

**STATE BOARD OF SANITARIAN REGISTRATION
77 SOUTH HIGH STREET, 16TH FLOOR
COLUMBUS, OHIO 43215-6108
REGULAR BOARD MEETING MINUTES
JULY 20, 2005**

PRESENT:

Board Members: Janet Rickabaugh, R.S., Linda Aller, R.S., David Winfough, R.S., Angela Henderson, R.S., Duane Snyder, R.S., Gary Silverman, R.S.

Executive Secretary: Lynn Jones

Assistant Attorney General: Scott Myers

Guests: Lewis Jones, R.S., Chief, Dairy Division, Ohio Department of Agriculture

Paul Panico, R.S., Chief, Food Safety Division, Ohio Department of Agriculture

Cory Noonan, Legislative Liaison, Ohio Department of Agriculture

Tiffany Midlam-Mohler, Joint Committee Agency Rule Review (Public Hearing only)

Stephen Long, Williams County Health Department (Public Hearing only)

ABSENT: Roger, Suppes, 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. Chairperson, Janet Rickabaugh called the meeting to order at 10:07 a.m.

AGENDA

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

D. Winfough moved to approve the agenda. A. Henderson seconded. Motion carried 5-0.

MINUTES

L. Aller noted one correction to the minutes of the June 1, 2005 meeting:

Page 1. Examination Committee Report – 1st paragraph, second sentence should reflect:

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 ~~Maryland~~ Arizona representatives reviewing wastewater

L. Aller moved to approve the June 1, 2005 minutes as corrected. G. Silverman seconded the motion. Motion carried 5-0.

COMMITTEE REPORTS

EXAMINATION COMMITTEE

L. Aller reported that she and Gary Silverman met again with other state representatives in New York City at the offices of the Professional Examination Service (PES) to establish the passing point for the revised examination. The group rated each question based upon entry-level sanitarians answering the question correctly. Ms. Aller indicated that a follow-up conference call would take place next week.

She concluded her summary by adding that PES will survey the profession to ensure that the revised examination has the right mix of questions.

G. Silverman emphasized that the PES passing point will be a recommended passing point. He stated that any form of a standard deviation would not be appropriate. He estimated that the revised examination could be available as soon as October 2005.

NEHA EXAMINATION

G. Silverman reported that the National Environmental Health Association (NEHA) is now contracting with Environmental Health Testing (EHT) to update their examination. NEHA is currently requesting subject experts to review and write questions. Availability of the examination is estimated for March 2006. Dr. Silverman recommended that the Board wait and review summary documentation and data once available, perhaps sometime prior to the 2006 annual board meeting.

EXECUTIVE SECRETARY

REVENUE AND SPENDING REPORT FY 2005

L. Jones referred to the FY 2005 Financial Report *attached* and reported that revenue totaled \$129,257 and expenditures totaled \$125,216. Although revenue exceeded spending, the Board's status in the 4K9 account is still at a negative balance.

2006-2007 BIENNIUM BUDGET – HB 66

L. Jones advised that the Board's appropriation for FY 2006 is \$134,279. She added that fee increases were effective July 1, 2005, and the language regarding the continuing education notification will become effective in approximately 90 days.

CONSOLIDATION

L. Jones reported that the twenty regulatory boards affected by the consolidation elected three executive directors to represent said boards on the transition team. As of this date, the transition team including representatives from Health, Commerce, Office of Budget and Management and Administrative Services, has yet to meet. She added that the consolidation plan to the Governor is due by December 31, 2005.

AUDIT

L. Jones advised that the audit of the Board's systems for FY 2003-2004 is finished and all board members should have received the management letter. She indicated that although there were no noncompliance issues or reportable conditions, there was one recommendation regarding object codes that will be implemented.

PUBLIC RULES HEARING

A public hearing on amended rules 4736-1-01 and 4736-11-05 began at 10:30 a.m. J. Rickabaugh explained the hearing process and had each of the board members introduce themselves.

The Board, by and through the Assistant Attorney General, Scott Myers called on the testimony of Lynn Jones to identify the following exhibits:

- Exhibit 1: Notice of Public Hearing
- Exhibit 2: Full text of the rules, including summaries and fiscal analyses
- Exhibit 3: June 1, 2005 Board Meeting Minutes
- Exhibit 4: Letters and memoranda to various associations, agencies, departments
- Exhibit 5: Confirmation from the Electronic Rule Filing System

Stephen Williams, Director of Environmental Health, Williams County Health Department, offered testimony in support of amended rule 4736-1-01.

