

**OHIO BOARD OF DIETETICS
MINUTES OF THE BOARD MEETING
May 23, 2014
31st Floor, Board Room, Vern Riffe Center
Columbus, Ohio 10:00 A.M.**

AGENDA ITEM #1 – CALL TO ORDER

BOARD MEMBERS PRESENT: Susan Finn, John Ridgway, Judith Nagy
(Leah Reibel arrived after public hearing at 10:15 a.m.)

OTHERS PRESENT: Pat McKnight, Ohio Academy of Nutrition and Dietetics liaison
(Consumer Protection Coordinator); Donald Davis, Compliance Specialist; Karen Dion, OBD
Executive Secretary; Steve Kochheiser, Assistant Attorney General, Bill Behrendt, JCARR.

Chairman Finn called the meeting to order at 10:06 a.m., noting that a quorum was in attendance.
Ms. Finn welcomed the group.

AGENDA ITEM #2 – PUBLIC HEARING PROPOSED RULES 4759-4-12 AND 4759-4-13

Transcript of public rules hearing attached to the minutes.

AGENDA ITEM #3 – APPROVAL OF MINUTES OF FEBRUARY 21, 2014

The minutes of the February 21, 2014 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 Judith Nagy seconded a motion to approve the minutes of
the February 21, 2014 regular Board meeting as submitted by the Executive
Secretary.**

The motion was approved with vote as follows:

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

AGENDA ITEM #4– APPROVAL OF LICENSES

Ms. Dion presented the names of 9 individuals to the Board who were issued a Limited Permit
license between February 21, 2014 and May 16, 2014 during Fiscal Year 2014. The Limited
Permits expire on October 31, 2014. The following motion was made:

RESOLUTION #2

John Ridgway moved and Judith Nagy seconded a motion to place upon the minutes of the May 23, 2014 meeting the names of 9 individuals who were issued a Limited Permit during Fiscal Year 2014 since the February 21, 2014 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:

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

Ms. Dion presented the names of 40 individuals who were issued a license for the period between February 21, 2014 and May 16, 2014 for Fiscal Year 2014. The list included 31 initial licenses, 6 reactivations and 3 reinstatements. The following motion was made:

RESOLUTION #3

John Ridgway moved and Judith Nagy seconded a motion to place upon the minutes of the May 23, 2014 meeting the names of 40 individuals who were issued a license for Fiscal Year 2014 between February 21, 2014 and May 16, 2014. There were 31 initial licenses, 6 reactivations and 3 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:

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

AGENDA ITEM #5 – ENFORCEMENT REPORT- DON DAVIS

Mr. Davis presented the Enforcement Report with statistics for the period of February 22, 2014 to May 23, 2014. The enforcement statistics indicate that the period started with 3 open cases and 0 cases were closed at the February 21, 2014 Board meeting. Seven cases were opened resulting in a pending caseload of ten 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 # 6 – EXECUTIVE SESSION – ENFORCEMENT

The Board moved into Executive Session at 10:20 a.m. with the following motion:

RESOLUTION #4

Leah Reibel moved and Judith Nagy 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:

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

The Board came out of Executive Session at 10:50 a.m.

AGENDA ITEM #7 – FINDINGS, ORDERS, AND ACTIONS

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

RESOLUTION #5

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

14OBD70	Unfounded
14OBD73	Unfounded
14OBD74	Came into compliance
14OBD75	Came into compliance
14OBD76	Came into compliance

The motion was approved with vote as follows:

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

STATUS OF BOARD ACTIONS

There were no board actions to report.

AGENDA ITEM #8 – FINANCIAL REPORT

The financial report was presented by Ms. Dion for the months of February – April 2014 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$49,403.35 after encumbrances.

Routine expenditures occurred during the period including \$22,145.82 in February 2014, \$34,683.17 in March 2014, and \$22,692.66 in April 2014. Revenues of \$1,940.00 in February,

\$867.50 in March and \$2090.00 in April were reported in OAKS. Total revenue for FY 2014 is \$110,145.00.

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

RESOLUTION # 6

John Ridgway moved and Leah Reibel seconded a motion to approve expenditures as presented for February, March and April 2014 and to accept the Financial Report as submitted to the Board by the Executive Secretary.

The motion was approved with vote as follows:

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

Ms. Dion sought the boards input as to attendance at the Council on Licensure, Enforcement and Regulation (CLEAR) Annual Conference in New Orleans on September 11-13, 2014, as the budget permits. The board determined that Karen Dion and Judy Nagy will attend the CLEAR conference September 11-13, 2014.

RESOLUTION #7

John Ridgway moved and Leah Reibel seconded a motion to approve all reasonable and necessary expenditures for board members/staff for the Council on Licensure, Enforcement and Regulation Annual Conference in September 2014.

