

**STATE BOARD OF SANITARIAN REGISTRATION
77 SOUTH HIGH STREET, 16TH FLOOR
COLUMBUS, OHIO 43215-6108
REGULAR BOARD MEETING MINUTES
January 18, 2006**

PRESENT:

Board Members: Linda Aller, R.S., David Winfough, R.S., Duane Snyder, R.S., Gary Silverman, R.S., Roger Suppes, R.S. , Richard Setty, R.S.

ABSENT: Angela Townsend

Executive Secretary: Lynn Jones

Assistant Attorney General: Scott Myers, Esq.

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, Linda Aller, called the meeting to order at 10:20 a.m.

AGENDA

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

D. Winfough moved to approve the agenda. D. Snyder seconded the motion. The motion carried 5-0.

MINUTES

D. Winfough moved to approve the December 7, 2005 Board Meeting Minutes. R. Setty seconded the motion. The motion carried 5-0.

EXECUTIVE SECRETARY

REVENUE AND SPENDING REPORT FY 2006

L. Jones referred to the FY 2006 Financial Report *attached* and reported that as of December 31, 2005, 49% or \$65,799.92 of the Board's operating budget had been expended. Revenue for the same period totaled \$60,764.80

HB 66 - CONSOLIDATION

L. Jones reported that the Transition Team concluded their task on December 29, 2005 by adopting the Regulatory Boards and Commissions Consolidation Report and Recommendation. She added that according to a Gongwer Report, legislative leadership is less than enthusiastic over the consolidation plan. Senate Bill 222 to scrap the plan is in the Finance Committee. No hearings are scheduled as of this date.

OEHA ANNUAL CONFERENCE EXHIBIT BOOTH RENTAL

R. Suppes moved to approve the \$150 exhibit rental charge for the OEHA Annual Meeting (4/25-26/06). D. Snyder seconded the motion. The motion carried 5-0.

G. Silverman reported that he would be giving a presentation at the OEHA meeting regarding student environmental health internships.

ASSISTANT ATTORNEY GENERAL

S. Myers distributed an outline and gave a short presentation on the Adjudicatory Hearing Process of the Board pursuant to Chapter 119 of the Revised Code.

S. Myers discussed the letter from Mr. Sabato regarding his challenge of a re-application fee for Advancement to Registered Sanitarian. S. Myers advised that the Board may want to provide more clarity to ORC 4736.12 through rule promulgation.

Board members concurred. S Myers will assist in crafting language.

REVIEW OF THE POLICY, CLARIFICATION OF SANITARIAN-IN-TRAINING EXPERIENCE/PRACTICE TIMELINE

The proposed amended policy was presented and reviewed *attached*.

G. Silverman restated his objection that the amended language is prejudice to the part-time sanitarians-in-training. Since the Board only counts the part of the year of actual practice toward experience, the time spent not practicing should not be counted against the five-year limitation.

Discussion ensued regarding the original intent of the law; that a sanitarian-in-training (SIT) has five years to accumulate two years of full-time experience and pass the examination in order to advance to a registered sanitarian (RS).

After further debate, it was the consensus of the Board that the act of rule promulgation would result in a public hearing on the issue.

R. Suppes moved to adopt the policy as amended. D. Winfough seconded the motion. The motion carried 3-1.

S. Myers was asked to assist in preparing appropriate language for rule promulgation.

RECENT INTERPRETATION OF 4736.08 AND 4736.10 – NOTIFICATION AND INQUIRY

L. Jones summarized the updated Overview Sheet that accompanies applications for Registered Sanitarian/Sanitarian-in-Training packets.

Members expressed concern that the document appears confusing and suggested a separate document focus on the requirements for registration with reference to the specific sections of the laws and rules.

L. Jones will revise the document and bring back for further review.

PES EXAMINATION

L. Jones reported that the PES Examination Revision Report is forthcoming. She indicated that according to PES, delays were encountered due to the holidays and the transit strike. PES indicates that the report should be available by the end of the month.

Discussion ensued regarding the upcoming March 2006 examination, including use of scaled scoring to address the slight difference of difficulty among the versions, and how scores should be reported.

R. Suppes moved to use the PES examination version reflecting a recommended score of 69.9% (for the March 23, 2006 examination). R. Setty seconded the motion. The motion carried 5-0.

L. Jones will request a sample of a scaled score report from PES.

CONTINUING EDUCATION

APPLICATIONS FOR APPROVAL OF CONTINUING EDUCATION - TRAINING AGENCIES

D. Winfough moved to approve the Ohio Code Enforcement Officials Association and Pool Operation Management as approved training agencies. D. Snyder seconded the motion. The 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 06-086 through 06-115 for the listed hours with the following exception:

| | |
|--------|--|
| 06-088 | 1.5 |
| 06-094 | 17.5 |
| 06-104 | Action deferred for additional information |
| 06-105 | Action deferred for additional information |
| 06-113 | 3.0 |

D. Snyder seconded the motion. The 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 407 through 591 for the listed hours with the following exceptions:

| | |
|-----|-----|
| 489 | 2.5 |
| 541 | 0 |

D. Snyder seconded the motion.

R. Setty raised a question regarding continuing education requests 454, 456, 457, which listed 0 credit for the topic, *ODH Meeting: Sewage Treatment System-Draft Rules*. He indicated that on December 7, 2005 the Board approved the course, *HB 231 Sewage Regulation Discussion*, and questioned why one would be approved and not the others.

