

*approved  
5/10/12*

**OHIO BOARD OF DIETETICS  
MINUTES OF THE BOARD MEETING  
March 30, 2012  
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:** Marsha Dumm, Leah Reibel, Christopher Taylor, and Mary Frances (Francie) Astrom.

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

Chairman Dumm called the meeting to order at 10:07 a.m., noting that a quorum was in attendance. Ms. Dumm welcomed the group.

**AGENDA ITEM #2 – APPROVAL OF MINUTES OF THE JANUARY 20, 2012 MEETING**

The minutes of the January 20, 2102 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**

**Francie Astrom moved and Christopher Taylor seconded a motion to approve the minutes of the January 20, 2012 regular Board meeting as submitted by the Executive Secretary.**

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

<b>Marsha Dumm</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Leah Reibel</b>	<b>not present</b>	<b>Francie Astrom</b>	<b>yes</b>

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

Ms. Dion presented the name of 1 individual to the Board who was issued a Limited Permit license between January 20, 2012 and March 23, 2012 during Fiscal Year 2012. The limited permit expires on April 30, 2012. The following motion was made:

**RESOLUTION #2**

**Francie Astrom moved and Christopher Taylor seconded a motion to place upon the minutes of the March 30, 2012 meeting the name of 1 individual who was issued a Limited Permit during Fiscal Year 2012 since the January 20, 2012 meeting of the Board. The name appears 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>Marsha Dumm</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Leah Reibel</b>	<b>yes</b>	<b>Francie Astrom</b>	<b>yes</b>

Ms. Dion presented the names of 39 individuals who were issued a license for the period between January 20, 2012 and March 23, 2012 for Fiscal Year 2012. The list included 28 initial licenses, 4 reactivations, 4 reinstatements and 3 duplicate licenses. The following motion was made:

**RESOLUTION #3**

**Francie Astrom moved and Christopher Taylor seconded a motion to place upon the minutes of the March 30, 2012 meeting the names of 39 individuals who were issued a license for Fiscal Year 2012 since the January 20, 2012 meeting of the Board. There were 28 initial licenses, 4 reactivations, 4 reinstatements and 3 duplicate licenses. 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>Marsha Dumm</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Leah Reibel</b>	<b>yes</b>	<b>Francies Astrom</b>	<b>yes</b>

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

Mr. Davis presented the Enforcement Report with statistics for the period of January 21, 2012 through March 30, 2012. The enforcement statistics indicate that the period started with 9 open cases, 7 were closed at the January 20, 2012 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 – EXECUTIVE SESSION – ENFORCEMENT**

The Board moved into Executive Session at 10:16 a.m. with the following motion:

**RESOLUTION #4**

**Francie Astrom 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:**

<b>Marsha Dumm</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Leah Reibel</b>	<b>recused</b>	<b>Francie Astrom</b>	<b>yes</b>

The Board came out of executive session at 10:58 a.m.

**AGENDA ITEM # 6 – FINDINGS, ORDERS, AND ACTIONS**

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

**RESOLUTION #5**

**Mary Frances Astrom moved and Marsha Dumm seconded a motion to close the following cases for the reasons cited:**

<b>12OBD74</b>	<b>Advisory letter for inappropriate conduct</b>
<b>12OBD75</b>	<b>Came into compliance</b>
<b>12OBD76</b>	<b>Unfounded</b>
<b>12OBD77</b>	<b>Came into compliance</b>

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

<b>Marsha Dumm</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Leah Reibel</b>	<b>recused</b>	<b>Francie Astrom</b>	<b>yes</b>

**STATUS OF BOARD ACTIONS**

There were no board actions to report.

**AGENDA ITEM #7 – EMAIL ADDRESSES FOR DTRS IN ELICENSE**

Ms. Dion requested the Boards input based on an outside request for licensees email addresses and a corresponding question as to why the Board does not collect email addresses for Dietetic

Technicians. After brief discussion, the Board agreed that since we do not license DTR's, we would have no reason to collect or maintain this information in the computer system.

