

**STATE BOARD OF SANITARIAN REGISTRATION  
77 SOUTH HIGH STREET, 16TH FLOOR  
COLUMBUS, OHIO 43215-6108  
REGULAR BOARD MEETING MINUTES  
JUNE 1, 2005**

**PRESENT:**

Board Members: Linda Aller, R.S., David Winfough, R.S., Duane Snyder, R.S., Gary Silverman, R.S.

Executive Secretary: Lynn Jones

Assistant Attorney General: Scott Myers

Guest: Christina Wilson, R.S.  
Ohio Environmental Health Association

ABSENT: Roger, Suppes, R.S., Angela Henderson, R.S., Janet Rickabaugh, R.S.

The regular meeting of the State Board of Sanitarian Registration was held at 77 South High Street in the Main Boardroom on the 31st Floor in Columbus, Ohio. Vice Chairperson, Linda Aller called the meeting to order at 10:14 a.m.

AGENDA

The agenda was mailed to members in advance of the meeting.

D. Snyder moved to approve the agenda. D. Winfough seconded. Motion carried 3-0.

MINUTES

D. Winfough moved to approve the minutes of the April 20, 2005 regular meeting. D. Snyder seconded the motion. Motion carried 3-0.

COMMITTEE REPORTS

**EXAMINATION COMMITTEE**

L. Aller reported that she and Gary Silverman participated in the Update and Review of the Professional Examination Service (PES) Examination in New York City on May 12-13, 2005 along with representatives from Arizona, Connecticut, Maryland, and West Virginia. The process included the review of questions one by one, validation, group review of food section, and then breakout groups for the remaining sections with Ohio and Arizona representatives reviewing wastewater. She added that another meeting is planned for July and suggested members may write questions to be considered in subjects that are current to the practice of environmental health, but not covered on the examination.

G. Silverman reported that although the logistics were not organized clearly, the process worked well, particularly the item analysis. The group will return to New York in July to develop the passing score. He noted that the review did not include the investigation of the correct distribution of questions by section. Board members expressed concern, and after a short discussion, L. Jones was directed to forward a letter to PES encouraging the inclusion of this additional process in the current update and review.

L. Aller advised that pursuant to a letter of May 31, 2005, the National Environmental Health Association (NEHA) is using a new test vendor, Environmental Health Testing (EHT) and will discuss development of a new examination and how states can be involved in the process during the upcoming NEHA Annual Education Conference on June 27, 2005.

G. Silverman indicated that he would attend the meeting.

#### EXECUTIVE SECRETARY

#### REVENUE AND SPENDING REPORT FY 2005

L. Jones referred to the FY 2005 Financial Report *attached* and reported that 12% of the Board's original appropriation remains. Major expenditures for the month of April included exams at \$5,760 (64 @ \$90). Revenue is currently at \$122,122 and is projected to be \$133,000 by the end of the fiscal year.

#### 2006-2007 BIENNIUM BUDGET – HB 66

L. Jones reported that the Senate version of the budget bill includes the same consolidation plan as passed by the House of Representatives with seven regulatory boards exempt from consolidation; leaving twenty boards transitioning to Commerce or Health. The Sanitarian Registration Board is still transferring to Commerce. The only change in the Senate version is that the transition team will include three representatives of affected boards to be selected by the executive directors of those boards.

L. Jones added that a meeting of the affected board directors to discuss representation is scheduled for the week of June 6<sup>th</sup>.

#### AUDIT

L. Jones reported that the audit of the Board's systems for FY 2003-2004 is finished and a meeting will be scheduled by the Auditor's Office later this month to discuss the management letter. After the meeting, the management letter will be mailed to the Board Chair.

#### UPDATED LAWS AND RULES

L. Jones indicated that members should have received a copy of the updated Laws and Rules, which incorporates the most recent amendment to the definition of the practice of environmental health. Section 3718 (household sewage treatment systems) was added as a result of HB 231, which became effective on May 6, 2005. She noted that the laws and rules would be updated again with the passage of HB 66 (Budget bill) to reflect an increase in application and renewal fees.

#### HOUSE BILL 203

HB 203 amends the practice of environmental health to include health and safety inspections by local boards of health of school buildings and grounds at least once a year. Christina Wilson added that the bill just passed out of committee.

