

**Ohio Sanitarian Registration Board**  
**March 4, 2009**  
**10 a.m.**  
**77 South High Street, 19<sup>th</sup> Floor, Room 1918**  
**Columbus, Ohio 43215**

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1. Call to Order
2. Approval of the Minutes  
**Action Required**
3. Committee Reports
  - 3.1. Executive: Richard Setty, Roger Suppes, David Winfough
  - 3.2. Professional: Angela Townsend, David Winfough
  - 3.3. Continuing Education: Duane Snyder, Angela Townsend, David Winfough
  - 3.4. Examination: Linda Aller, Gary Silverman
  - 3.5. Finance: Gary Silverman, Roger Suppes
  - 3.6. Rules: Angela Townsend, Richard Setty, Roger Suppes
4. Executive Secretary Report
  - 4.1. Board Consolidation Update
  - 4.2. Budget Update
  - 4.3. House Bill 684 Impact Update
  - 4.4. Revenue and Expenditure Report
5. Assistant Attorney General Report
6. Adjudication
  - 6.1. Matthew Roth (10:30 a.m.)  
**Action Required**
7. Old Business
8. New Business
9. Continuing Education
  - 9.1. Request for Approval of Hours – Individuals (CE-2)  
**Action Required**
  - 9.2. Request for Approval of Training Agency Status (CE-3)  
**Action Required**
  - 9.3. Request for Approval of Hours – Training Agencies (CE-4)  
**Action Required**
10. Applications
  - 10.1. Sanitarian-in-Training Applications  
**Action Required**
  - 10.2. Applications for Advancement to Registered Sanitarian  
**Action Required**
  - 10.3. Registered Sanitarian Applications  
**Action Required**
  - 10.4. Reinstatements

**Action Required**

**10.5. Extension/Waiver Requests**

**Action Required**

**11. Guest Participation**

**12. Correspondence**

12.1 Ray Herbst: Mr. Herbst sent an email to Ms. Youst regarding his displeasure and frustration with the renewal and continuing education processes used by the Board.

**13. Announcements**

**14. Future Meeting Dates**

April 29, 2009

September 16, 2009

December 2, 2009

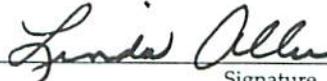
July 15, 2009

October 21, 2009

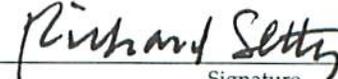
**15. Adjournment**

Sanitarian Registration Board  
Board Meeting Roster  
March 4, 2009

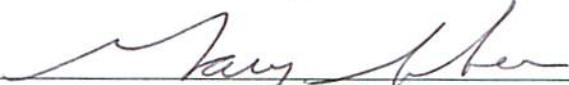
Linda Aller

  
Signature

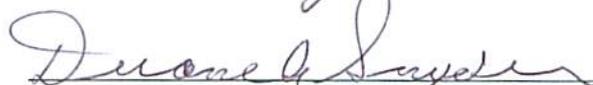
Richard Setty, Chairperson

  
Signature

Gary Silverman

  
Signature

Duane Snyder

  
Signature

Roger Suppes, Secretary

  
Signature

Angela Townsend

  
Signature

Dave Winfough, Vice Chairperson

  
Signature

Board Staff

W. Scott Myers, Assistant Attorney General

  
Signature

Stephanie Youst, Executive Secretary

  
Signature

Guests

Patricia W White

Print Name

Patricia W White

Sign Name

Print Name

Sign Name



## Sanitarian Registration Board

March 4, 2009

Room 1918

10:37 a.m.

### Members Present

Linda Aller, R.S.  
Richard Setty, R.S.  
Gary Silverman, R.S.  
Duane Snyder, R.S.  
Roger Suppes, R.S.  
Angela Townsend, R.S.  
Dave Winfough, R.S.

### Staff

Stephanie Youst, Executive Secretary

### Legal Council

W. Scott Myers, Assistant Attorney General

### Guests

Patricia White

### Call to Order

Richard Setty, Chairperson, called the meeting to order at 10:30 a.m.

