

**OHIO BOARD OF DIETETICS  
MINUTES OF THE BOARD MEETING  
May 11, 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; Melissa Wilburn, Associate Assistant Attorney General (AAG); Ainsley Malone, Mt. Carmel Health System; and Marcy Chaney, Mt. Carmel Health System.

Chairman Dumm called the meeting to order at 10:03 a.m., noting that a quorum was in attendance. Ms. Dumm welcomed the group.

**AGENDA ITEM #2 – APPROVAL OF MINUTES OF THE MARCH 30, 2012 MEETING**

The minutes of the March 30, 2012 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 March 30, 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>yes</b> | <b>Francie Astrom</b>     | <b>yes</b> |

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

Ms. Dion presented the names of 9 individuals to the Board who were issued a Limited Permit license between March 30, 2012 and May 4, 2012 during Fiscal Year 2012. The limited permits expire on October 31, 2012. The following motion was made:

**RESOLUTION #2**

**Leah Reibel moved and Christopher Taylor seconded a motion to place upon the minutes of the May 11, 2012 meeting the name of 9 individuals who were issued a Limited Permit during Fiscal Year 2012 since the March 30, 2012 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:**

|                    |            |                           |            |
|--------------------|------------|---------------------------|------------|
| <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 28 individuals who were issued a license for the period between March 30, 2012 and May 4, 2012 for Fiscal Year 2012. The list included 23 initial licenses, 2 reactivations and 3 reinstatements. The following motion was made:

**RESOLUTION #3**

**Leah Reibel moved and Christopher Taylor seconded a motion to place upon the minutes of the May 11, 2012 meeting the names of 28 individuals who were issued a license for Fiscal Year 2012 since the March 30, meeting of the Board. There were 23 initial licenses, 2 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:**

|                    |            |                           |            |
|--------------------|------------|---------------------------|------------|
| <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 March 31, 2012 through May 11, 2012. The enforcement statistics indicate that the period started with 7 open cases, 4 were closed at the March 30, 2012 Board meeting. Four 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 10:14 a.m. with the following motion:

**RESOLUTION #4**

**Leah Reibel moved and Francie Astrom 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 10:30 a.m.

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

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

**RESOLUTION #5**

**Christopher Taylor moved and Francie Astrom seconded a motion to close the following cases for the reasons cited:**

|                |                             |
|----------------|-----------------------------|
| <b>12OBD78</b> | <b>Came into compliance</b> |
| <b>12OBD79</b> | <b>Unable to locate</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 – SCOPE OF PRACTICE DISCUSSION**

Ainsley Malone and Marcy Chaney (dietitians) from Mt. Carmel Health System presented information to the Board for their consideration. The topic was “RD Delegated PN (Parenteral Nutrition) and EN (Enteral Nutrition) Order Writing. They are requesting that the Board modify Chapter 4759 of the Ohio Revised Code to include language allowing the hospital to have the ability to decide to enter into consultative agreements between the physicians and dietitians.

This would allow the dietitians to manage Total Parenteral Nutrition (TPN)/Enteral Nutrition (EN) under the direction of a physician. One concern is extending the scope of practice and liability. Clinical privileging must be granted through the facility. A few parameters considered would include competency and a minimum of 5 years of practice. The Board requested scientifically based evidence, rather than opinions, that this change is warranted.

An outline of the presentation is attached to the minutes of the meeting.

The Board broke briefly for lunch.

## **AGENDA ITEM # 8 – 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. The position has not been filled to date. Plans are to follow up with an email to the Governor's Office.

Ms. McKnight reminded the group that the annual conference for the Ohio Dietetic Association is May 17, 2012 and May 18, 2012 in Cincinnati. Karen Dion and Christopher Taylor will be in attendance to represent the Board.

Ms. McKnight briefly discussed the Academy of Nutrition and Dietetics (formerly the American Dietetic Association) monthly call for May will focus on the licensure liaison and responsibilities.

### **DIRECTORS REPORT – Karen Dion**

Ms. Dion discussed the 25<sup>th</sup> anniversary of dietetic licensure in Ohio, which is on July 1, 2012. The Board plans to host a small reception after the July 20, 2012 Board meeting. Invitees will include previous Board members, previous employees, the Governor and Central Ohio leadership and previous Ohio Dietetic Association presidents since the inception of the Board.

Ms. Dion shared that a poster is being developed to highlight the 25 year anniversary of licensure and will be displayed at the Ohio Dietetic Association Annual Conference.

Ms. Dion shared information about the deregulation of boards from another state and brief discussion followed.



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

**RESOLUTION # 6**

**Leah Reibel moved and Christopher Taylor seconded a motion to approve expenditures as presented for March and April 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> |

**AGENDA ITEM #10 – DISCUSSION OF PERTINENT LEGISLATIVE ISSUES**

HB 259 (Alternative Practitioners) -- There has been no activity between the March 30, 2012 and May 11, 2012 meetings of the Board. This bill will be monitored for any further activity and the Board will respond as appropriate.

Ms. Dion discussed House Bill 251 (Acupuncturists Practicing with Herbs). Representatives from the Board and the Association continued to work with the sponsor and the proponents of the bill. The Board and Association have proposed defining General Non-Medical Nutrition Information or referencing Chapter 4759 in the bill, to clarify the boundaries for the oriental medicine practitioner in terms of nutrition information. On May 9, 2012 the sponsor of the bill proposed amendments to the bill to include General Non-Medical Nutrition Information. The substitute bill was passed out of the House Health and Aging committee on May 9, 2012. It also passed the House floor on May 23, 2012. The Board and Association are more accepting of the substitute bill which defines General Non-Medical Nutrition Information.

Ms. McKnight discussed House Bill 255 (sponsor Representative Gonzalez) which would require schools in academic emergency to implement the School Breakfast Program. The bill would also limit the times a school can opt out of providing breakfast if the school has a large number of children who receive free and reduced price lunch. This has not moved out of committee yet.

Ms. McKnight also discussed House Bill 412 the Health Insurance Exchange Bill. It establishes the structure for Insurance Exchanges in Ohio. ODA is working to try to get Medical Nutrition Therapy specifically stated in the benefits list.

**AGENDA ITEM #11 and #12- SUBCOMMITTEE MEETINGS AND REPORTS**

The Education subcommittee met to review Continuing Education / Professional Development Learning Plans and Learning Logs, and one presentation for Continuing Education. 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 two Learning Logs which was approved by the committee. The committee approved the presentation for continuing education as well.

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 # 13 – UPCOMING MEETINGS**

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

- 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 May 11, 2012 meeting of the Ohio Board of Dietetics at 3:30 p.m.

Respectfully submitted,  
Karen Dion Date 7/20/12

Karen Dion, Executive Secretary  
Ohio Board of Dietetics

Marsha Dumm Date 7/20/12

Marsha Dumm, Chairman  
Ohio Board of Dietetics

[Signature] Date 7/20/12

Witness