#### OHIO INSPECTOR GENERAL

S. Myers discussed the Ohio Inspector General's investigation report regarding the Ohio State Chiropractic Board. The initial allegations, while not rising to the level of wrongful acts, suggested the need to address policy issues. He added that during the course of the investigation, OIG investigators found that the executive

director manipulated the investigation of a complaint against a board member.

Mr. Myers concluded his summary by recommending that another board should investigate board member complaints.

L. Jones and S. Myers will review existing complaint management policy and include additional language to address this issue for Board discussion and the next meeting.

#### HOUSE BILL 267 CONVICTION OF FELONIES

S. Myers gave an overview of House Bill 267, which specifies, with regard to felonies and misdemeanors, that a license can be denied, revoked, or suspended only if a criminal offense is substantially related to the profession. He reported that, thus far, the proposed legislation isn't going anywhere; however, if members are called upon, they should take a stance against it.

#### AOHC COMMITTEE REPORT

D. Winfough referred to *Draft 3* of the Association of Ohio Health Commissioners (AOHC) report. The AOHC committee reviewed the impact the high examination failure rate was having on local health districts. He summarized that seven questions were answered with the result that the examination passing score should remain the same.

#### AUTHORIZATION OF PUBLIC HEARING

D. Winfough moved to authorize a public hearing for July 20, 2005 to amend Ohio Administrative Code Rules: 4736-1-01 *Definitions* and 4736-11-05 *Registration and Approval of Training Agency*. G. Silverman seconded the motion. Motion carried 3-0.

#### CONTINUING EDUCATION

##### APPLICATIONS FOR APPROVAL OF CONTINUING EDUCATION - TRAINING AGENCIES

D. Winfough moved to approve the National Environmental Health Association as an approved training agency. D. Snyder seconded the motion. Motion carried 3-0.

The list of continuing education requests submitted by approved training agencies was reviewed *attached*.

D. Winfough moved to approve training agency requests 05-172 through 05-195 and 05-166 for the listed hours with the following exceptions:

05-173      9.5

D. Snyder seconded the motion. Motion carried 3-0.

##### APPLICATIONS FOR APPROVAL OF CONTINUING EDUCATION - INDIVIDUALS

The list of continuing education requests submitted by individuals was reviewed *attached*. D. Winfough moved to approve individual requests 775 through 921 and 684 for the listed hours with the following exceptions:

789            1.0 speaker; 4.0 attendee  
808            6.0  
809            6.0

818	9.0
819	9.0
821	8.5
822	16
823	3.25
833	6.0 as a speaker upon verification
894	Action deferred for more information

D. Snyder seconded the motion. Motion carried 3-0.

APPLICATIONS FOR SANITARIAN-IN-TRAINING

The list of applicants for sanitarian-in-training was reviewed *attached*.

G. Silverman moved to accept 80 through 97 and 99 through 102 for sanitarian-in-training registration. D. Winfough seconded the motion. Motion carried 3-0.

Approved as sanitarians-in-training: 80. Olawale Ajoboye, 83. Patricia Burton-Marsh, 91. Kelly Dennis, 92. Kerry Cutcher, 93. Ryan Sekinger, 94. Jo Alexander, 95. Gail Rodabaugh, 96. Carol Zubovich, 97. Jeffrey Martin, 99. Anthony Schoenlein, 100. Monica Willey, 101. Timothy Cox, and 102. Scott Wiseman.

G. Silverman moved to defer action on 98. Subrahmanyam Darbha's application pending the submission of an official transcript from the University of Nebraska. D. Winfough seconded the motion. Motion carried 3-0.

APPLICATION FOR ADVANCEMENT TO REGISTERED SANITARIAN

G. Silverman moved to approve 31 and 46 through 54 for advancement to registered sanitarian. D. Winfough seconded the motion. Motion carried 3-0.

Approved as registered sanitarians: 31. Michael Butcher, 46. Andrew Hudgins, 47. Loree Disbennet, 48. Ralph Fogle, 49. Andrew Schumacher, 50. Renee Blyer, 51. Kelly L. Jeter, 52. Erika Jackson, 53. Chad Cook, and 54. Christopher Lefevre,

APPLICATION FOR REGISTERED SANITARIAN

G. Silverman moved to approve 3. Laura Studevart as a registered sanitarian.

REINSTATEMENTS

The list of reinstatements was reviewed. D. Snyder moved to reinstate 1. through 5. G. Silverman seconded the motion. Motion carried 3-0.

