

**OHIO BOARD OF DIETETICS
MINUTES OF THE BOARD MEETING
FEBRUARY 5, 2016
31st Floor, Board Room, Vern Riffe Center
Columbus, Ohio 9:00 A.M.**

AGENDA ITEM #1 – CALL TO ORDER

BOARD MEMBERS PRESENT: John Ridgway, Judith Nagy, Joseph Nigh and Susan Finn

OTHERS PRESENT: Patricia McKnight, Ohio Academy of Nutrition and Dietetics liaison (Consumer Protection Coordinator); Donald Davis, Compliance Specialist; Karen Morrison, Executive Secretary; Melissa Wilburn, Assistant Attorney General and Elegra Davis of Davis Depositions.

ABSENT: Christopher Taylor

Chairman Ridgway called the meeting to order at 9:10 a.m., noting that a quorum was in attendance. Mr. Ridgway welcomed the group.

AGENDA ITEM #2 – APPROVAL OF MINUTES OF DECEMBER 4, 2015

The minutes of the December 4, 2015 regular Board meeting were presented to the Board by the Executive Secretary and they were reviewed and approved as submitted. The following motion was made:

RESOLUTION #1

Susan Finn moved and Joseph Nigh seconded a motion to approve the minutes of the December 4, 2015 regular Board meeting as submitted by the Executive Secretary.

The motion was approved with vote as follows:

John Ridgway	yes
Judith Nagy	yes
Joseph Nigh	yes
Susan Finn	yes

AGENDA ITEM #3 – APPROVAL OF LICENSES

Ms. Morrison reported to the Board that no Limited Permits were issued between December 2, 2015 and February 2, 2016 during Fiscal Year 2016. Ms. Morrison presented to the Board, the names of 55 individuals who were issued a license for the period between December 2, 2015

and February 2, 2016 for Fiscal Year 2016. The list included 41 initial licenses, 7 reactivations and 7 reinstatements. The following motion was made:

RESOLUTION #2

John Ridgway moved and Joseph Nigh seconded a motion to place upon the minutes of the February 5, 2016 meeting the names of 55 individuals who were issued a license for Fiscal Year 2016 between December 2, 2015 and February 2, 2016. There were 41 initial licenses, 7 reactivations and 7 reinstatements. 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:

John Ridgway	yes
Judith Nagy	yes
Joseph Nigh	yes
Susan Finn	yes

AGENDA ITEM #4 – ENFORCEMENT REPORT FY16 – DON DAVIS

Mr. Davis presented the Enforcement Report for the period of December 2, 2015 to February 2, 2016. The enforcement statistics indicate that the period started with 109 open cases and 105 cases were closed at the December 4, 2015 Board meeting. Four current cases resulted in a pending caseload of 4.

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 DISCLOSURE REMINDER

Ms. Morrison reminded the Board that The Ohio Ethic’s Commission Financial Disclosure Statement is due by May 16, 2016. Ms. Morrison will email the link to the Board members.

AGENDA ITEM #6 – NORTHERN COLORADO INTERNSHIP

Ms. Morrison informed the Board of a situation concerning the internship at the University of Northern Colorado (UNC). UNC was not accepting interns from certain states, including Ohio. They said it was due to a change in Federal Regulations. Ms. Morrison told the Board that the University is currently seeking an additional certification, which should eliminate this concern in the near future.

AGENDA ITEM #7 – GOLDMAN HEARING

The Goldman hearing was digitally recorded by Davis Depositions Court Reporting. The complete transcript will be available in the board office. The Board members were presented with documents and exhibits for case #16OBD106. For matters of discipline, the Board ordered revocation of the license #6479. Roll call as follows:

John Ridgway	yes
Judith Nagy	recused
Joseph Nigh	yes
Susan Finn	yes

A copy of the transcript will be attached to the minutes.

AGENDA ITEM #8 – EXECUTIVE SESSION – ENFORCEMENT

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

RESOLUTION #3

Joseph Nigh 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:

John Ridgway	yes
Judith Nagy	yes
Joseph Nigh	yes
Susan Finn	yes

The Board came out of Executive Session at 11:00 a.m.

