

**OHIO BOARD OF DIETETICS
MINUTES OF THE BOARD MEETING
July 19, 2013
31st Floor, Board Room, Vern Riffe Center
Columbus, Ohio 10:00 A.M.**

AGENDA ITEM #1 – CALL TO ORDER

BOARD MEMBERS PRESENT: Leah Reibel, Susan Finn, Christopher Taylor and John Ridgway

OTHERS PRESENT: Pat McKnight, Ohio Academy of Nutrition and Dietetics liaison; Donald Davis, Compliance Specialist; Karen Dion, OBD Executive Secretary; Charissa Payer, Senior Assistant Attorney General; and visitor Steven Kochheiser, Office of the Attorney General.

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

AGENDA ITEM #2 – APPROVAL OF MINUTES OF THE MAY 10, 2013 MEETING

The minutes of the May 10, 2013 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

Susan Finn moved and John Ridgway seconded a motion to approve the minutes of the May 10, 2013 regular Board meeting as submitted by the Executive Secretary.

The motion was approved with vote as follows:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes

AGENDA ITEM #3– APPROVAL OF LICENSES

Ms. Dion presented the names of 20 individuals to the Board who were issued a Limited Permit license between May 10, 2013 and June 30, 2013 during Fiscal Year 2013. The Limited Permits expire on October 31, 2013. The following motion was made:

RESOLUTION #2

Christopher Taylor moved and John Ridgway seconded a motion to place upon the minutes of the July 19, 2013 meeting the names of 20 individuals who were issued a Limited Permit during Fiscal Year 2013 since the May 10, 2013 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:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes

Ms. Dion presented the names of 11 individuals who were issued a license for the period between May 10, 2013 and June 30, 2013 for Fiscal Year 2013. The list included 7 pro-rated initial licenses, 2 reactivations and 2 reinstatements. The following motion was made:

RESOLUTION #3

Christopher Taylor moved and John Ridgway seconded a motion to place upon the minutes of the July 19, 2013 meeting the names of 11 individuals who were issued a license for Fiscal Year 2013 between May 10, 2013 and June 30, 2013. There were 7 pro-rated initial licenses, 2 reactivations and 2 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:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes

Ms. Dion presented the names of 7 individuals to the Board who were issued a Limited Permit license between July 1, 2013 and July 12, 2013 during Fiscal Year 2014. The Limited Permits expire on October 31, 2013. The following motion was made:

RESOLUTION #4

Christopher Taylor moved and John Ridgway seconded a motion to place upon the minutes of the July 19, 2013 meeting the names of 7 individuals who were issued a Limited Permit during Fiscal Year 2014 between July 1, 2013 and July 12, 2013. The names appear on the list presented to the Board by the Executive Secretary. (See attached list labeled Resolution #4)

The motion was approved with vote as follows:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes

Ms. Dion presented the names of 40 individuals who were issued a license for the period between July 1, 2013 and July 12, 2013 for Fiscal Year 2014. The list included 32 initial licenses, 4 reactivations and 4 reinstatements. The following motion was made:

RESOLUTION #5

Christopher Taylor moved and John Ridgway seconded a motion to place upon the minutes of the July 19, 2013 meeting the names of 40 individuals who were issued a license for Fiscal Year 2014 between July 1, 2013 and July 12, 2013. There were 32 initial licenses, 4 reactivations and 4 reinstatements. The names appear on the list presented to the Board by the Executive Secretary. (See attached list labeled Resolution #5)

The motion was approved with vote as follows:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes

AGENDA ITEM # 4 – ENFORCEMENT REPORT- DON DAVIS

Mr. Davis presented the Enforcement Report with statistics for the period of May 11, 2013 through July 19, 2013. The enforcement statistics indicate that the period started with two open cases and two cases were closed at the May 10, 2013 Board meeting. Three cases were opened resulting in a pending caseload of three 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 – FINANCIAL REPORT

The financial report was presented by Ms. Dion for the months of May and June 2013 including Allotments, Expenditures and Revenues to date. She reported that the available budget is \$5,211.21 after encumbrances.

Routine expenditures occurred during the period including \$21,949.96 in May and \$19,888.04 in June 2013. Revenues of \$130,735.00 for May and \$148,587.500 for June 2013 were reported in OAKS. Total revenue for FY 2013 is \$381,640.46.

