



Sanitarian Registration Board

December 6, 2006

Board Room

10:20 a.m.

Members Present

Angela Townsend, R.S.
Richard Setty, R.S.
Gary Silverman, R.S.
Duane Snyder, R.S.
Dave Winfough, R.S.

Members Absent

Linda Aller, R.S.
Roger Suppes, R.S.

Staff

Stephanie Youst, Executive Secretary

Legal Council

W. Scott Myers, Assistant Attorney General

Guests

Patricia White

Call to Order

Angela Townsend, Chairperson, called the meeting to order at 10:15 a.m.

Approval of Minutes

Dave Winfough moved to approve the October 25, 2006 meeting minutes as corrected. Richard Setty seconded the motion. The motion carried.

Committee Reports

Examination Committee Report

- Gary Silverman discussed the information the Board requested from the National Environmental Health Association (NEHA) regarding their examination.
 - The passing score on the NEHA examination is 68%. The Board requested that NEHA provide information regarding how 68% was determined to be the minimum passing score to determine competency in the field of environmental health.
 - NEHA provided information to the Board regarding how their examination was developed, the testing methodology, etc.
 - Like the Professional Services Examination (PES) examination, Gary Silverman determined that the process NEHA used to determine the passing score on their examination was similar to that utilized during the development of the PES examination, which was the Anghoff method.
- Gary Silverman informed the Board that he will contact NEHA to see if the Board can become more involved in their examination development process in order to discern if the Board would like to begin to offer their examination as an alternative to the PES examination.

Executive Secretary Report

- The Executive Secretary informed the Board that the changes the Board requested regarding the retention schedule were made following the October 25, 2006 meeting.
- Ms. Youst informed the Board that she attended training sessions on the CAS Data Warehouse and Ohio Administrative Knowledge System since the last meeting.
- The Executive Secretary presented the examination results from the October 19, 2006 PES examination for the Board to review. 53% of the candidates who took the examination achieved a passing score. The memorandum is attached to the minutes for reference.
- Ms. Youst discussed the possible purchase of new office equipment with the Board. Her recommendation was to continue utilizing the copier provided by the Central Service Agency. However, she also recommended that the Board approve the purchase of a new desktop scanner.

- The Board agreed that a new scanner was needed for the Board office and authorized the Executive Secretary to purchase a new scanner at a reasonable price.
- Ms. Youst informed the Board that there was proposed legislation, House Bill 685, which could have a significant budgetary impact on the agency if it passed. The bill would require each agency to submit a \$50 filing fee for each rule that is being changed within the Ohio Administrative Code. Ms. Youst will update the Board on the legislation at the January 10, 2007 meeting.
- The Executive Secretary informed the Board that the agency had received a communication from the Bureau of Workers' Compensation regarding the payment of fees for managed care organization's medical management fees. This charge would be retroactive to 1997.
 - At this time, there is no plan in place at the Bureau of Workers' Compensation to collect these back payments from state agencies. Ms. Youst will keep the Board informed of any developments with this issue.
- The formal written and budgetary reports are attached to the minutes for reference.

Assistant Attorney General's Report

- Scott Myers discussed the Board's putting a more formal procedure in place.
- Scott Myers discussed the fact that all investigations are confidential and should be kept confidential from all Board members, except the member who reviews the case, until the hearing.
- Scott Myers informed the Board that, as a new investigative procedure, the Board may want to ask a person who has had a complaint filed against them to appear before the investigative Board member, the Executive Secretary, and himself to discuss the complaint and any investigation that may have taken place.
- Scott Myers informed the Board that, at this time, there is really no language on the Board's applications dealing with felony convictions and the documentation that a person who is convicted should supply upon application to the Board.
 - The Board instructed Stephanie Youst to revise the applications to include the new felony language for review at the January 10, 2006 Board meeting.
 - Angela Townsend expressed some concerns regarding the responsibility of the Board if they license a person who has been previously convicted of a felony. Scott Myers informed the Board that they have judicial immunity if they grant a license and that licensee commits a crime while they are licensed.

Adjudication

- The Board held a hearing regarding Jodi Zimmerman's application for sanitarian in training registration at 10:20 a.m.
- The Board held a hearing regarding Morgan Lamb's application for sanitarian in training registration at 11:35 a.m.
- Decisions on both hearings were postponed until the January 10, 2006 meeting.

Action: Dave Winfough moved to reinstate David O'Toole's application for registered sanitarian. Richard Setty seconded the motion. Duane Snyder abstained from voting. The motion carried.

Action: Dave Winfough moved to deny Ann Boyd's application for registered sanitarian. Duane Snyder seconded the motion. Gary Silverman opposed the motion.

Discussion:

- The Board discussed the information provided by NEHA regarding their examination and the method they used to determine that their minimum passing score was 68%.
- The Board discussed the PES examination and the fact that PES was able to provide more comprehensive information on how they determined their minimum passing score of 70%.
- The Board discussed the fact that the Ohio Administrative Code speaks to the fact that a 70% is required to pass the examination; however, the rules do not speak to competency of the person taking the examination.
- The Board determined that, at this time, they did not have enough information to make a determination that a 68% on the NEHA examination was equivalent to a 70% on the PES examination.

The motion carried in a 3:1 vote.

Action: Richard Setty moved to ratify the cease and desist order mailed to Aisha Tzillah on October 31, 2006 for exceeding the five year maximum for being a sanitarian in training. Dave Winfough seconded the motion. The motion carried.