AGENDA ITEM #9 – FINDINGS, ORDERS, AND ACTIONS

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

RESOLUTION #4

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

14OBD01	Moral Character	Fulfilled Consent Agreement Requirements
16OBD107	Moral Character	Unfounded

The motion was approved with vote as follows:

John Ridgway	yes
Judith Nagy	recused
Joseph Nigh	yes
Susan Finn	yes

STATUS OF BOARD ACTIONS

Sarah Lynn Travis L.D. 6122 was removed from Probation and has fulfilled the Consent Agreement Requirements. Ms. Travis license is currently in inactive status.

AGENDA ITEM #10 – FINANCIAL REPORT - FY16

The financial report was presented by Ms. Morrison for the months of November 2015 – January 2016 including Allotments, Expenditures and Revenues to date. Ms. Morrison provided the Board with detailed financial information on allotments, expenditures, revenues and encumbrances. The detailed breakdowns of the fiscal reports are attached to the minutes of this meeting.

She reported that the available budget is \$212,631.96.

Routine expenditures occurred during the period including \$21,608.50 in November, \$19,143.81 in December and \$26,325.67 in January 2016. Revenues were reported in OAKS as follows: \$2,665.00 in November, \$2,790.00 in December and \$3,720.00 in January. Total revenue for FY 2016 is \$88,195.00.

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

RESOLUTION # 5

John Ridgway moved and Judith Nagy seconded a motion to approve expenditures as presented for November 2015 – January 2016 (FY16) and to accept the Financial Report as submitted to the Board by the Executive Secretary.

The motion was approved with vote as follows:

John Ridgway	yes
Judith Nagy	yes
Joseph Nigh	yes
Susan Finn	yes

AGENDA ITEM #11 – PRESENTATIONS SINCE DECEMBER 4, 2015 MEETING

Ohio State University Medical Dietetics January 26, 2016 26 undergraduates
(Careers in Dietetics)

The Board unanimously agreed that all dietetics programs and dietetic internships should be providing information about licensure. Ms. Morrison will reach out to all of the programs in Ohio, to ensure this. Presentations on licensure are available upon request through the Board office.

AGENDA ITEM #12 - BREAK

The Board broke for lunch.

AGENDA ITEM #13 - BOARD REPORTS

CHAIRMAN’S REPORT – John Ridgway

Chairman Ridgway did not have any items to report at this time.

OAND LIAISON/CONSUMER PROTECTION COORDINATOR – Pat McKnight

Ms. McKnight reported that the Ohio Academy of Nutrition and Dietetics Annual Legislation & Public Policy Advocacy Day is scheduled for April 13, 2016 at the Vern Riffe Center in Columbus. The registration fee has been reduced from \$50.00 to \$30.00, in hopes of increasing attendance. This event is held for dietitians to understand legislation updates and why their individual voices are important to their legislators.

Ms. McKnight reminded that the annual Ohio Academy of Nutrition and Dietetics conference will be held in Columbus on May 13, 2016.

DIRECTORS REPORT – Karen Morrison

Ms. Morrison sought the Board’s opinion about purchasing an advanced version of Skype. Currently, a free account is used. However, the account has limited capabilities and does not enable screen sharing from the presenter’s computer. The Board agreed that an advanced account would better serve our clients.

The following motion was made:

RESOLUTION # 5

John Ridgway moved and Joseph seconded a motion to purchase a business subscription to Skype or other web-based product to better serve our clients.

The motion was approved with vote as follows:

John Ridgway	yes
Judith Nagy	yes
Joseph Nigh	yes
Susan Finn	yes

The board is considering replacing the desktops and laptop in the near future. Although the immediate need is for the Board members to have tablets for the meetings. The Board members are in favor of viewing the meeting documents on their tablet, rather than the traditional use of paper.

The following motion was made:

RESOLUTION # 6

John Ridgway moved and Susan Finn seconded a motion to purchase tablets for board member use at meetings, to reduce paper usage and to maximize productivity of the meetings.

The motion was approved with vote as follows:

John Ridgway	yes
Judith Nagy	yes
Joseph Nigh	yes
Susan Finn	yes

Ms. Morrison sought the Board’s guidance regarding a letter sent from the Alliance for Natural Health in regards to the alleged violations of the Board pertaining to the U.S. Supreme Court Ruling in N.C. State Bd. of Dental Exam’rs v. FTC, 135 S.Ct. 1101 (2015)and the First Amendment. A copy of the letter is attached to the meeting minutes.

The following motion was made:

RESOLUTION # 7

Joseph Nigh moved and John Ridgway seconded a motion to provide a written response to the Alliance for Natural Health with guidance from counsel.

