



State Medical Board of Ohio

**DIETETICS ADVISORY COUNCIL MEETING**

**March 8, 2021**

via live-streamed video conference

**Members:**

Judy Nagy, MEd, RDN, LD, FAND  
Susan Finn, PhD, RDN, LD, FAND  
Ashlee Pax, RDN, LD, MFCS  
Carmen Clutter, MS, RDN, LD, CLC  
David Reiersen  
Kathy Shellito, RDN, LD  
Mary-Jon Ludy, PhD, RDN, FAND

**Staff:**

Jill Reardon, Deputy Director of External Affairs  
Chelsea Wonski, Director of Legislative Affairs  
Julie Williams, Public Information Officer  
Benton Taylor, Board Parliamentarian

Ms. Reardon called the meeting to order at 2:00 p.m.

**Minutes Review**

Ms. Reardon asked for a motion to approve the draft minutes of the Committee's December 7, 2020 meeting.

**Ms. Finn moved to approve the draft minutes of the December 7, 2020 meeting of the Dietetics Advisory Council. Ms. Nagy seconded the motion. The motion carried.**

**Legislative Update**

Ms. Wonski stated that the Board's biggest priorities continue to be the budget proposal and the Interstate Medical Licensing Compact. The Board is also closely monitoring House Bill 122 regarding telehealth and Senate Bill 155 regarding massage therapist licensure, among several other bills.

**House Bill 110:** Ms. Wonski reported that the Board's initial budget request, which included a 14% increase, was granted in the Executive version of House Bill 110. The legislative team will continue to advocate for that request and closely monitor the bill through the remainder of the process.

Ms. Loucka testified last month for the House Finance Subcommittee on Health and Human Services. The next step is for the House version of the bill to be passed and sent to the Senate for its committee process.

Ms. Ludy asked how the budget increase will affect the day-to-day activities of dietitians. Ms. Wonski replied that the increase is intended to address staffing concerns and the increased workload as a result of the sexual misconduct historical case review due to the Strauss matter. Ms. Reardon added that the Board wants to ensure there is enough staff to handle everything for its 90,000 licensees.

**Senate Bill 6:** Ms. Wonski stated that this bill will require Ohio to join the Interstate Medical Licensure Compact (IMLC). In the last few months, Ms. Loucka and Ms. Wonski have met with legislators as well as staff at the ILMC regarding the Board's position on this legislation.

Marschall Smith, Executive Director of the IMLC, will provide a presentation to the Board's Licensure Committee on Wednesday.

**House Bill 122:** Ms. Wonski stated that this bill would allow certain health care professionals, including dietitians, to provide telehealth services according to specified conditions and standards.

**Senate Bill 155:** Ms. Wonski stated that this bill will require individuals practicing non-therapeutic massage within the state to obtain a license from the medical board.

### **One-Bite Program**

Ms. Reardon stated that the One-Bite program allows eligible licensees who are impaired due to substance abuse to avoid formal disciplinary action by going into this confidential monitoring and treatment program. A proposed rule would update the evaluation and treatment requirements for some licensees, including dietitians, and would change requirement for a 72-hour inpatient evaluation, which costs \$3,570, to an outpatient evaluation that costs \$800. The Board will discuss this matter at its meeting this Wednesday. Ms. Reardon noted that a recording of that meeting will be available on the Board's YouTube channel.

Ms. Ludy asked how many people are usually evaluated through the One-Bite program. Ms. Reardon stated that she will send that information, as well as the number of dietitians in the program. Kay Mavko, representative of the Ohio Academy of Nutrition and Dietetics (OAND) and former Executive Director of the Ohio Board of Dietetics, commented that the number of dietitians referred for substance abuse used to be about three or four per year.

Ms. Mavko noted that respiratory care professionals and massage therapists are the second and third most referred group for One-Bite, respectively, yet they are included in the Cluster B, eligible for outpatient evaluation, rather than Cluster A. Ms. Reardon stated that there may be concern that the cost of the inpatient evaluation was encouraging some impaired professionals to refrain from self-reporting and continue practicing.

Ms. Mavko noted that the meeting materials state that one situation in which no diagnosis occurs is when a licensee reports a history of legal involvement such as a DUI on a licensure application and is referred for evaluation. The documents further state that many of those in such a situation did not exhibit symptoms of a substance abuse disorder and legal charges had been resolved more than 12 months previously. Ms. Mavko hoped that the reference to "a DUI" means a single DUI rather than a history of multiple DUI's. Ms. Mavko stated that in her experience with the Board of Dietetics, it was considered a red flag if someone had a history of DUI, which could be spread out over four or five years.

### **Amended rule 4759-4-04**

Ms. Reardon stated that the Board filed an amendment to Rule 4759-4-04 with the Common Sense Initiative (CSI), as well as rules 4759-4-08 and 4759-6-02. These proposed changes were posted to the Board's website and sent to interested parties for review.

The Ohio Academy of Nutrition and Dietetics (OAND) provided comments on the proposed amendment to Rule 4759-4-04. Specifically, OAND asked that the rule be amended so that non-registered licensed dietitians would have continuing education requirements similar to those of registered licensed dietitians. Changes were made to reflect OAND's concerns and will be discussed by the Board at its meeting this Wednesday.

### **Ohio Academy of Nutrition and Dietetics Update**

Ms. Mavko stated that the Ohio Academy of Nutrition and Dietetics (OAND) will have its public policy workshop on March 17. OAND will share concerns about some legislative issues, such as telehealth, as well as an amendment proposed by OAND about writing diet orders. Ms. Mavko testified last week in support of the telehealth bill, which includes dietitians and will hopefully continue to include dietitians.

### **Terms Expiring April 2021**

Ms. Reardon stated that the term of Ms. Shellito, who is not present today, as a member of this Council will end in April before the Council's next meeting. Ms. Reardon thanked Ms. Shellito for her time on the Council. Ms. Reardon stated that the Board is working with the Ohio Academy of Nutrition and Dietetics (OAND) to get new members for the Council.

### **Adjourn**

Ms. Reardon asked for a motion to adjourn.

**Ms. Finn moved to adjourn the meeting. Ms. Ludy seconded the motion.** All Council members voted aye. The motion carried.

The meeting adjourned at 2:25 p.m.

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