Action: Richard Setty moved to ratify the cease and desist order mailed to Brian Ng on October 31, 2006 for exceeding the five year maximum for being a sanitarian in training. Dave Winfough seconded the motion. The motion carried.

Old Business

Continuing Education Forms Review

- The members of the continuing education committee reviewed the forms and provided their feedback to Ms. Youst.
- Ms. Youst will revise the forms and provide a final version for the Board to review at the January 10, 2007 meeting.

Renewal Forms Review

- The Board members reviewed the revised continuing education forms and made several formatting changes.
- The revised renewal forms will be mailed out to those licensees with an expiration date of January 31, 2007 the last week of December 2006.

New Business

Collection/Usage of Email Addresses

- The Board tabled this discussion until the January 10, 2006 meeting.

Training Agency Approval Request

Action: Richard Setty moved to approve the Preble County General Health District as an approved training agency. Dave Winfough seconded the motion. The motion carried.

Approved Training Agency Requests for Course Approval

Action: Richard Setty moved to approve all of the training agency requests for continuing education credit with the following exceptions. Duane Snyder seconded the motion. The motion carried. The approved list is attached to the minutes for reference.

07-087: 10.5

07-088: .75

Action: Richard Setty moved to uphold the denial for course 07-073 for failure to submit the course for approval in a timely manner. Dave Winfough seconded the motion. The motion carried.

- The Board discussed the fact that the request was submitted after the date the course was given and that rule 4736-11-06(A) requires that training agencies submit courses for Board review at least thirty days prior to the date the course is being offered.
- The Board discussed the fact that the training agency was not aware of the final agenda until the day of the course; however, the Board still upheld their original decision.

Individual Continuing Education Requests for Approval

Action: Richard Setty moved to approve all of the individual applications for continuing education approval with the following exceptions. Duane Snyder seconded the motion. The motion carried. The approved list is attached to the minutes for reference.

12/6/06 – 286: 3

12/6/06 – 287 A through 287 J: 3

12/6/06 – 300 A through 300 C: 6

12/6/06 – 302: 0

12/6/06 – 258: 5.5

12/6/06 – 279 A through C:

Additional Information Requested

Action: Richard Setty moved to reconsider and approve course 07-194 for 10 continuing education hours. Dave Winfough seconded the motion. The motion carried.

Sanitarian in Training Applications

Action: Gary Silverman moved to approve the following applicants for sanitarian in training registration. Dave Winfough seconded the motion. The motion carried.

Jay Dahl
Stephen Forest

Susan Hardy
William Russell

Action: Gary Silverman moved to propose to deny the application for Joshua Kerber for failure to meet the educational requirements. Dave Winfough seconded the motion. The motion carried.

Action: Gary Silverman moved to propose to deny the application for Amy Roeser for failure to meet the educational requirements. Dave Winfough seconded the motion. The motion carried.

Action: Gary Silverman moved to table the discussion of the application for Adam Holbrook until the January 10, 2007 meeting. Dave Winfough seconded the motion. The motion carried.

Registered Sanitarian Applications

Action: Gary Silverman moved to approve the following individuals for as registered sanitarians. Richard Setty seconded the motion. The motion carried.

Kirk Dymbrowski
Jennifer Jenkins

Leslie Lindbo

Action: Gary Silverman moved to propose to deny Branden Pelok's application for registered sanitarian for failure to meet the educational requirements. Dave Winfough seconded the motion. The motion carried.

Registered Sanitarian Advancement Applications

Action: Gary Silverman moved to approve the following individuals for advancement to registered sanitarian. Dave Winfough seconded the motion. The motion carried.

Jason Channels
Jennifer Gruesser
Adam Harris
Kelly Ivans
Michael Joseph

Philip Murdock
Brian Ng
Gary Shields
Thomas Stratford
Timothy Tewksbury

Registered Sanitarian Reinstatement Applications

Action: Gary Silverman moved to approve the following registered sanitarian reinstatement applications. Dave Winfough seconded the motion. The motion carried.

Kenneth Hermiller

Dennis Marsh

Sanitarian in Training Extension Requests

Action: Dave Winfough moved to grant an extension of one year for the sanitarian in training registration for Melissa Cox. Gary Silverman seconded the motion. The motion carried.

Action: Dave Winfough moved to grant an extension of one year for the sanitarian in training registration for William Pointer. Gary Silverman seconded the motion. The motion carried.

Action: Dave Winfough moved to grant an extension of one year for the sanitarian in training registration for Cynthia Garcia. Gary Silverman seconded the motion. The motion carried.

Action: Dave Winfough moved to grant an extension of one year for the sanitarian in training registration for Nadeem Chaudhry. Gary Silverman seconded the motion. The motion carried.

Action: Dave Winfough moved to grant an extension of one year for the sanitarian in training registration for Abdulkadir Abdi. Gary Silverman seconded the motion. The motion carried.

Action: Dave Winfough moved to grant an extension of one year for the sanitarian in training registration for Marlene Bradley. Gary Silverman seconded the motion. The motion carried.

Future Meeting Dates

- The following meeting dates were confirmed by the Board:
 - January 10, 2007
 - February 14, 2007
 - April 4, 2007
 - May 23, 2007

Adjournment

Action: Gary Silverman moved that the meeting adjourn at 3 p.m. Dave Winfough seconded the motion. The motion carried.

Respectfully submitted
Stephanie K. Youst

Angela Townsend, R.S., Chairperson

Witness

AT:sky