### Approval of Minutes

Linda Aller moved to approve the January 14, 2009 meeting minutes as submitted. David Winfough seconded the motion. The motion carried.

### Executive Secretary Report

- The Executive Secretary informed the Board that things had been busy in the Board office since the January meeting.
- Ms. Youst gave budget testimony in the House of Representatives on February 26, 2009 on the fiscal years 10 and 11 budget recommendations.
  - Included in the meeting packets is a copy of the testimony given by the Manufactured Homes Commission Director, David Zofko, in which he incorrectly states "The sanitarian that gives flu shots is not the person to inspect manufactured homes. That is currently state law." Ms. Youst provided this portion of the testimony given by Mr. Zofko because his statements before the legislature were incorrect and she wanted to ensure the Board members were aware of the statement in the event that they received phone calls from registrants or members of the public.
- The Executive Secretary informed the Board that she had mailed 173 sanitarian and 29 sanitarian in training expiration notices on February 2, 2009.
- Ms. Youst discussed Governor Strickland's plan to consolidate the "back room" functions of the Boards and Commissions in an effort to reduce costs.
  - Ms. Youst informed the Board that, at this time, it is still undecided how and when this plan will be implemented and will actually effect the operations of the Board.
  - Ms. Youst stated that there had been several meetings over the past few weeks regarding the proposed language to consolidate the back room functions and, as of today, a draft had not been agreed upon.
  - Ms. Youst informed the Board that, by consolidating some of the back room functions, the hope was that our overall costs would be reduced and the Board would save money.
  - Ms. Youst told the Board that she would continue to keep them informed of any changes regarding the proposed consolidation.
- The Executive Secretary discussed House Bill 648, which deals with confidential personal information and how the Board plans to implement the changes required under the legislation.
  - Ms. Youst stated that there are several directors and representatives from the Attorney General's office working on language for agencies to implement to comply with the new legislation.
  - At this time, Ms. Youst is unsure when draft rule language will be available for the Board to review.
- The formal written and budgetary reports are attached to the minutes for reference.

### Assistant Attorney General's Report

- Scott Myers had no formal report for the Board.

**Adjudication**

- The Board held a hearing in the matter of the suitability of Matthew B. Roth to be registered as a sanitarian in training in Ohio.

**Action:** Gary Silverman moved to affirm the Boards denial of Matthew Roth’s application for registration as a sanitarian in training for failure to meet the minimum educational requirements specified in Section 4736.08 of the Ohio Revised Code and rule 4736-8-01(C) of the Ohio Administrative Code. Linda Aller seconded the motion. The motion carried.

**Old Business**

- Richard Setty informed the Board that he had spoken to Erv Ball regarding the honorarium for his son. Mr. Setty asked Angela Townsend to follow up with Mr. Ball regarding when and how he would like the certificated presented. Mr. Setty also asked Ms. Townsend to follow up with Ed Derringer regarding the certificate presentation.

**Continuing Education**

**Training Agency Requests for Approval**

**Action:** Angela Townsend moved to approve the following agencies be approved as continuing education providers. David Winfough seconded the motion. The motion carried. The approved list is attached to the minutes for reference.

Clarke Mosquito Control

City of Cleveland Health Department

**Approved Training Agency Requests for Course Approval**

**Action:** Duane Snyder moved to approve all training agency requests for continuing education credit as submitted. David Winfough seconded the motion. The motion carried. The approved list is attached to the minutes for reference.

09-186: Additional Information Requested  
09-194: 4.75 Hours

09-216: Denied

**Individual Continuing Education Requests for Approval**

**Action:** Duane Snyder moved to approve all individual applications for continuing education approval with the following exceptions listed below. David Winfough seconded the motion. The motion carried. The approved list is attached to the minutes for reference.

