

# **IOWA BOARD OF DIETETICS**

**Lucas State Office Building  
5<sup>th</sup> Floor Professional Licensure Board Room**

**June 28, 2010**

## **CALL TO ORDER**

The meeting was called to order at 9:07 a.m. by Rob Schweers, chair.

## **MEMBERS PRESENT**

Rob Schweers, chair  
Christine O'Brien, LD, vice chair  
Susan Reams, LD  
Janet Johnson, MS, RD, LD

## **MEMBERS ABSENT**

Jonathan Taylor

## **STAFF/OTHERS PRESENT**

Sharon Dozier, board executive  
Tammy Hidlebaugh, clerk specialist  
Kris Ensign, AAG

## **PUBLIC PRESENT**

Sandi Ryan

## **REVIEW OF AGENDA**

Revisions: None

## **APPROVAL OF MINUTES**

Reams moved and O'Brien seconded a motion to approve the minutes of March 12, 2010.  
The motion carried.

## **ELECTION OF OFFICERS**

O'Brien nominated Schweers for chair; Johnson seconded. The motion carried unanimously.

Reams nominated O'Brien for vice chair; Johnson seconded. The motion carried unanimously.

## **REPORTS**

Board Executive: Sharon Dozier reminded members of the requirements for meal receipts, and has copies of the guidance if needed. Rules: a draft of rule amendments discussed by the Rules Committee was provided. The rules will be provided to interested

persons during the pre-comment period in order for the board to consider prior to notice. Bureau transition: Dozier also reported on behalf of Marvin Firch, who is on personal leave. Eileen Gloor is no longer the bureau chief, as she retired effective June 25 under the state's early retirement program (SERIP). Two of the five executive officers and an administrative assistant also retired under this program. Mr. Firch was named the acting bureau chief until the bureau chief position is filled. He is requesting that the boards be patient during the transition period, and suggests emails to assist staff with processing requests for information. Requests will be responded to as quickly as possible. The IDPH has received approval to fill the vacant positions of bureau chief, one of the two executive officer positions, and the administrative assistant position.

Bureau Chief: The quarterly report is attached.

Board Chairperson: No report was given.

AAG: Kris Ensign reviewed the handout, Bureau of Professional Licensure Guidelines for Board Members. Board members are encouraged to be familiar with the guidelines, and to contact their board executive if they have questions about their roles and responsibilities. Ensign also reviewed the handout, Policy Statements by Professional Licensing Boards. This information is provided by the AG Office. Kris noted that boards should consider all policy matters for formal rulemaking, as rules have the force of law and are enforceable.

### **APPLICATIONS**

Fifteen licenses were issued since the last board meeting. Reams asked about the licensure process, and a summary was given of the required documents prior to issuance of a license.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

The correspondence submitted by Joni Wells, R.D., L.D., was discussed per Schweers' request following a limited discussion at the June 28, 2010 meeting. Ms. Wells inquired as to whether a licensed dietitian may write diet orders per protocol or transcribe verbal diet orders from a physician. Johnson distributed information she obtained from the ADA on hospital privileges and order writing. She noted that the ADA has comparison data of all states on this topic. Johnson and Reams reviewed and discussed this aspect of practice; they noted that hospitals and other health care facilities are subject to federal and state laws, and vary with respect to specific policies and protocols. The board agreed that Dozier will inform Ms. Wells of this review, and the resource information available from the ADA. Ryan stated that licensees in other practice settings may benefit from a board discussion of similar topics, e.g., whether a licensed dietitian can order lab work.

### **PUBLIC COMMENT**

None

## **ADMINISTRATIVE RULES**

The board reviewed and approved the draft rules for prenotice. The ADA Code of Ethics will be added by reference.

## **COMPLAINTS**

Schweers made a motion for closed session in accordance with Iowa Code Chapter 21.5 (1)a and d. O'Brien seconded the motion. Roll call vote of the members present:

Christine O'Brien, L.D., yes  
Robert Schweers, yes  
Susan Reams, LD., yes  
Janet Johnson, MS, RD, LD, yes

The board went into closed session at 10:12 a.m. The board returned to open session at 10:35 a.m. The board recessed until 10:55.

The following action was taken:

Johnson made a motion to close case # 10-001. O'Brien seconded the motion. The motion carried with O'Brien, Schweers and Johnson voting in favor, Taylor absent, and Reams recused.

## **HEARINGS**

None

## **REMAINING BOARD MEETINGS IN 2010**

September 17, 2010

December 10, 2010

**ADJOURNMENT**                      **Time:** 11:45 a.m.

Moved by Reams; seconded by O'Brien.