The hearing concluded at 10:45 a.m. with J. Rickabaugh announcing that the Board would vote on the adoption of rules at a subsequent meeting.

EXECUTIVE SECRETARY REPORT CONT'D

L. Jones reported that 36 candidates are scheduled to take the July 21, 2005 examination.

L. Aller noted that West Virginia, a state that also uses the PES examination, requires an eight-week, state funded, cross-training course to be completed within the first year of registration.

COMPLAINT INVESTIGATION PROCEDURE

S. Myers, Assistant Attorney General, gave a brief overview of a proposed update to the Complaint Investigation Procedure *attached*. The proposed update adds the requirement that board member complaints be investigated by another agency.

A brief discussion ensued regarding conflict of interest issues. S. Myers advised that if a board member has a professional relationship with an individual addressed by a Notice of Opportunity to the extent that the relationship may influence his or her decision, that the board member must recuse him or her self from participating in and/or voting on the matter.

D. Winfough moved to adopt the updated Complaint Investigation Procedure. L. Aller seconded the motion. Motion carried 5-0.

CLARIFICATION OF SANITARIAN-IN-TRAINING EXPERIENCE/PRACTICE TIMELINE

L. Aller moved to defer review of the policy, *Clarification of Sanitarian-in-Training Experience/Practice Timeline*, until the annual meeting. A. Henderson seconded the motion. Motion carried 5-0.

CORRESPONDENCE

The correspondence from Bill Kelly, Director of Environmental Health, Allen County Health Department regarding his concern for the time gap between Sanitarian Registration board meetings was reviewed.

L. Jones indicated that budgetary limitations preclude the Board from meeting more than eight times a year.

G. Silverman commented that meeting more frequently in the summer months would leave a gap during the winter months.

L. Aller noted that the board makes every effort to review additional applications that are submitted immediately before to each board meeting. Furthermore, the board rules require that the board must advise applicants of their status within a certain time frame.

CONTINUING EDUCATION

APPLICATIONS FOR APPROVAL OF CONTINUING EDUCATION - TRAINING AGENCIES

D. Winfough moved to approve Operator Training Committee and Computer Workshop, Inc. as approved training agencies. D. Snyder seconded the motion. Motion carried 5-0.

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

D. Winfough moved to approve training agency requests 05-196 through 05-214 for the listed hours with the following exception:

05-214 17.5 hours

D. Snyder seconded the motion. Motion carried 5-0.

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 921 through 1030 and 811, 894, and 302 for the listed hours with the following exceptions:

940	3.0 hours
941	2.75 hours
949	8.25 hours
992	14.75 hours
995	14 hours
1009	12 hours
1016	18 hours
1023	6 hours
894	18 hours

D. Snyder seconded the motion. Motion carried 5-0.

APPLICATIONS FOR SANITARIAN-IN-TRAINING

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

L. Aller moved to accept 98, 103 through 107, 109, 111, 112, and 115 for sanitarian-in-training registration. G. Silverman seconded the motion. Motion carried 5-0.

Approved as sanitarians-in-training: 98. Subrahmanyam Darbha, 103. Adam Smith, 104. Melissa Henry, 105. Catherine Schmitzer, 106. Ageta Muco, 107. Ryan Gierhart, 109. Judith Liberatore, 111. Shannon Sellards, 112. Bethany Yoder, and 115. Ann Luttfiring.

L. Aller moved to propose to deny 110. Blair Sutherland's application for sanitarian-in-training based upon lack of the required hours of science/math. G. Silverman seconded the motion.

DISCUSSION: L. Aller reported that the committee determined that Mr. Sutherland earned 17-quarter hours of science/math.

Motion carried 5-0.

L. Aller moved to defer action on 113. Warren Snow's application for sanitarian-in-training pending the submission of additional information. G. Silverman seconded the motion.

DISCUSSION: L. Aller advised that the committee determined that Mr. Snow earned 39-quarter hours of science/math. The committee will need additional information defining courses that meet the science requirement with supporting documentation such as course descriptions or syllabi.

Motion carried 5-0.

L. Aller moved to defer action on 114. Stephanie Stewart's application for sanitarian-in-training pending the submission of additional information. G. Silverman seconded the motion.

DISCUSSION: L. Aller advised that the committee determined that Ms. Stewart earned 42-quarter hours of science/math. The committee will need additional information defining courses that meet the science requirement with supporting documentation such as course descriptions or syllabi.

Motion carried 5-0.

APPLICATION FOR ADVANCEMENT TO REGISTERED SANITARIAN

L. Aller moved to approve 55 through 57 for advancement to registered sanitarian. G. Silverman seconded the motion. Motion carried 5-0.