467: Denied

473: .75 Hours

**Applications**

**Sanitarian in Training Applications**

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

Daniel R. Kendzierski  
Todd M. Koch  
Richard J. Mazur  
Kirby L. Moore

Sasha C. Rodriguez  
Philip J. Webb  
Thomas C. Wilke

**Action:** Linda Aller moved that the Board propose to deny the application for Jenavieve J. Burckard for failure to meet the minimum educational requirements specified in Section 4736.08 of the Ohio Revised Code and rule 4736-8-01(C) of the Ohio Administrative Code. Gary Silverman seconded the motion. The motion carried.

**Action:** Linda Aller moved that the Board request additional information on the application for Julian M. Perler. Gary Silverman seconded the motion. The motion carried.

**Registered Sanitarian Advancement Applications**

**Action:** Linda Aller moved to approve the following individuals for advancement to registered sanitarian. Gary Silverman seconded the motion. The motion carried.

Marlene D. Bradley  
Jonnette R. Demboski  
Gregory F. Hall

Bradley K. Johnson  
Bethany B. Perkowski  
Kristofer J. Wilster

Registered Sanitarian Applications

**Action:** Linda Aller moved to approve Sarah M. Humphrey for registration as a sanitarian. Gary Silverman seconded the motion. The motion carried.

Waiver Requests

**Action:** Linda Aller moved to grant a waiver of the continuing education requirements to Karla Siegel for the period of February 1, 2008 through January 31, 2009. Gary Silverman seconded the motion. The motion carried.

Correspondence

**1. Ray Herbst:** Mr. Herbst sent an email to Ms. Youst regarding his displeasure and frustration with the renewal and continuing education processes used by the Board. The response from Ms. Youst is attached to the minutes for reference.

Future Meeting Dates

- Ms. Youst asked the Board to consider adding a meeting date in June 2009 since there was a 12 week gap between meetings. The Board tentatively added June 10, 2009 as a meeting date.

The following meeting dates were confirmed by the Board:

April 29, 2009  
June 10, 2009  
July 15, 2009

September 16, 2009  
October 21, 2009  
December 2, 2009

Adjournment

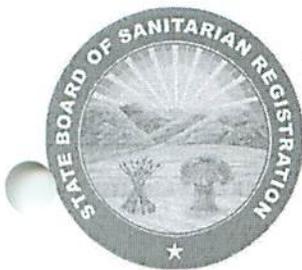
The meeting adjourned at 12:00 p.m.

Respectfully submitted  
*Stephanie K. Youst*

  
Richard Setty, R.S., Chairperson

RS:sky

  
Witness



**Ohio State Board of Sanitarian Registration**

77 South High Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215-6108

Governor  
*Ted Strickland*  
Executive Secretary  
*Stephanie Youst*

**To:** Sanitarian Registration Board Members  
**From:** Stephanie Youst, Executive Secretary *SY*  
**Date:** February 27, 2009  
**Re:** Executive Secretary Report for March 4, 2009

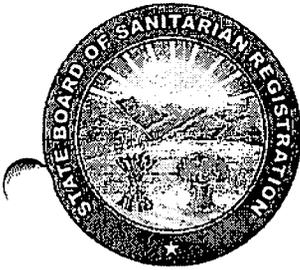
**Overview of Activities since the January 14, 2009 Meeting**

- Reviewed applications for registration and continuing education credit.
- Processed RS, SIT, and training agency renewal applications and mailed expiration notices.
  - 173 RS expiration notices and 29 SIT expiration notices were mailed on February 2, 2009.
- Attended Boards and Commissions Management Group meetings on January 22 and February 27, 2009.
  - Topics discussed included the introduction of House Bill 648 and the implications the legislation will have on the Boards and Commissions, the writing of rules to deal with the implementation of House Bill 648, and Senate Bill 52 which would consolidate all Board and Commissions and various other state agencies proposed by Senator Grendell.
- Attended budget related meetings on January 29, February 5, February 13, and February 19, 2009 to discuss budget constraints and possible consolidation efforts for FY 2010 and 2011.
  - Topics discussed included Board and Commission consolidation, proposed legislative changes to implement the consolidation plan as was set forth by the Governor's office, OBM, and DAS, and various other issues regarding the implementation of the proposed plan.
- Gave House budget testimony for the Board on February 26, 2009 in the Transportation and Justice Subcommittee of the House Finance and appropriations Committee.