### **AGENDA ITEM # 8 – DISCUSSION OF PERTINENT LEGISLATIVE ISSUES**

HB 259 (Alternative Practitioners) was scheduled to have its fourth hearing, amendments to the bill and a possible vote on March 28, 2012. During the committee, Chairman Wachtmann called for any testimony to be heard and there was none. He did not take roll call for a vote. There has been no movement on this bill since the December 7, 2011 opposition testimony. 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). On February 8, 2012, Ms. Dion testified in opposition to this bill at the House Health and Aging Committee. There was specific wording which the Board and the Ohio Dietetic Association did not agree with. In follow up of the committee meeting, an amendment was drafted to change the wording in question. As a result of this, an interested parties meeting via phone took place on February 27, 2012 and included Representative Schuring, the sponsor of the bill. The proponents remained opposed to defining General Non-Medical Nutrition Information or referencing Chapter 4759. To date we have not been made aware of the status of the proposed changes. This bill will be monitored for any further activity and the Board will respond as appropriate.

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 has not moved out of committee yet.

Ms. McKnight also discussed House Bill 412 the Health Insurance Exchange bill. It will establish the Ohio Health Benefit Exchange Agency and to establish the Ohio Health Benefit Exchange Program consisting of an exchange for individual coverage and a Small Business Health Options Program. Ms. McKnight stressed the importance of dietitians being included in this bill and being at the table to provide input for the profession.

### **AGENDA ITEM # 9 – FINANCIAL REPORT**

The financial report was presented by Ms. Dion for the months of January and February 2012 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$142,342.92 after encumbrances.

Routine expenditures occurred during the period including \$21,677.22 in January and \$27,702.09 in February 2012.

Revenues of \$2,370.00 for January and \$2,280.00 for February 2012 were reported in OAKS. Total revenue for FY 2012 is \$85,530.00.

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

**RESOLUTION # 6**

**Francie Astrom moved and Leah Reibel seconded a motion to approve expenditures as presented for January and February 2012 and to accept the Financial Report as submitted to the Board by the Executive Secretary.**

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

<b>Marsha Dumm</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>yes</b>
<b>Leah Reibel</b>	<b>yes</b>	<b>Francie Astrom</b>	<b>yes</b>

Ms. Dion sought the Board's input for her attendance at the Ohio Dietetic Association's annual conference in Cincinnati, on May 17 – 18, 2012. It was also determined that Christopher Taylor would attend on the Board's behalf.

**RESOLUTION # 7**

**Francie Astrom moved and Leah Reibel seconded a motion to approve Karen Dion's and Christopher Taylor's upcoming attendance at the Ohio Dietetic Association's annual conference in May 2012 and to reimburse for all routine and necessary expenditures related to the conference.**

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

<b>Marsha Dumm</b>	<b>yes</b>	<b>Christopher Taylor</b>	<b>recused</b>
<b>Leah Reibel</b>	<b>yes</b>	<b>Francie Astrom</b>	<b>yes</b>

**AGENDA ITEM # 10 – BOARD REPORTS**

**CHAIRMAN – Marsha Dumm**

Chairman Dumm had no report at this time.

**ODA LIAISON – Pat McKnight**

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

Ms. McKnight discussed the 25<sup>th</sup> anniversary of dietetic licensure in Ohio, which is on July 1, 2012. Activities to celebrate the event were discussed. Ms. Dion stated that she has been in contact with Cynthia Stegeman, ODA's president. Ms. Stegeman represents Ohio for the Academy, so any event for FNCE needs to be planned through her. After

discussion it was determined that after the July 20, 2012 Board meeting, the Board would host a small reception for previous Board members, previous employees, the Governor and Central Ohio leadership.

Ms. McKnight reminded the group that the annual conference for the Ohio Dietetic Association is May 17, 2012 and May 18, 2012 in Cincinnati.

## **DIRECTORS REPORT – Karen Dion**

Ms. Dion reminded everyone about the financial disclosure forms. Once all forms are collected, Ms. Dion will submit all forms to the Ethics Commission by April 15, 2012.

