



Dietetic Advisory Committee Minutes - July 9, 2019

The meeting was called to order at approximately 2:00 pm on Tuesday July 9, 2019

Committee members present: Mary-Jon Ludy, PhD, RDN, FAND; Judy Nagy, MEd, RDN, LD, FAND; Carmen Clutter, MS, RDN, LD, CLC; Amie Heap, MPH, RDN, LD

Staff members present: Nathan Smith, Donald Davis, Joe Turek, Jonithon LaCross, Tessie Pollock

Guests: Pat McKnight

I. The council approved the April 9, 2019 meeting minutes as presented.

II. Statutory Topics

(A) Legislative Update on dietetics law changes:

Mr. LaCross gave an update on the budget bill (House Bill 166). The bill is currently in conference committee. Changes to dietetics laws include making renewal dates for licenses occur two years from the date of the initial licensure rather than on a specific date.

In addition, the bill provides the ability of the Board to audit continuing education for all Board license types including dietetics. If an audit determines that a licensee, who certified completion of continuing education, did not complete the continuing education, the Board may either: (1) take disciplinary action, impose a civil penalty or both; or (2) permit the licensee to agree in writing to complete the continuing education and pay a civil penalty.

Finally, statutory language was amended and added regarding restoration of a license for (1) a licensee that has been suspended for two years or more or (2) for a person seeking issuance of a license who for more than two years has not been engaged in the practice of dietetics. The purpose of this fitness to practice language is to give the Medical Board the ability to impose terms and conditions to ensure public safety and competent practice for an individual who has been out of practice for over two years.

(B) Jurisprudence/Continuing Education:

The Dietetics Advisory Council held an introductory discussion on two topics. First, Mr. Smith asked the Council to look at the continuing education rule in 4759-4-04 as part of its review of the Dietetics rules, and specifically the jurisprudence course requirement.

As part of the jurisprudence discussion, Pat McKnight of the Ohio Academy of Nutrition and Dietetics ("OAND") presented on the process and possibility of seeking CDR pre-approval of

the jurisprudence course offered by the Medical Board. Ms. McKnight stated that because CDR has updated the pre-approval process it is now easier for the Medical Board to get pre-approval of the Jurisprudence program.

Mr. Davis commented that the Jurisprudence program had been used in the past to highlight emerging or troublesome issues that were occurring in the practice of Dietetics. Later, human trafficking became the topic of jurisprudence as raising awareness of this important issue became a statewide priority.

The council discussed whether the jurisprudence course is valuable. The Medical Board is able to provide more frequent updates to licensees on rules, policies, and emerging issues through email blasts and other communication tools. Ms. Nagy believed there was value in dietitians learning new things about their practice, but did not believe that this meant it had to be content produced by the Medical Board.

The consensus of the advisory council was that a Medical Board created Jurisprudence course may not be the best use of Board resources. Further, a law or ethics course approved by the Academy of Nutrition and Dietetics (“AND”), CDR, or another acceptable group would be a satisfactory rule change.

Second, the Council had a discussion of the effect of the CDR’s new graduate level degree requirement (effective on January 1, 2024) on Medical Board requirements for dietetics licensure in statutes and rules. Mr. Smith introduced the issue as one with far-reaching effects for the practice of dietetics generally, and specifically for students, educational programs, dietetics licensees, and the Medical Board.

Mr. Smith gave a brief legal overview of the licensure statute and exam rule. R.C. 4759.06 requires an applicant for licensure to practice dietetics to: (1) have receive a baccalaureate or higher degree; (2) successfully completed a pre-professional dietetics experience; and (3) passed the examination approved by the Board. Ohio Administrative Code rule 4759-4-03 states that the board selects and approves the exam for dietitians offered by CDR.

Next, Ms. McKnight presented on behalf of OAND on the new graduate level degree requirement and how it impacts the practice of dietetics in Ohio. Ms. McKnight stated that no other state is any further along in addressing this issue than Ohio. She believes that there are a lot of things to consider and suggested a work group to discuss.

Ms. McKnight stated that you would not have to make a statutory change, but licensees and OAND members would expect a change. Mr. Smith stated that since the law and rule states that to be licensed someone must pass the CDR exam, and CDR controls who can take the exam that the statute would not necessarily need to be changed.

Dr. Ludy raised the issue that existing licensed dietitians are practicing with a bachelor’s degree, and the statute as currently written includes them, so she was not so sure we

needed to change the statute. Ms. Heap and Ms. Nagy discussed that CDR is not requiring currently practicing dietitians to meet additional educational requirements. Dr. Ludy had concerns about opening up the statute for amendment, and that you might get more changes than you were seeking.

Ms. Heap asked Ms. McKnight what the benefit would be to change the statute. Ms. McKnight stated that one reason statute changes are necessary is concern about unlicensed practice by fringe groups who do not care about patients. Ms. McKnight also suggested changing rules.

There was discussion of what is the purpose behind the new master's degree requirement which can be in any subject as long as you complete the didactic coursework. Dr. Ludy discussed the future education model used by a small group of dietetics programs which has a competency-based curriculum. It is possible that CDR will require a master's degree related to nutrition using this competency-based curriculum after there has been sufficient time to review it for demonstration of success.

Ms. Heap believes that the purpose of CDR's new master's requirement's is to make sure dietitians have a level of education commensurate with their clinical health care professional colleagues and to make sure they are providing a highly competent level of dietetics practice. She also noted that this will make new graduates competitive in a variety of types of non-traditional dietetics practice.

Dr. Ludy gave an overview of programs available at BGSU and provided information on changes her institution is making to help students achieve the master's degree requirement.

Concerns about student loan debt with a master's requirement were discussed. Further, there was discussion about whether a higher education requirement would lead to higher salaries to merit taking on the additional student loan debt.

The council consensus is that the CDR advanced degree requirement is still a work in progress and believes that at this time a change in the statute is not necessary. Further discussions are anticipated as additional materials are available.

(G) The safe and effective practice of dietetics, including scope of practice and minimal standards of care:

1. Ms. Pollock introduced the article in the Medical Board magazine entitled "Collaborative Health Care – Physicians and dietitians research nutritional therapies in oncology.": Tessie discussed future Medical Board articles highlighting the practice of dietetics.
2. Malnutrition Prevention Commission Report: Ms. Pollock reached out to some of the individuals on the commission on ideas on ways to present this report through the

Medical Board. A possible Resource page for dietetics on the website could include this report and other resources.

3. Disciplinary Statistics: Mr. Smith provided an overview on the disciplinary statistics since the board merger in January 2018. Mr. Davis commented that these statistics were very comparable to past years with the Ohio Board of Dietetics.

III. New Items for the Dietetics Advisory Council

1. Update on the appointment of the consumer member: Medical Board staff will begin the interview process. The intent is for the Board to appoint the consumer member by the next council meeting.

The Dietetic Advisory Committee meeting was adjourned at approximately 3:42pm on July 9, 2019.