

OHIO BOARD OF DIETETICS
MINUTES OF THE BOARD MEETING
October 14, 2011
Board Room 31st Floor, Vern Riffe Center
Columbus, Ohio 10:00 A.M.

*approved
1/20/12*

AGENDA ITEM #1 – CALL TO ORDER

BOARD MEMBERS PRESENT: Mary Frances (Francie) Astrom, Marsha Dumm, Leah Reibel, and Christopher Taylor.

OTHERS PRESENT: Pat McKnight, Ohio Dietetic Association liaison; Donald Davis, Compliance Specialist; Karen Dion, OBD Executive Secretary; Yvonne Tertel, Principal Assistant Attorney General (AAG), and Mount Carmel Dietetic Interns: Ashley Denton, Mary Jane Earnest, Jessica Kusan, Alex Moore, Andrea Burkley, Emily Curry and Rebecca Dattola.

Chairman Astrom called the meeting to order at 10:08 a.m., noting that a quorum was in attendance. Ms. Astrom welcomed the group and welcomed new Board member Christopher Taylor. Chairman Astrom suggested that everyone introduce themselves and provide a brief description of their position.

AGENDA ITEM #2 – APPROVAL OF MINUTES OF THE AUGUST 5, 2011 MEETING

The minutes of the August 5, 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 August 5, 2011 regular Board meeting as submitted by the Executive Secretary.

The motion was approved with vote as follows:

Mary Frances Astrom	yes	Leah Reibel	yes
Marsha Dumm	yes	Christopher Taylor	yes

AGENDA ITEM #3 – APPROVAL OF LICENSES

Ms. Dion presented the names of 12 individuals to the Board who were issued a Limited Permit license between August 5, 2011 and October 7, 2011 during Fiscal Year 2012. The limited permits expire on April 30, 2012. The following motion was made:

RESOLUTION #2

Leah Reibel moved and Marsha Dumm seconded a motion to place upon the minutes of the October 14, 2011 meeting the names of 12 individuals who were issued a Limited Permit during Fiscal Year 2012 since the August 5, 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:

Mary Frances Astrom	yes	Leah Reibel	yes
Marsha Dumm	yes	Christopher Taylor	yes

Ms. Dion presented the names of 64 individuals who were issued a license for the period between August 5, 2011 and October 7, 2011 for Fiscal Year 2012. The list included 55 initial licenses, 3 reactivations, 5 reinstatements and 1 duplicate license. The following motion was made:

RESOLUTION #3

Leah Reibel moved and Christopher Taylor seconded a motion to place upon the minutes of the October 14, 2011 meeting the names of 64 individuals who were issued a license for Fiscal Year 2012 since the August 5, 2011 meeting of the Board. There were 55 initial licenses, 3 reactivations, 5 reinstatements and 1 duplicate license. 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:

Mary Frances Astrom	yes	Leah Reibel	yes
Marsha Dumm	yes	Christopher Taylor	yes

AGENDA ITEM # 4 – ENFORCEMENT REPORT- DON DAVIS

Mr. Davis presented the Enforcement Report with statistics for the period of August 6, 2011 through October 14, 2011. The enforcement statistics indicate that the period started with 7 open cases, 5 were closed at the August 5, 2011 Board meeting. Sixty-three were opened resulting in a pending caseload of sixty-five 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 months of July, August and September 2011 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$278,070.98 after encumbrances.

Routine expenditures occurred during the period including \$24,197.46 in July, \$34,942.86 in August and \$17,770.43 in September 2011.

Revenues of \$59,747.50 for July, \$5,632.50 for August and \$5,370.00 for September 2011 were reported in OAKS. Total revenue for FY 2012 is \$70,750.00.

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

RESOLUTION # 4

Leah Reibel moved and Marsha Dumm seconded a motion to approve expenditures as presented for July, August and September 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	Leah Reibel	yes
Marsha Dumm	yes	Christopher Taylor	yes

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. Proponent testimony was heard on September 14, 2011. This bill will be monitored for any activity and the Board will respond as appropriate.

Ms. Dion discussed House Bill 251 (Acupuncturists Practicing with Herbs). The Legislative Chair from the Ohio Association of Acupuncture and Oriental Medicine contacted the Board to request a meeting to answer any questions. The meeting has been scheduled for October 24, 2011 and will include representatives from the medical board, pharmacy board, legislative agents and members of the Ohio Dietetic Association. 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. Dion reported that on October 5, 2011 there was a meeting with Senator Bacon and representatives from all of the Boards mentioned in 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. The group is not opposed to the concept of the bill. Concerns were expressed regarding lack of verification of certain data obtained and logistical issues of entering the data or asking licensees to self-report.

Ms. McKnight discussed House Bill 255 (sponsor Representative Gonzalez) which would allow for schools having an economic need based on certain criteria, to implement the School Breakfast Program. This would not cost the schools any money and it is fully federally funded. Ms. McKnight stated that schools have been opposed because they fear that it will be difficult to implement. Representative Gonzalez explained that it is basically a cart in which the students take a cereal, milk and fruit when they get off of the bus.

AGENDA ITEM # 7 -- BOARD REPORTS

CHAIRMAN – Francie Astrom

Chairman Astrom discussed the name change for the American Dietetic Association which will be the Academy of Nutrition and Dietetics, as of January 1, 2012. The concern was raised that the name will need to be changed in Chapter 4759 of the Ohio Administrative Code and the Ohio Revised Code. It was determined that it can be changed in the five-year rule review in 2013.