**Registration Census**

The following table lists the number of individuals with active registrations as of February 27, 2009.

Registered Sanitarian	1,273
Sanitarian in Training	175
<b>TOTAL</b>	<b>1,448</b>



**Ohio State Board of Sanitarian Registration**  
77 South High Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215-6108

Governor  
*Ted Strickland*  
Executive Secretary  
*Stephanie Youst*

**Budget Update FY 09**

The attached report reflects the monies used and received by the Board through June 30, 2009. The report is updated quarterly. The following is a listing of major expenditures, excluding payroll costs for the Board, that appear on the expenditure report:

- *4<sup>th</sup> Quarter FY08 Mail Metering: \$553.78*
- *1<sup>st</sup> Quarter FY09 Mail Metering: \$550.69*
- *2<sup>nd</sup> Quarter FY09 Mail Metering: \$650.20*
  
- *1<sup>st</sup> Quarter FY09 Payroll Assessment: \$710.74*
- *2<sup>nd</sup> Quarter FY09 Payroll Assessment: \$717.02*
- *3<sup>rd</sup> Quarter FY09 Payroll Assessment: \$762.78*
  
- *1<sup>st</sup> Quarter FY09 Rent: \$957.29*
- *2<sup>nd</sup> Quarter FY 09 Rent: \$957.29*
- *3<sup>rd</sup> Quarter FY09 Rent: \$957.29*
  
- *1<sup>st</sup> Quarter Board Member Travel: \$1,831.46*
- *2<sup>nd</sup> Quarter Board Member Travel: \$459.18*

# Sanitarian Registration Board Revenue/Expenditure Report FY09

as of 12/31/2008

<b>Revenue</b>	<b>1st Qtr.</b>	<b>2nd Qtr.</b>	<b>3rd Qtr.</b>	<b>4th Qtr.</b>	<b>Grand Total</b>
	\$40,047.00	\$13,366.00			\$53,413.00

<b>Staff Payroll (500)</b>	<b>1st Qtr.</b>	<b>2nd Qtr.</b>	<b>3rd Qtr.</b>	<b>4th Qtr.</b>	<b>Grand Total</b>
Basic Wages	\$18,426.01	\$12,586.39	\$0.00	\$0.00	\$31,012.40
Salaries - OT Compensation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Paid Leave & Othr Compensation	\$2,222.68	\$3,179.35	\$0.00	\$0.00	\$5,402.03
Leave Balances Pd. @ Term.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Employer-Paid Benefits	\$5,019.68	\$3,917.95	\$0.00	\$0.00	\$8,937.63
DAS Payroll Charges	\$492.61	\$424.00	\$0.00	\$0.00	\$916.61
<b>Total Staff Payroll</b>	<b>\$26,160.98</b>	<b>\$20,107.69</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$46,268.67</b>

<b>Personal Services (510)</b>	<b>1st Qtr.</b>	<b>2nd Qtr.</b>	<b>3rd Qtr.</b>	<b>4th Qtr.</b>	<b>Grand Total</b>
Board Member Travel	\$1,831.46	\$459.18	\$0.00	\$0.00	\$2,290.64
Court Reporters	\$0.00	\$60.00	\$0.00	\$0.00	\$60.00
Exams	\$90.00	\$0.00	\$0.00	\$0.00	\$90.00
Conference Registration Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other (insurance, member dues, subscriptions)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Personal Services</b>	<b>\$1,921.46</b>	<b>\$519.18</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,440.64</b>