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

RESOLUTION # 6

Christopher Taylor moved and John Ridgway seconded a motion to approve expenditures as presented for May and June 2013 and to accept the Financial Report as submitted to the Board by the Executive Secretary.

The motion was approved with vote as follows:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes

Ms. Dion presented information and expenses for two upcoming conferences which the board has historically had representation at. The two conferences discussed were the Academy of Nutrition and Dietetics Food and Nutrition Conference and Expo in Houston, Texas and the other was the Council on Licensure Enforcement And Regulation (CLEAR) in St. Louis, Missouri. Taking into account the limited travel funds for FY14, the content and expenses for each conference, it was determined that only one conference would be attended. Discussion affirmed that the CLEAR conference was much needed with the various licensure topics that we are facing. Ms. Dion sought the board's input regarding representation of the Board at the CLEAR conference. After brief discussion, it was determined that Don Davis would represent the Board.

RESOLUTION # 7

John Ridgway moved and Christopher Taylor seconded a motion to approve Don Davis' upcoming attendance at the CLEAR conference in St. Louis, MO on October 2-5, 2013 and to reimburse for all routine and necessary expenditures related to the conference.

The motion was approved with vote as follows:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes

AGENDA ITEM # 6 – EXECUTIVE SESSION – ENFORCEMENT

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

RESOLUTION #8

Christopher Taylor moved and John Ridgway 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:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	yes	Christopher Taylor	yes

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

AGENDA ITEM #7 – FINDINGS, ORDERS, AND ACTIONS

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

RESOLUTION #9

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

14OBD03 Unfounded

The motion was approved with vote as follows:

Leah Reibel	yes	John Ridgway	yes
Susan Finn	recused	Christopher Taylor	yes

STATUS OF BOARD ACTIONS

There were no board actions to report.

The board broke briefly for lunch.

AGENDA ITEM # 8– BOARD REPORTS

Chair Reibel had no updates at this time.

OAND LIAISON – Pat McKnight

Ms. McKnight informed the board that the 6th Annual Legislation and Public Policy Day for dietetic interns and students is scheduled for October 8, 2013. The board's presentation on dietetic licensure in Ohio will be included in the agenda. Universities and Dietetic Internship programs in Ohio will be notified and encouraged to send students to the event, rather than requesting that the board travel to conduct a licensure presentation an additional time throughout the year.

Ms. McKnight briefed the group on the Health Insurance Marketplace topic. She expressed her gratitude for Kay Mavko who reviewed all health insurance plans and how they compared to the Affordable Care Act. She and Ms. Mavko met with the Department of Insurance and offered to submit recommendations as to how nutrition can be included and to submit recommendations. The Department of Insurance allowed their recommendations to be submitted. An update and information about the recommendations is being prepared and will be sent to all OAND members.

Ms. McKnight provided an update that the CMS proposed rule regarding diet orders has not been voted on yet.

DIRECTORS REPORT – Karen Dion

Ms. Dion discussed the current board member vacancy as of July 1, 2013. An appointment is expected to be made in July or August. Without the appointment of a new board member, the board is at risk for not having a quorum at the September meeting.

Ms. Dion provided an update about the Elicense system that is being developed. It was determined by the Department of Administrative Services (DAS) that IronData was not meeting timeline benchmarks, they were not in compliance with the contract and both DAS and IronData were not communicating/interacting effectively. A meeting was held with the executives of IronData, to determine where improvements in executing the contract were needed. Meetings will be held biweekly for the Boards and Commissions for status updates.

Ms. Dion informed the board that the office now has a Konica Minolta copier via a lease agreement for sixty months, which was the most cost efficient plan for the board.

Ms. Dion sought the board's input regarding an invitation by Dietary Solutions, Inc. to be the featured speaker for an ethics webinar. After brief discussion it was concluded that the invitation should be declined. It could be seen as a conflict of interest if the board is associated with a webinar that dietitians pay for and it could give the appearance that the board is receiving payment from Dietary Solutions to present the webinar.

Ms. Dion sought the board's input on responding to an inquiry from an organization about a Federal Citation. It was agreed that we can clarify how the dietetics laws and rules are interpreted but the board will not voice an "opinion", rather interpretation of the laws and rules.

