on Dietetic Registration is in the process of revising the National Registration exam test specifications to be implemented January 2012.

Ms. Dion informed the Board about the status of the 4K90 fund. If there are any unexpected costs, there is a positive balance in the fund.

Ms. Dion gave an update on the online renewal process. The process to update the application and to have a test application ready, will take about 90 days. There are other steps which need to occur such as working with various internal and external agencies to set up our account to accept on-line payments for licensure renewal.

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

The Board moved into Executive Session at 10:45 a.m. with the following motion:

**RESOLUTION #7**

**Marsha Dumm moved and Kay Soltesz 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:**

<b>Mary Frances Astrom</b>	<b>yes</b>	<b>Kay Soltesz</b>	<b>yes</b>
<b>Marsha Dumm</b>	<b>yes</b>	<b>Leah Reibel</b>	<b>yes</b>

The Board came out of executive session at 10:55 a.m.

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

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

**RESOLUTION #8**

**Kay Soltesz moved and Leah Reibel seconded a motion to close the following cases for the reasons cited:**

<b>12OBD01</b>	<b>Moral character, unfounded</b>
<b>12OBD02</b>	<b>Moral character, unfounded</b>
<b>12OBD03</b>	<b>Moral character, unfounded</b>
<b>12OBD04</b>	<b>Moral character, unfounded</b>
<b>12OBD05</b>	<b>Moral character, unfounded</b>

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

<b>Mary Frances Astrom</b>	<b>yes</b>	<b>Kay Soltesz</b>	<b>yes</b>
<b>Marsha Dumm</b>	<b>recused</b>	<b>Leah Reibel</b>	<b>yes</b>

**STATUS OF BOARD ACTIONS**

There were no board actions to report.

The Board broke briefly for lunch.

## **AGENDA ITEM #10 and #11– 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 plan and one learning log. One continuing education activity was discussed and approved as a valid activity, but the associated learning log was not sent in with it.

**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 #12 – ETHICS REQUIREMENT**

To continue meeting the Ethics Requirement, the Board viewed segments of the DVD provided by the Ethics Commission. The Board watched the following segments: Ohio Ethics Commission, Advice, Education, Not in My Backyard, No Favors and Wined and Dined.

## **AGENDA ITEM # 13 – UPCOMING MEETINGS**

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

December 9, 2011  
January 20, 2012  
March 16, 2012  
May 11, 2012  
July 20, 2012  
September 21, 2012  
November 16, 2012

AGENDA ITEM #14 - ADJOURNMENT

A motion was made to adjourn the meeting. There was consensus by the Board to adjourn the August 5, 2011 meeting of the Ohio Board of Dietetics at 3:05 p.m.

Respectfully submitted,

Karen Dion Date 10/14/11

Karen Dion, Executive Secretary  
Ohio Board of Dietetics

M. F. Astrom Date 10/14/11

Mary Frances Astrom, Chairman  
Ohio Board of Dietetics

Marsha Dion Date 10/14/11  
Witness