<b>Maintenance (520)</b>	<b>1st Qtr.</b>	<b>2nd Qtr.</b>	<b>3rd Qtr.</b>	<b>4th Qtr.</b>	<b>Grand Total</b>
Office Supplies	\$46.50	\$10.02	\$0.00	\$0.00	\$56.52
Staff Travel - Mileage (in state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Staff Travel - Meals (in state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Staff Travel - Lodging (in state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Staff Travel - Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Staff Travel - Mileage (out of st.)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Staff Travel - Transportation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Staff Travel - Meals (out of st.)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Staff Travel - Lodging (out of st.)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Staff Travel - Misc (out of st.)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Regulated Wired T-Com	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Hines & Associates	\$152.70	\$111.30	\$0.00	\$0.00	\$264.00
DHL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Duplicating Paper and Supplies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Printing/Copying	\$157.89	\$108.18	\$0.00	\$0.00	\$266.07
Legal Notices in Newspapers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Rent (+space repairs, improve)	\$957.29	\$957.29	\$0.00	\$0.00	\$1,914.58
Central Service Agency	\$710.74	\$717.02	\$0.00	\$0.00	\$1,427.76
Telephone (DAS)	\$151.48	\$202.56	\$0.00	\$0.00	\$354.04
DAS Motor Pool	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
State Purchasing Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DAS Centralized Mail Service	\$560.58	\$556.77	\$0.00	\$0.00	\$1,117.35
Computer Services (State)	\$214.50	\$511.45	\$0.00	\$0.00	\$725.95
Other	\$0.00	\$30.00	\$0.00	\$0.00	\$30.00
<b>Total Maintenance Cost</b>	<b>\$2,951.68</b>	<b>\$3,204.59</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$6,156.27</b>

<b>Equipment (530)</b>	<b>1st Qtr.</b>	<b>2nd Qtr.</b>	<b>3rd Qtr.</b>	<b>4th Qtr.</b>	<b>Grand Total</b>
Computer / IT Purchases	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
All other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Equipment Cost</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Board Travel & Maintenance  
(520)**

	<b>1st Qtr.</b>	<b>2nd Qtr.</b>	<b>3rd Qtr.</b>	<b>4th Qtr.</b>	<b>Grand Total</b>
Mileage (in state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Meals (in state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Lodging (in state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Travel Expenses (in state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Travel (out of state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Meals (out of state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Lodging (out of state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Travel Exp (out of state)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Misc. Expenses (non-travel)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Conference Registrations (510)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Board Maintenance</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Refunds (595)**

	<b>1st Qtr.</b>	<b>2nd Qtr.</b>	<b>3rd Qtr.</b>	<b>4th Qtr.</b>	<b>Grand Total</b>
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

	<b>1st Qtr.</b>	<b>2nd Qtr.</b>	<b>3rd Qtr.</b>	<b>4th Qtr.</b>	<b>Grand Total</b>
<b>Total Operational Costs</b>	<b>\$31,034.12</b>	<b>\$23,831.46</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$54,865.58</b>
<b>Total Encumbered Funds Spent</b>	<b>\$2,752.48</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,752.48</b>
<b>Remaining FY09 Budget</b>					<b>\$86,437.90</b>

As of December 31, 2008, 183 of 365 days in FY09 have lapsed.  
As of December 31, 2008 50% of FY09 has lapsed.

The Strickland Administration has developed a plan to improve efficiency and accountability, while preserving autonomy, in the operations of Ohio's 28 occupational licensing boards and commissions by:

- Sharing resources;
- Reducing duplicative administrative functions; and
- Implementing standardized rules and procedures.

The plan calls for the Central Service Agency (CSA) within the Department of Administrative Services (DAS), in consultation with the Office of Budget (OBM) and Management, to examine the support services it provides to the 28 boards and commissions and make recommendations regarding the consolidation of finance, human resources, procurement, or other administrative functions in order to achieve administrative cost savings and efficiency. DAS will have the authority under the plan to standardize rules regarding administration, personnel, and procurement for all 28 boards and commissions.

**Projected benefits:**

- The 28 boards and commissions included in the plan have combined budgets of \$36 million for fiscal year 2009.
- The support services of these boards are similar enough that they may be leveraged across all 28 agencies to realize efficiencies and improvements in results and accountability.

**Board autonomy:**

- Each participating board/commission will retain all autonomy overseeing their respective areas of license issuance and regulation.
- Each board/commission will retain an Executive Director to coordinate these functions.
- The appointed boards and commissions, as well as executive directors, under this plan will remain intact and retain all duties and responsibilities prescribed in Ohio Revised Code.