Discussion ensued regarding the fact that the *HB 231 Sewage Regulation* meeting involved enacted legislation. The other meetings involved draft or proposed legislation, which is unacceptable subject matter in accordance with the Continuing Education Policies.

The motion carried 4-1.

R. Suppes suggested that a letter be sent to training agencies that sponsor courses resulting in redundant individuals requests, asking that they submit application prior to the actual course to avoid duplication and unnecessary paperwork.

APPLICATIONS FOR SANITARIAN-IN-TRAINING

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

G. Silverman moved to approve 54-61,63,65-68 for sanitarian-in-training registration. D. Winfough seconded the motion. The motion carried 5-0.

Approved as sanitarians-in-training: 54. Ronald Vaughn, 55. Kyle Koschalk, 56. Patrick Taylor, 57. Carol Norman, 58. Brooks Modie, 59. Cynthia Addison, 60. Bonetta Guyette, 61. Stacey Yanetta, 63. Todd Garland, 65. Erin Luedeke, 66. Tara Thornton, 67. Elizabeth Endres, and 68. Jeremy Scoles.

G. Silverman moved to propose to deny sanitarian-in-training registration to 40. Beverly Lee based upon insufficient hours in science/math. R. Suppes seconded the motion.

DISCUSSION: G. Silverman reported that the applicant has 37-quarter hours of science/math.

The motion carried 5-0.

An in-depth discussion ensued regarding two Sanitarian-in-Training applications that appear to meet the sanitarian experience requirement; one of which includes a letter disclaiming previous experience as the practice of environmental health.

G. Silverman moved to defer action on 62. John Hujar's application until the next meeting, pending consultation with legal counsel. D. Winfough seconded the motion. The motion carried 4-0; abstention by D. Snyder.

G. Silverman moved to defer action on 64. Angela Black's application until the next meeting, pending consultation with legal counsel. R. Suppes seconded motion. The motion carried 5-0.

APPLICATION FOR ADVANCEMENT TO REGISTERED SANITARIAN

G. Silverman moved to approve 33-37 for advancement to registered sanitarian. D. Winfough seconded the motion. The motion carried 5-0.

Approved as registered sanitarians: 33. James Hicks, 34. Dustin Kent, 35. Sara Carine, 36. Thelma Briseno, and 37. Kiana King.

APPLICATION FOR REGISTERED SANITARIAN

G. Silverman moved to approve 4. Leslie Limbo and 5. Edward Firth for eligibility to take the sanitarian registration examination. D. Winfough seconded the motion. The motion carried 5-0.

REINSTATEMENTS

D. Winfough moved to reinstate Christopher Jalkanen as a registered sanitarian. G. Silverman 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 Nadeem Chaudhry an extension until January 31, 2007. R. Setty seconded the motion. The motion carried 5-0.

D. Snyder moved to grant Aisha Tzillah an extension until October 31, 2006. G. Silverman seconded the motion. The motion carried 5-0.

G. Silverman moved to grant Abdulkadir Abdi an extension until January 31, 2007. D. Winfough seconded the motion. The motion carried 4-1.

HEARING ACTIONS

05-S-7 Colleen Dundon

Based upon the description of courses as provided in Ms. Dundon's exhibits, the board members, by consensus, approved an additional 10 (ten) semester hours of science/math, including:

| College | Title | Hours |
|-----------------------|--|-------|
| University of Akron | Psychology Core IV | 4.0 |
| Kent State University | Epidemiology in Public Health | 3.0 |
| Kent State University | Environmental Health Sciences in Public Health | 3.0 |
| TOTAL | | 10.0 |

The balance of the courses presented did not constitute approved science courses in biology, chemistry, physics, geology, or math.

Because Ms. Dundon has not completed at least 45-quarter units or 30-semester units of biology, chemistry, physics, geology or mathematics approved by the Board, she does not meet the requirements for registration as a sanitarian-in-training, as set forth in Ohio Revised Code Section 4736.08(A) and Administrative Code Rule 4736-8-01.

R. Suppes moved to affirm denial of Colleen Dundon's application for sanitarian-in-training. G. Silverman seconded the motion. The motion carried 5-0.

REQUEST FOR REVIEW OF DRAFT RULE 3701-29-03 – AMPLIFYING CHAPTER 3718 ORC

The Board reviewed draft rule 3701-29-03 *attached*. D. Winfough expressed concern that the last sentence in the last paragraph, "*The board of health may designate qualified agents to perform the regulatory duties required by the rules*" might be erroneously interpreted, and has the potential to cause political problems.

L. Jones was directed to submit a letter to the Ohio Department of Health requesting that the last sentence in the last paragraph be amended as follows:

The board of health may designate qualified agents as defined in R.C. Chapter 4736 to perform the regulatory duties required by the rules.

FUTURE MEETING DATES

Future meeting dates were discussed.

G. Silverman indicated that he would be unable to attend the March 8, 2006 meeting. After further discussion regarding the importance of addressing the imminent issue of SIT applicants, the meeting was tentatively moved up to March 1, 2006 pending confirmation with Angela Townsend and Scott Myers.

Additional meetings were confirmed:

- April 19, 2006
- May 31, 2006
- July 12, 2006
- September 6, 2006

ADJOURN

The meeting adjourned at 4:15 p.m.

Respectfully submitted
Lynn M. Jones
Executive Secretary

Chairman

Witness