Reinstated as Registered Sanitarians: 1. Michele Morrone, 2. Jane Kay, 3. Charles Hooper, 4. Ralph Goodman, and 5. Daniel Almaguer.

CONTINUING EDUCATION WAIVER REQUESTS

G. Silverman moved to grant Kenneth Rupp a 4.5-hour continuing education waiver. D. Winfough seconded the motion. Motion carried 3-0.

CLARIFICATION OF SANITARIAN-IN-TRAINING EXPERIENCE/PRACTICE TIMELINE

The review of the policy *Clarification of Sanitarian-in-Training Experience/Practice Timeline* was deferred until the next board meeting.

#### BOARD MEMBERSHIP

Letters of recommendation from the Ohio Environmental Health Association and the Ohio Public Health Association were reviewed.

The letter from the Ohio Environmental Health Association recommends Linda Aller and Gary Silverman for reappointment and Richard D. Setty, R.S. Director of Environmental Health at the District Board of Health-Mahoning County, for the general health district vacancy.

The letter from the Ohio Public Health Association nominates Timothy Angel, PhD, Health Commissioner, Ross County General Health District, for the general health district vacancy.

L. Jones reported that she spoke with Beth Bickord of the Association of Ohio Health Commissioners (AOHC). Ms. Bickford would be forwarding AOHC's recommended candidate's name for the general health district vacancy direct to the Governor's Office with a carbon copy to the Board once a confirmation of the candidate's interest is confirmed.

L. Jones indicated that DuWayne Porter, Portage County Health District, expressed his continued interest in general health district representation on the Board.

D. Snyder moved to endorse Linda Aller and Gary Silverman for another term on the Board. D. Winfough seconded the motion. Motion carried 2-0 (abstentions by L. Aller and G. Silverman).

D. Winfough moved to submit the names of DuWayne Porter, Richard Setty, and Timothy Angel to the Governor's Office for the general health district vacancy on the Board, and to recommend Richard Setty. D. Snyder seconded the motion.

#### DISCUSSION

Discussion ensued regarding Mr. Setty's excellent reputation and his 28½ years of experience as a public health environmentalist.

All letters received by the Board regarding recommendations will be forwarded to the Governor's Office.

Motion carried 3-0.

#### HEARING ACTIONS

##### 05-S-1 ROBERT HAAS – PROPOSED DENIAL SANITARIAN-IN-TRAINING

D. Winfough moved to admit supplemental material submitted by Robert Haas pursuant to the Board's request made at the conclusion of the administrative hearing, and to mark the material as Respondent's Exhibit 4. G. Silverman seconded the motion. Motion carried 3-0.

D. Winfough moved to table action regarding 05-S-1 Robert Haas, and to request a transcript of the proceedings in order to match respondent's additional exhibits to testimony. G. Silverman seconded the motion. Motion carried 3-0.

05-R-3 DOMENICA McCLINTOCK – PROPOSED DENIAL OF ADVANCEMENT TO REGISTERED SANITARIAN

Ms. McClintock's application for advancement to registered sanitarian was denied during the March 16, 2005 Board meeting based upon lack of meeting the experience requirement.

S. Myers advised that since issuance of the *Notice of Opportunity for Hearing*, Domenica McClintock has submitted written verification of completion of sanitarian experience.

D. Snyder moved to dismiss the *Notice of Opportunity for Hearing* in the matter of 05-R-3 and to grant Domenica McClintock registered sanitarian registration. D. Winfough seconded the motion. Motion carried 3-0.

FUTURE MEETING DATES

Future meeting dates were discussed.

- July 20, 2005
- September 7, 2005
- October 19, 2005
- December 7, 2005
- January 18, 2006
- March 8, 2006
- April 19, 2006

L. Jones will make sure April 2005 meeting does not coincide with OEHA annual meeting.

ADJOURN

The meeting adjourned at 12:35 p.m.

Respectfully submitted  
Lynn M. Jones  
Executive Secretary

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Witness