DAS estimates that once the plan is fully implemented, CSA could save the agencies as much as \$12 million annually on back office support and licensing functions. By aligning the 28 agencies with similar purposes and sharing resources, CSA will provide more effective and efficient support services to the boards and commissions than they would enjoy with individual support teams. The plan will improve uniformity and quality in governance and accountability by standardizing rules, procedures, and reporting.

flexible spending accounts for work-related dependent care expenses under section 125 of the Internal Revenue Code. All investment earnings on money in the fund shall be credited to the fund. 6500  
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6503

Sec. 124.86. There is hereby created in the state treasury the employee educational development fund, to be used to pay the state administrative costs of any education program undertaken pursuant to specific collective bargaining agreements identified in uncodified law governing expenditure of the fund. The director of administrative services shall establish, and shall obtain the approval of the director of budget and management for, a charge for each such program that is sufficient only to recover those costs. All money collected from such a charge shall be deposited to the credit of the fund, and all interest earned on the fund shall accrue to the fund. The director of administrative services shall administer the fund in accordance with the respective collective bargaining agreements and may adopt rules for the purpose of this administration. 6504  
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Sec. 125.22. (A) The department of administrative services shall establish the central service agency to perform routine and provide support for the following boards and commissions: 6518  
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6520

- (1) Architects board; 6521
- (2) Barber board; 6522
- (3) State chiropractic board; 6523
- (4) State board of cosmetology; 6524
- (5) Accountancy board; 6525
- (6) State dental board; 6526
- (7) State board of optometry; 6527

(8) Ohio occupational therapy, physical therapy, and athletic trainers board;	6528 6529
(9) State board of registration for professional engineers and surveyors;	6530 6531
(10) State board of sanitarian registration;	6532
(11) Board of embalmers and funeral directors;	6533
(12) State board of psychology;	6534
(13) Ohio optical dispensers board;	6535
(14) Board of <u>speech-language</u> pathology and audiology;	6536
(15) Counselor, social worker, and marriage and family therapist board;	6537 6538
(16) State veterinary medical licensing board;	6539
(17) Ohio board of dietetics;	6540
(18) Commission on Hispanic-Latino affairs;	6541
(19) Ohio respiratory care board;	6542
(20) <del>Ohio commission on African American males;</del>	6543
<del>(21)</del> Chemical dependency professionals board;	6544
<u>(21) State medical board;</u>	6545
<u>(22) Board of nursing;</u>	6546
<u>(23) State board of pharmacy;</u>	6547
<u>(24) Ohio medical transportation board;</u>	6548
<u>(25) Ohio athletic commission;</u>	6549
<u>(26) Board of motor vehicle collision repair;</u>	6550
<u>(27) Manufactured homes commission;</u>	6551
<u>(28) Board of orthotics, prosthetics, and pedorthics;</u>	6552
<u>(29) State board of career colleges and schools.</u>	6553

(B) (1) Notwithstanding any other section of the Revised Code, the agency shall perform and provide the following ~~routine~~ support services for the boards and commissions named in division (A) of this section unless the controlling board exempts a board or commission from this requirement on the recommendation of the director of administrative services:

(a) ~~Preparing~~ Make recommendations regarding and preparing and processing payroll and other personnel documents;

(b) Preparing and processing vouchers, purchase orders, encumbrances, and other accounting documents;

(c) Maintaining ledgers of accounts and balances;

(d) Preparing and monitoring budgets and allotment plans in consultation with the boards and commissions;

(e) Other ~~routine~~ support services that the director of administrative services considers appropriate to achieve efficiency.

(2) The agency may perform and provide other services which a board or commission named in division (A) of this section delegates to the agency and the agency accepts.

(3) The agency may perform and provide any service for any professional or occupational licensing board not named in division (A) of this section or any commission if the board or commission requests such service and the agency accepts.

(C) The director of administrative services shall be the appointing authority for the agency.

