

# OBD COMMUNIQUE

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Ohio Board of Dietetics  
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## OHIO BOARD OF DIETETICS

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## **License renewal is over for FY 2006!**

Over 3,000 dietitians completed the annual renewal of their licenses to practice in Ohio. This year was a particular challenge, as it was the first time dietitians were required to provide proof of completion of the new requirement for Jurisprudence continuing education in order to renew their licenses. As with most new processes, there was a significant learning curve to overcome both by licensees and OBD staff.

The next time Jurisprudence cpeus will be due is during license renewal in the Spring of calendar year 2007. Licenses have two years to earn the 1 cpeu in Ohio Board of Dietetics approved jurisprudence. Remember to check the OBD website for programs and self-study modules that have been approved for the 2007 requirement.

Unfortunately, an error was made during the printing of FY 06 licenses this year. The name of last year's Board chairman, Lorna Fuller, was inadvertently printed on about one-half of the licenses issued. The name of our current Board Chairman, David Holben, appears on the rest. After consultation with legal counsel, the Board decided not to reissue those licenses printed in error -- but has made a notation in the agency records of the error. Rest assured, that grey colored FY 06 licenses with the name of either Ms. Fuller or Dr. Holben are legal and acceptable. As Director of the agency I take full responsibility for the error and apologize for any confusion that it has caused. It will not happen again!

## **A sincere Thank-you to Lorna Fuller!**

Lorna Fuller has completed a full five-year term on the Board this summer and we thank her for her service. Lorna served on various committees including the Application, Rules and Probable Review Panel committees. She also held leadership roles as Vice-Chairman and Chairman of the Board. Lorna balanced her OBD obligations with her duties working for Sodexo Marriott and has been attending graduate school working on her PhD at the same time! Her thoughtful input and careful consideration of issues highlighted her tenure with OBD. Obviously, Lorna's hard work and contributions will be missed.

## **Welcome Ms. Rogers!**

Ms. Vandadean Rogers, L.D. has been appointed by Governor Taft to serve from October 12, 2005 to June 30, 2010 as one of the dietitian members of the Board. Vann is employed at both Central State University and Sinclair Community College and works in the areas of social services, gerontology, and life-long learning. She also is a licensed nursing home administrator, and has worked extensively with dietetic professionals including dietetic technicians and dietary managers.

## **Unlicensed Alternative Practitioners Still Seeking to Practice Dietetics, Medicine and other Allied Medical Professions**

Unlicensed alternative practitioners have continued their 5-year quest to practice dietetics, medicine and many of the allied medical professions through companion bills HB 117 (Reidelbach) and SB 98 (Clancy).

If enacted, the bills would allow unlicensed persons to practice many areas of medicine including dietetics, medicine, nursing, chiropractic, dentistry, optometry, pharmacy, physical therapy, athletic training, occupational therapy, acupuncture, orthotics/pedorthics/prosthetics without any requirements for minimum education, training or oversight.

Any unlicensed person could perform nutritional assessments and counseling for all persons (including those with diabetes, renal disease, etc.) whether they had scientific expertise in the area or not. Self-appointed practitioners could perform many medical practices including setting fractures, delivering babies, performing abortions, cleaning and filling teeth, performing psychological counseling, etc. If a consumer was harmed there would be no appropriate place for them to complain or authority provided to the courts to stop them from continuing to engage in the practices that injure Ohioans.

The affected professional regulatory boards and professional associations are overwhelmingly in opposition to the bills, and are actively trying to explain to legislators why these bills are dangerous to consumers and should be quashed. The proponents of HB 117 and SB 98 are persistent in their lobbying efforts as well.

It is important for dietitians, other licensed health professionals, and consumers to speak out if you support the safe, effective and scientific provision of health care in Ohio. Contact your Ohio legislators by phone, fax, e-mail, or letter and let them know that you oppose HB 117 and SB 98. A copy of the current version of the bills is posted on the OBD website ("Sub HB 117-04") and you can also access contact information for your legislators at [www.dietetics.ohio.gov](http://www.dietetics.ohio.gov) "Contact Ohio Legislators."

### **About Tax Amnesty**

The Ohio Regulatory Boards and Commissions have been asked to relay information about Ohio Tax Amnesty to professionals who may be able to take advantage of this one-time opportunity.

The Ohio Department of Taxation is offering a 2006 Tax Amnesty Program extending from January 1 to February 15, 2006. Ohio Tax Amnesty is a ONE-TIME, 6-week opportunity to pay back taxes without penalty. Additionally, the program reduces any outstanding interest charges by 50%.