The minutes were approved by the board on September 17, 2010

## **Addendum to the June 28, 2010 Minutes**

### **Bureau of Professional Licensure Bureau Chief Report 4/01/10 – 6/30/10**

- 1. Legislation and rulemaking** The 2010 legislative session adjourned March 30. Both the IDPH Omnibus Bill and the Technical Bill passed successfully. No new boards were created within the Bureau of Professional Licensure. Rulemaking will continue throughout the year to better define statutory changes and in response to new board actions. When administrative rule changes are reviewed by the Administrative Rules Review Committee, the Board Executives provide information about the content of each change, outcome of every public hearing, and summary of public comments received. In some instances, Board members participate in the meetings to provide a professional perspective and articulate how rule changes proposed by the board benefit public protection.
- 2. Board appointments** Within the Bureau of Professional Licensure, Governor Culver appointed 19 new board members. All have been confirmed by the Senate and will begin serving their first terms on May 1, or earlier if they are filling a vacancy. Additionally, 23 board members were reappointed to second or third terms. Almost an equal number of board members have completed one or more terms of service, including 10 who served the maximum 9 years on a single board.  
The Department has published a press release and new board member names will be posted on the individual boards' websites on May 1.
- 3. AAG reports** At the first meeting of each board following May 1 the board's AAG will present and discuss a handout entitled *Guidelines for Board Members*. This is an opportunity to reinforce the information provided to new board members in their orientation binders and face-to-face orientation with the Bureau Chief. It also gives current board members an opportunity to discuss new information and ask their AAG questions that may have arisen about their role during the previous year. The seven AAGs who provide legal guidance to our boards will also present a brief educational session at each quarterly public meeting on a topic selected with the input of the board executives. The topic this quarter, *Policy Statements by Professional Licensing Boards*, is based on a Memorandum prepared by Julie Pottorff, Deputy Attorney General.

- 4. Budget** The Department continues to evaluate and respond to the impact of the overall state budget on public health services and workforce. Bureau staff members are completing either 5 or 7 mandated unpaid days before the end of FY10 on June 30, 2010. The staff is staggering their furlough time as creatively as possible to minimize the impact on productivity. Travel restrictions remain in effect for Board members and staff. Memberships in professional organizations continue to be approved based on justification of their necessity to assure access to national licensure examinations and maintain licensure functions. Director Newton and the IDPH Executive Team continue to evaluate and respond to budget mandates.
- 5. State early retirement incentive** The Bureau will be impacted by the State's early retirement program which is designed to reduce personnel and replacement costs. The departments will be permitted to replace no more than 50% of positions vacated through the program, and must demonstrate a 50% cost saving when doing so. Employees who leave employment under the program must do so by June 24, 2010 and agree not to be employed by the State of Iowa in any capacity other than appointment to a board or commission. Eligible employees must submit their application by April 15, 2010. Immediately after that time, the Department will formulate a plan for replacing employees who leave. The plan must be approved by the Department of Public Health, Department of Administrative Services, and Department of Management. Employees who have been approved to leave our Bureau under this plan include two board executives, each of whom administer four boards, our discipline office coordinator, and the Bureau Chief. Those individuals are working diligently together and with other staff to make this significant transition as seamless as possible for the boards.
- 6. Outreach and compliance** Bureau staff member Marvin Firch is now actively working with the boards to increase compliance through outreach and education. He has prepared and presented information throughout the state on the complaint process, participated in in-state meetings of professional organizations upon request, assisted to develop and implement a pilot project to survey licensed cosmetology schools, published an article in the Des Moines Register about the purpose of the boards, and assisted the Department to issue press releases. He is currently completing a project to create CDs with PowerPoint slides and a voice-over option for inclusion in new board member orientation binders, and for use by board members and board chairs regarding the role, processes, and informational resources of the 19 professional licensure boards.

- 7. Semi-annual meeting with DIA investigators** On April 22, 2010, the Bureau will host an educational meeting with the four investigators who are employed by the Department of Inspections and Appeals, and supported by licensee fees, to conduct an average of 21 investigations each month for the licensure boards. These semi-annual meetings are valuable to the Bureau and DIA as an opportunity to identify the best methods to conduct investigations and provide inclusive and timely reports to the boards so they make fully informed decisions.
- 8. Guidelines for meal receipts** Board members are requested to adhere to the guidelines for submitting meal receipts fully in order to receive reimbursements. The guidelines identify the seven items that must be included with every meal receipt. Because credit card receipts are not acceptable, board members must be diligent in requesting and reviewing receipts at the time of service. The guidelines will be available at meetings and upon request at any time.
- 9. Bureau relocation** The Bureau is scheduled for relocation to the building that was previously Mercy Capitol on the Capitol Complex within the coming months. Professional Licensure will share physical space with the Plumbing Board and Emergency Medical Services. More information will be provided when available.