Ms. Dion reported that she was asked by the Office of Budget and Management to relay information for small business owners from the recent passage of the budget bill. It was decided that the information would be emailed to our licensees via the list serve, with an attachment to open if they are interested in additional information. Prior to the bill's passage, similar information was also sent on February 4, 2013 at the request of the Governor's Office.

Ms. Dion reminded the board that they were previously sent her response to Representative Richard Adams from his inquiry on May 22, 2013. The complaint to Representative Adams was initiated by constituents who are associated with The Alliance on Natural Health.

Ms. Dion provided information that was presented to the Boards and Commission Management group on June 26, 2013. Jai Chabria, Senior Advisor to Governor Kasich presented information about the Deferred Action for Childhood Arrivals program (DACA). All boards were asked to review their statute in regards to how "residency" is defined or used and communicate that

information to the Governor's Office. Information is attached to the meeting minutes and can be accessed at USCIS.gov.

Ms. Dion shared the recent Executive Order regarding veterans. On June 11, 2013 the Governor signed Executive Order 2013-05K, Directing State Departments, Boards and Commissions to Streamline the State Licensing Process to Take into Account Relevant Military Education and to Direct the Chancellor of the Ohio Board of Regents, in Collaboration with Presidents of the University System of Ohio, to Simplify the Process for Awarding College Credit for Military Education for Veterans and Service Members.

Ms. Dion informed the board that the mileage reimbursement rate increased to .52 per mile effective August 1. She reminded the board that it is encouraged to minimize travel and use conference calls or other technology tools to reduce costs. A copy of the travel rule is attached to the meeting minutes.

AGENDA ITEM #9 – DISCUSSION OF PERTINENT LEGISLATIVE ISSUES

Ms. McKnight suggested reserving some time at the next board meeting to discuss various questions about the course the board would like to take in receiving inquiries about other nutrition degrees in which the individuals may have a master's degree or PhD in nutrition.

Ms. McKnight reported that the Ohio Department of Health Town Hall Tour is holding meetings throughout Ohio. The Ohio Academy has ensured that a dietitian from each respective area will attend the meetings. Ms. McKnight and Ms. Dion are registered to attend the Columbus meeting on August 9, 2013. There is no cost to attend and board members are not required to attend. A schedule is attached to the meeting minutes.

AGENDA ITEM #10 – FY 14 RENEWAL STATUS

Ms. Dion provided an update to the board on the FY14 renewal status. On April 19, 2013, Ms. Dion sent an email to all licensees alerting them that their individual user ID and password for online renewal was sent via postal mail on April 17, 2013. Licensees were directed to contact the board office if they did not receive the mailing by May 1, 2013. Requests for paper renewal applications were accepted in writing by the board office. A second reminder was emailed on June 7. The deadline for renewal is June 30.

AGENDA ITEM #11 & #12 – SUBCOMMITTEE MEETINGS AND REPORTS

Several learning activity logs and learning plans were received by the board after the May 10 board meeting.

The Education subcommittee had 27 Continuing Education / Professional Development Learning Plans and Activity Logs to review. 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 25 Activity Logs. Two Professional Development Learning Plans were reviewed and approved.

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 #13 – PRESENTATIONS SINCE MAY 10, 2013

May 16, 2013	Ohio Academy of Nutrition and Dietetics Annual Conference	60 dietitians
June 7, 2013	University of Cincinnati (Good Samaritan)	11 dietetic interns
June 18, 2013	Youngstown State University	11 undergraduates

AGENDA ITEM #14 – UPCOMING PRESENTATIONS

October 8, 2013 Annual Legislation and Public Policy Day

AGENDA ITEM # 15 – UPCOMING MEETINGS

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

September 20, 2013 CHANGED to September 24, 2013

November 8, 2013

AGENDA ITEM #16 – ADJOURNMENT

A motion was made to adjourn the meeting. There was consensus by the Board to adjourn the July 19, 2013 meeting of the Ohio Board of Dietetics at 2:25 p.m.

Respectfully submitted,

Karen Dion Date 9/24/13
Karen Dion, Executive Secretary
Ohio Board of Dietetics

Leah Reibel Date 9/24/13
Leah Reibel, Chairperson
Ohio Board of Dietetics

Susan Finn Date 9/24/13
Witness