Tax Amnesty is being offered as the result of the many changes Ohio's tax code has experienced in recent years. Given those changes and the general complexity of the tax code, many Ohioans may have inadvertently underreported their tax liability when filing, or simply not filed at all.

Now is the time to talk to a tax professional to consider any mistakes and avoid unwanted future exposure.

For more information about the Tax Amnesty Program, go to: [www.tax.ohio.gov/amnesty](http://www.tax.ohio.gov/amnesty).

**SUMMARY OF ACTIONS TAKEN OR INITIATED BY THE BOARD FY 2005**

**NOTICE OF OPPORTUNITY FOR HEARING**

**Sandra Hathaway – (L#2399)- Zanesville**

Based on allegations of failure to meet acceptable standards of practice for nutritional assessment and support of nursing home residents, Notice of Opportunity for Hearing was mailed on 4/6/05 proposing to revoke, suspend, place on probation\*\*\* license to practice dietetics. Hearing requested and scheduled for 6/10/05, and then continued to 8/31/05.

**Mary Keller - (L# 1209) - Stow**

Based on felony conviction, and allegations of failure to disclose information on application, a Notice of Opportunity for Hearing was mailed 3/28/05 proposing to revoke, suspend, refuse to issue\*\*\*license to practice dietetics. {Settled by Consent Agreement in Fiscal Year 2006 (July 1, 2005-June30, 2006)}

**CONSENT AGREEMENT**

**Roya Parsons – (Supervised LP # 10038 -expired) – Galion**

Based on allegations of unlicensed practice of dietetics and use of title RDE for 8 months, consent agreement offered. Consent agreement effective 9/22/04. Supervised Limited Permit issued and immediately suspended for 30 days, stayed upon conditions. Supervised Limited Permit expired on 9/22/04.

**CEASE AND DESIST LETTER**

**Kay Conley – West Union**

Cease and Desist letter mailed 1/14/05. Ceased unlicensed practice and came into compliance with supervision. Response received 2/18/05.

**LICENSE ISSUED WITH LETTER OF CAUTION**

- Initial License.....Zanesville
- Initial License.....Willoughby
- Initial License.....Columbus
- Reinstatement.....Akron
- Reinstatement.....Columbus
- Reinstatement.....Millersburg

**LETTER OF CAUTION FOR PRACTICE CONCERNS**

- 04OBD98.....Columbus
- 04OBD96..... Martins Ferry
- 05OBD74..... Williamsburg

**FINAL ORDER**

**Greg Avellana (L#5107) – Columbus. End probation on license to practice effective 4/28/05**

## **Update on HB 66 - Budget Bill - Transition/Consolidation of 20 Boards**

Last spring we informed licensees about a proposal in HB 66 that would transition and consolidate 27 Boards (including OBD) to the Department of Health, Commerce, and Labor, and would remove budget appropriations for all the agencies for the 2007 fiscal year. The change would end OBD's tenure as an independent agency and result in us becoming a small part of a much bigger department with its own priorities, resulting in a reduction in services, efficiencies, funding, and focus on regulation of dietetic practices.

During the budget process the budget bill was amended and the legislature exempted 7 Boards (Medical, Dental, Pharmacy, Nursing, Engineers, Architects/Landscape Architects, and Accountants) from the plan -- permitting them to remain as independent boards.

The final budget bill created a transition team whose role is to develop recommendations and plans for the transition and consolidation of the 20 boards including budgets, staffing recommendations and cuts, necessary statute changes, etc. The team is required to report their findings and recommendations to the legislature by 12/31/2005.

The transition team has been meeting and includes representatives of 3 of the affected boards, budget and administrative services, and the receiving departments. OBD has been following the team's activities and has had input in various ways.

Many of the professional associations of the affected Boards have been actively lobbying to stop the transition. On November 3, 2005, Senator Coughlin and others introduced SB 222 proposing to eliminate the consolidation of the affected Boards and restore the appropriations for FY 2007. This bill will have to go through the standard legislative process -- which takes a significant amount of time.

So, the bottom line is that there is still a lot of uncertainty about the fate of the 20 Boards, including OBD. We will, however, continue to plan our agency activities as we have in the past and will make any adjustments necessary to continue with the current structure or seamlessly transition to whatever new structure may unfold.

If you have strong feelings about the issue you are urged to contact your State Senator or Representative to make your feelings known.