The motion was approved with vote as follows:

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

The board broke for lunch.

AGENDA ITEM # 9- BOARD REPORTS

Chairman Finn had no updates at this time.

OAND LIAISON/CONSUMER PROTECTION COORDINATOR – Pat McKnight

Ms. McKnight reported that the Ohio Academy of Nutrition and Dietetics Annual Conference was very informative but there was a low number of attendees, approximately 200.

Ms. McKnight informed the board that the next Student Policy Day is October 14, 2014. She is seeking input on ideas to make the day more interactive for the participants.

Ms. McKnight informed the board about the passage of the CMS rule for diet order writing.

DIRECTORS REPORT – Karen Dion

Ms. Dion discussed the CMS rule and sought the boards input. Current inquiries at the board office are referred to Section 4759-6-03 (c) OAC which states that the board supports CMS guidelines and it is the individual hospital's decision to change their policies or not. Dietitians should follow their facilities current policies and can address any potential policy changes with their facilities administration, medical and legal teams. The board agreed with the guidance being communicated.

Ms. Dion discussed a request she received to present an ethics or jurisprudence session, at a local conference in the fall (Ohio Consulting Dietitians). The board posts jurisprudence modules online each year to allow licensees to fulfill the jurisprudence requirement free of charge. The decision was made to decline the invitation to present on jurisprudence for this purpose. The board provides continuing education credits for jurisprudence only.

Ms. Dion reported that the audit being conducted through the Auditor of State's office is near completion. The auditor will return at the end of the fiscal year to review online renewal processing and credit card deposits into OAKS.

Ms. Dion informed the board that due to a calculation change at the federal level, all state agencies rent is increasing retroactively for FY14. The increase for the Ohio Board of Dietetics is approximately \$6000.00, which was not included in the original budget.

Ms. Dion reported that Key Bank is replacing Fifth Third for the online credit card processing contract. Additional services available are utilizing a scanner for deposits to the Treasurer of State's office for more efficiency with limited staff.

Ms. Dion discussed the secretary position vacated by Tamara Spencer on May 16, 2014. The position will be evaluated in August after the busy renewal period ends on August 15, 2014.

Due to the start of the audit and associated expenses, Ms. Dion did not travel to the Public Policy Workshop as discussed at the previous board meeting. She did attend the Ohio Nutrition Council meeting and briefed the board about her positive experience. Ms. Dion and Ms. Nagy also attended the Ohio Academy of Nutrition and Dietetics Annual Conference, which was very informative.

AGENDA ITEM #10 – FY15 RENEWAL UPDATE

On April 28, 2014, 3896 renewal notices were mailed to licensees. The notices contained individualized information about accessing the online renewal application. The website opened for renewal on May 1, 2014. As of May 22, 2014, 1,320 licensees renewed online, 10 licensees renewed by paper application and 48 licensees have requested inactive or expired status.

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 passed the House on February 26, 2014 and was introduced in the Senate on February 27, 2014. It is scheduled to be heard next week for opponent testimony, proponent testimony and a possible vote out of committee.

AGENDA ITEM #12 & #13 – SUBCOMMITTEE MEETINGS AND REPORTS

Two learning plans were received by the board after the February 21, 2014 meeting of the board.

The Education subcommittee reviewed 2 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 Professional Development Learning Plans.

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 #14 – PRESENTATIONS SINCE FEBRUARY 21, 2014 MEETING

Ohio University	February 25, 2014	25 undergraduates
*University of Akron	February 28, 2014	12 CP students
Ohio State Medical Dietetics	February 28, 2014	12 CP students
Columbus State	March 18, 2014	9 diet technicians
*Miami University	April 4, 2014	20 undergraduates
*Case Western University	April 14, 2014	12 interns
***University of Cincinnati	April 2014	10 interns

*SKYPE presentation

**Voice over PowerPoint presentation emailed

***PowerPoint presentation emailed

AGENDA ITEM #15 – UPCOMING MEETINGS

August 1, 2014
November 14, 2014

AGENDA ITEM #16 – ANNUAL ETHICS REQUIREMENT

This item will be addressed at the August 1, 2014 board meeting.

AGENDA ITEM #16 – ADJOURNMENT

A motion was made to adjourn the meeting. There was consensus by the Board to adjourn the May 23, 2014 meeting of the Ohio Board of Dietetics at 2:15 p.m.

Respectfully submitted,

 Date 8/1/14
Karen Dion, Executive Secretary
Ohio Board of Dietetics

 Date 8/1/14
Susan Finn, Chairman
Ohio Board of Dietetics

 Date 8/1/14
Witness