Approved as registered sanitarians: 55. Kristen Miller, 56. Laura Gulker, and 57. Clarissa Gereby.

L. Aller moved to propose to deny 58. Francine Toth's application for advancement to registered sanitarian based upon lack of required sanitarian experience. G. Silverman seconded the motion.

DISCUSSION: L. Aller advised that Ms. Toth has earned one (1) year of sanitarian experience through her employment with Lake County Health District; that she was also employed at the Trumbull County Health Department, however, in reviewing the Sanitarian Experience Policy and regulations, only experience teaching water quality could be considered as sanitarian experience. Ms. Aller added that the committee was unable to verify the percentage of time performing this function.

Motion carried 5-0.

APPLICATION FOR REGISTERED SANITARIAN – ELIGIBILITY TO TAKE THE PES EXAMINATION

L. Aller moved to approve 4. Eugene Jergens' for eligibility to take the PES examination. G. Silverman seconded the motion. Motion carried 5-0.

APPLICATION FOR REGISTERED SANITARIAN

L. Aller moved to approve 5. Nicholas Singer as a registered sanitarian. G. Silverman seconded the motion. Motion carried 5-0.

REINSTATEMENTS

D. Snyder moved to reinstate Christopher Rodabaugh and Robert Urbanek as registered sanitarians. D. Winfough seconded the motion. Motion carried 5-0.

SANITARIAN-IN-TRAINING EXTENSIONS

The Board reviewed the list of sanitarian-in-training extension requests *attached*.

D. Winfough moved to grant Jerry Crawford a one-year extension. L. Aller seconded the motion. Motion carried 5-0.

A. Henderson moved to grant Ann Boyd a one-year extension. L. Aller seconded the motion. Motion carried 5-0.

L. Aller added that the *Recommended Elements of a Study Plan* should be forwarded to Ms. Boyd.

G. Silverman moved to grant Carolyn Vincze a one-year extension with the requirement that she take the registration examination. D. Winfough seconded the motion. Motion carried 5-0.

L. Aller moved to grant E. Jay Murphy a one-year extension with the requirement that she take the registration examination. A. Henderson seconded the motion. Motion carried 5-0.

D. Winfough moved to grant Thomas Stratford a one-year extension with encouragement that he develop a plan of study. G. Silverman seconded the motion. Motion carried 5-0.

OHIO DEPARTMENT OF AGRICULTURE

At 11:45 a.m. Cory Noonan, Legislative Liaison for the Department of Agriculture, addressed the Board regarding the department's proposal of amending 4736.02(A) to include the Director of the Department of Agriculture on the Sanitarian Registration Board. A written statement is attached.

Mr. Noonan added that before the department goes to the legislature, he wanted to make sure that the Sanitarian Registration Board did not have an objection to the proposal.

A. Henderson inquired whether the Ohio Environmental Health Association (OEHA) has been approached with the idea.

Representatives from the Department of Agriculture indicated that they had not approached OEHA.

A short discussion regarding the proposal followed. Comments from board members included concern for opening the sanitarian registration law and the Board's low profile in the legislature.

Paul Panico indicated that the proposal is a logical step based upon the Department of Agriculture's involvement at local health departments and the department's use of the sanitarian classification.

Lewis Jones added that the Department of Agriculture's reputation with the legislature is a positive one.

Members of the Board thanked the representatives from ODA for their presentation and agreed that this topic would be included as an agenda item for the next board meeting.

HEARING ACTIONS

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

D. Winfough moved to affirm denial of sanitarian-in-training registration to Robert Haas. L. Aller seconded the motion.

DISCUSSION:

All members agreed that Mr. Haas completed an additional 15-quarter hours of math to include the following courses:

- NSC 331 Terrestrial Navigation 4.0 quarter hours
- NSC 332 Celestial Navigation 4.0 quarter hours
- NSC 333 Advanced Navigation 4.0 quarter hours
- MKT 400 Independent Study 3.0 quarter hours

All members agreed that Mr. Haas **failed** to show burden of proof of the following:

- The Navy Supply Corps School was math or science course, and accredited by the Southern Association of Colleges and Schools.
- The NSC 141 Naval Ship Systems was a math or science course.

All members agreed that Mr. Haas completed a total of 41-quarter hours of science and math courses.

The motion carried 5-0.

FUTURE MEETING DATES

Future meeting dates were confirmed.

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

ADJOURN

The meeting adjourned at 12:51 p.m.

Respectfully submitted
Lynn M. Jones
Executive Secretary

Chairman

Witness