The motion was approved with vote as follows:

John Ridgway	yes
Judith Nagy	yes
Joseph Nigh	yes
Susan Finn	yes

Ms. Morrison presented the information regarding the “Start Talking” initiative to the Board. Ms. Morrison will email the information to the Board for their use.

Ms. Morrison sought the Board’s opinion for the Board meeting start time change from 10:00 a.m. to 9:00 a.m. The Board unanimously agreed on future board meetings beginning at 9:00 a.m.

AGENDA ITEM #14 – DISCUSSION OF PERTINENT LEGISLATIVE ISSUES

Ms. McKnight discussed Senate Bill 245 (Malnutrition Prevention Commission-study older adult malnutrition). It has been referred to committee and is scheduled to receive sponsor testimony from Senator Manning next week. This bill will be monitored for further activity.

Ms. McKnight reported that SB 194 (Alternative Practitioners) is being monitored for any activity. Representatives from the Ohio Academy of Nutrition and Dietetics recently met with Senator Jones, Chair of the Health and Human Services Committee. There are no updates at this time.

Ms. McKnight reported that House Bill 276 (Chiropractic scope of practice revision) is being monitored for any activity. Representatives from the Ohio Academy of Nutrition and Dietetics have met with Representative Schuring’s aide and submitted proposed changes in the bill’s language. There are no further updates.

Ms. McKnight updated the Board that she met with Senator Gardner’s aide again about the confidentiality and scope of practice issues. Language has been drafted for each issue.

Ms. McKnight reported on the possibility that legislation will be introduced to restructure boards and their decision making processes. This is a result of the U.S. Supreme Court Ruling in N.C. State Bd. of Dental Exam’rs v. FTC, 135 S.Ct. 1101 (2015)and the First Amendment. Concerns about the impact on Ohio boards and professionals are being expressed by Senator Seitz. A coalition has been created to discuss possible solutions. The coalition includes Professional Board Directors, Professional Association contact persons and legislative agents. Senator Seitz expressed his receptiveness to receiving guidance from this group. The suggestions will be compiled and presented to Senator Seitz.

Ms. Morrison discussed HB 213 (renewals changing to biennial cycle). After providing interested party testimony in November 17, 2015, Ms. Morrison sought input from the Board’s Rules Committee in drafting proposed changes to the bill. Ms. Morrison submitted the proposed changes to the Chairman’s and Sponsor’s aides on January 22, 2016. There are no further updates.

AGENDA ITEM #15 – CE BROKER DISCUSSION

Ms. Morrison discussed QUIA, which is the current platform for licensees to complete jurisprudence. It is outdated for the needs of the licensees and the board. Ms. Morrison presented information from another vendor and intends to meet with two other Ohio licensing boards who use this vendor for continuing education. Currently there is not a mechanism to provide this service through E-licensing. If the feedback is positive and the vendor can deliver a customized product for the Ohio Board of Dietetics, the Board is in favor of moving forward with this project with CE Broker.

The following motion was made:

RESOLUTION # 8

Joseph Nigh moved and Judith Nagy seconded a motion to move forward with the CE Broker proposal and all associated financial obligations. The Board will let the current QUIA subscription expire on February 18, 2016.

The motion was approved with vote as follows:

John Ridgway	yes
Judith Nagy	yes
Joseph Nigh	yes
Susan Finn	yes

AGENDA ITEM #16 and #17 – SUBCOMMITTEE MEETINGS AND REPORTS

There were no learning plans submitted for review between December 5, 2015 and February 5, 2016.

EDUCATION COMMITTEE – There were no items to discuss at this time.

RULES COMMITTEE – There were no items to discuss at this time.

APPLICATIONS COMMITTEE - There were no items to discuss at this time.

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

AGENDA ITEM #17 – ADJOURNMENT

Joseph Nigh moved and John Ridgway seconded a motion to adjourn the meeting. There was consensus by the Board to adjourn the February 5, 2016 meeting of the Ohio Board of Dietetics at 1:07 p.m.

Respectfully submitted,

Karen Morrison

Karen Morrison, Executive Secretary
Ohio Board of Dietetics

Date 4/15/16

John Ridgway

John Ridgway, Chairman
Ohio Board of Dietetics

Date 4/15/16

Melinda Sullivan

Witness

Date 4/15/16