Ms. Dion discussed the mandatory requirement for state agencies to spend 15% of their eligible expenditures on Minority Business Enterprise (MBE) vendors and 5% of their eligible expenditures on Encouraging Diversity, Growth, and Equity (EDGE) vendors. However, Ms. Dion explained that most Boards and Commissions have extreme difficulty meeting these mandates due to limited budgets and the requirement to use the Department of Administrative Services (DAS) and established State Term Contracts. The dollar amount of eligible expenditures included items that we must purchase through DAS or State Term Contracts, thus extremely limiting our ability to meet the required percentages for MBE and EDGE. The Boards and Commissions are to communicate any difficulty not meeting the requirements to the Equal Opportunity Division.

Ms. Dion revisited the topic related to the Board's suggestion that OBD reach out to graduates that have obtained a 4-year degree but not related to a dietetic internship. Such individuals might have a Master's degree in Nutrition but have not completed the necessary coursework to be eligible for a dietetic internship and to take the national Registration exam. This would limit their practice related to dietetics. After brief discussion, it was determined that other disciplines could also benefit from the information. The Board suggested creating a Powerpoint presentation on licensure and sending to all universities in Ohio with a dietetic program. We would ask the administrator of the didactic program or internship to distribute to the programs within the university that they feel would benefit from the information. Programs could include personal trainers, sports medicine, and occupational/physical therapy and athletic trainers because they could have unlicensed assistive personnel possibly practicing dietetics.

Ms. Dion reported that the Board is currently being audited for Fiscal Years 2011 and 2012. Since Fiscal Year 2012 is not closed, the auditor will return to the Board to review the End of Year expenditures and the renewal process. The audit was budgeted for Fiscal Year 2013. The auditors schedule changed, so our audit is occurring in the current Fiscal Year. However, the billing will occur from the Fiscal Year 2013 budget.

Presentations on licensure since the January 20, 2012 meeting of the board include:

02/01/12	OSU Medical Dietetics Students	40 students
03/02/12	University of Akron	38 students/interns
03/05/12	Case Western Reserve University	17 graduate students
03/29/12	Mount Carmel College of Nursing	8 interns

### **AGENDA ITEM #11 – SCOPE OF PRACTICE DISCUSSION**

Ms. Dion reminded everyone that the Mount Carmel dietitians are planning to attend the May 11, 2012 Board meeting. She briefly discussed an email that she received which was similar to the scope of practice issue. The Board agreed it was a recurring issue which has already been addressed on numerous occasions. There was no further discussion on the scope of practice issue that will be presented to the Board at the next meeting.

### **AGENDA ITEM #12 and #13– 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 which 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 #14 – ON-LINE RENEWAL UPDATE**

Ms. Dion updated the Board about the status of on-line renewal. Next week, the Board members will be emailed their user ID's and passwords to access the on-line renewal system. The members have agreed to renew their licenses early to assist in detecting any errors in the system prior to the May 1, 2012 renewal.

Ms. Dion sought the Board's input on issuing initial licensure cards or limited permit cards. After brief discussion, it was determined that as of July 1, 2012, the Board would no longer issue initial licensure cards. On-line verification will be used as the primary source verification. Limited permits cards will continue to be issued. If the limited permit holder is in a supervised status, it is displayed on the card but not on-line.

Ms. Dion updated the Board about the State's inability to have a Power Point presentation on the Board's website. Therefore, a tutorial was created consisting of screen shots of the on-line

renewal process. Licensees will receive one continuing education credit for jurisprudence by viewing the tutorial. A certificate of completion is at the end of the tutorial, to be submitted to the Board during the 2013 (calendar year) renewal.

**AGENDA ITEM # 15 – UPCOMING MEETINGS**

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

- May 11, 2012
- July 20, 2012
- September 21, 2012
- November 16, 2012

**AGENDA ITEM #16 – ADJOURNMENT**

**A motion was made to adjourn the meeting. There was consensus by the Board to adjourn the March 30, 2012 meeting of the Ohio Board of Dietetics at 2:30 p.m.**

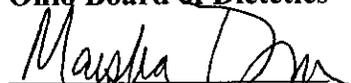
Respectfully submitted,



Date 5/11/12

Karen Dion, Executive Secretary

Ohio Board of Dietetics



Date 5/11/12

Marsha Dumm, Chairman

Ohio Board of Dietetics

 Date 5-11-12

Witness