ODA LIAISON – Pat McKnight

Ms. McKnight discussed the Patient-Centered Medical Home (PDMH). Ms. McKnight reported that there is the possibility of obtaining coding for nutrition services through Medicaid. Medicare has a Medical Nutrition Therapy code, but it does not work for Medicaid reimbursement.

Ms. McKnight discussed vacancy of the Dietitian member position. There was a meeting on September 14, 2011 to review the applications and to select five to present to the Governor's Office. The position has not been filled to date.

Ms. McKnight discussed an issue raised by the Mount Carmel Support Dietitians (Certified Nutrition Support Clinicians – CNSC). Registered, Licensed Dietitians with certain credentials would like to be able to perform certain duties that are currently not listed in the Dietetic Practice Act's scope of practice. Ms. McKnight will contact the Medical Board to determine if there is any provision in their law to allow certain disciplines to be trained in a specific area.

Ms. McKnight reminded everyone that in 2012 the Board will celebrate the 25th anniversary of dietetic licensure in Ohio. The Board will discuss any activities to celebrate the anniversary, at the December meeting of the Board.

Ms. McKnight discussed Issue 3 regarding Health Care Reform and the potential to affect the protection of the public's health.

Ms. McKnight discussed the Ohio Dietetic Association's Dietetic Intern and Dietetic Student Policy Day held on October 4, 2011. There were 105 registered for the day from 8 programs throughout Ohio. Evaluations were generally positive. The Policy Day in March will be held for Registered Dietitians and Dietetic Technicians Registered. Ms. McKnight stated that October 23, 2012 is a potential date for the Ohio Dietetic Association's Policy Day for the Dietetic Students and Dietetic Interns.

DIRECTORS REPORT – Karen Dion

Ms. Dion gave an update on her participation in the Council on Licensure Enforcement and Regulation's training and conference in Pittsburgh, PA in September. She received her certificate on Advanced Investigative Techniques after passing an exam. The conference was very worthwhile. As part of the conference, the American Dietetic Association sent one dietitian from each state to participate in a licensure workshop in addition to the entire conference. The American Dietetic Association had representatives there to present on licensure development and implementation. Ohio's licensure has been used as a model for other states and is highly regarded.

Ms. Dion requested that Don Davis provide an update of his participation on behalf of the Board, at the annual Food and Nutrition Conference and Expo by the American Dietetic Association in San Diego, CA in September. The conference provided the most up-to-date information on research, education opportunities, school nutrition and networking.

Ms. Dion discussed recent and upcoming presentations as follows:

10/13/2011	Sodexo – University Hospitals	Order Writing	35 Dietitians
10/17/2011	Kent State University	Licensure	10 Interns
10/18/2011	Kent State University	Licensure	44 Undergrad.
10/21/2011	Ohio Consulting Dietitians- Health Care Facilities (OCD-HCF)	Order Writing	60 Dietitians

Ms. Dion sought the Board's input as to any other pertinent topics to present information on. After brief discussion it was determined that besides Licensure, Order Writing is the topic that licensees need the most information on.

Ms. Dion provided an update on the on-line renewal process. The instructions on the application will need to be changed for the electronic application process rather than the paper version of the renewal process. After brief discussion, it was determined that the Board had some requests for the functionality of the on-line renewal process. The Board would like the system to be able to retain previous years information so the licensee only has to update pertinent items. There was also discussion of having a feature which delays the ability to print a license card until the credit card has been processed and the status is changed to "Active". Also, the Board was considering the possibility of sending an email to the licensee verifying that their renewal application was processed and attaching their license card which they can print and cut out if they choose to.

The Board broke briefly for lunch.

AGENDA ITEM #8 – EXECUTIVE SESSION - ENFORCEMENT

The Board moved into Executive Session at 1:38 a.m. with the following motion:

RESOLUTION #5

Marsha Dumm moved and Leah Reibel 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	Leah Reibel	yes
Marsha Dumm	yes	Christopher Taylor	yes

The Board came out of executive session at 2:00 p.m.

AGENDA ITEM # 9 – FINDINGS, ORDERS, AND ACTIONS

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

RESOLUTION #6

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

12OBD06	Moral character, unfounded
12OBD07-12OBD63	Expired without reason
12OBD64	Moral character, unfounded
12OBD65	Unlicensed practice
12OBD66	Unlicensed practice

The motion was approved with vote as follows:

Mary Frances Astrom	yes	Leah Reibel	yes
Marsha Dumm	recused	Christopher Taylor	yes

STATUS OF BOARD ACTIONS

There were no board actions to report.

AGENDA ITEM #10 and #11- SUBCOMMITTEE MEETINGS AND REPORTS

The Education subcommittee met to review one Continuing Education presentation on licensure. There were no Professional Development Learning Plans and Learning Logs submitted for review. 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 and approved one Continuing Education presentation on licensure, to be presented by the Ohio Dietetic Association’s State Policy Co-Chair to the Ohio State University Medical Center dietitians. The committee changed one of the Powerpoint slides regarding filing complaints with the Board. In lieu of this discussion, it was decided that the Complaint Form may need to be updated.

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: Investigations, Financial Disclosures, Conclusion, The Ideal Candidate, The Bottom Line.

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 October 14, 2011 meeting of the Ohio Board of Dietetics at 2:45 p.m.

Respectfully submitted,
Karen Dion Date 1/20/12
Karen Dion, Executive Secretary
Ohio Board of Dietetics

M. F. Astrom Date 1/20/12
Mary Frances Astrom, Chairman
Ohio Board of Dietetics

Maisha D. Date 1/28/12
Witness