(D) The agency shall determine the fees to be charged to the boards and commissions, which shall be in proportion to the services performed or provided for each board or commission.

(E) Each board or commission named in division (A) of this section and any other board or commission requesting services from

the agency shall pay these fees to the agency from the general 6584  
revenue fund maintenance account of the board or commission or 6585  
from such other fund as the operating expenses of the board or 6586  
commission are paid. Any amounts set aside for a fiscal year by a 6587  
board or commission to allow for the payment of fees shall be used 6588  
only for the services performed or provided by the agency in that 6589  
fiscal year. All receipts collected by the agency shall be 6590  
deposited in the state treasury to the credit of the central 6591  
service agency fund, which is hereby created. All expenses 6592  
incurred by the agency in performing or providing services for the 6593  
boards or commissions shall be paid from the fund. 6594

~~(F) Nothing in this section shall be construed as a grant of 6595  
authority for the central service agency to initiate or deny 6596  
personnel or fiscal actions for the boards and commissions. 6597~~

**Sec. 126.05.** On or before the tenth day of each month, the 6598  
director of budget and management shall furnish to the governor 6599  
statements in such form as the governor requires showing the 6600  
condition of the general revenue fund. The statements shall 6601  
provide a summary of the status of appropriations to enable the 6602  
governor to exercise and maintain effective supervision and 6603  
control over the expenditures of the state. The director shall 6604  
also furnish statements the governor requests showing the 6605  
condition of any other fund. 6606

If the governor ascertains that the available revenue 6607  
receipts and balances for the general revenue fund for the current 6608  
fiscal year will in all probability be less than the 6609  
appropriations for the year, ~~he~~ the governor shall issue such 6610  
orders to the state agencies as will prevent their expenditures 6611  
and incurred obligations from exceeding such revenue receipts and 6612  
balances. 6613

If the governor ascertains that the available revenue 6614

Operating Payments, shall be used to pay the rent expenses of veterans organizations pursuant to section 123.024 of the Revised Code in fiscal years 2010 and 2011.

The foregoing appropriation item, 100449, DAS - Building Operating Payments, also may be used to provide funding for the cost of property appraisals or building studies that the Department of Administrative Services may be required to obtain for property that is being sold by the state or property under consideration to be renovated or purchased by the state.

Notwithstanding section 125.28 of the Revised Code, the remaining portion of the appropriation may be used to pay the operating expenses of state facilities maintained by the Department of Administrative Services that are not billed to building tenants. These expenses may include, but are not limited to, the costs for vacant space and space undergoing renovation, and the rent expenses of tenants that are relocated because of building renovations. These payments shall be processed by the Department of Administrative Services through intrastate transfer vouchers and placed in the Building Management Fund (Fund 1320).

Notwithstanding division (A)(1) of section 125.28 of the Revised Code, the Department of Administrative Services may use the Building Management Fund (Fund 1320) to support utility costs at the State of Ohio Computer Center that exceed the available appropriation in appropriation item 100433, State of Ohio Computer Center.

**Section 207.10.70. CENTRAL SERVICE AGENCY FUND**

The appropriation item 100632, Central Service Agency, shall be used to purchase the equipment, products, and services that are needed to maintain automated applications for the professional licensing boards and to support board licensing functions in fiscal years 2010 and 2011. The Department of Administrative

Services shall establish charges for recovering the costs of 84310  
carrying out these functions. The charges shall be billed to the 84311  
professional licensing boards and deposited via intrastate 84312  
transfer vouchers to the credit of the Central Service Agency Fund 84313  
(Fund 1150). Total Department of Administrative Services charges 84314  
for the maintenance and support of the licensing system shall not 84315  
exceed \$363,678 in each fiscal year of the biennium. 84316

**Section 207.10.80. CENTRAL SERVICE AGENCY CONSOLIDATION** 84317  
**INITIATIVE** 84318

Of the foregoing appropriation item 130321, State Agency 84319  
Support Services, \$308,230 in fiscal year 2010 and \$235,230 in 84320  
fiscal year 2011 shall be used by the Department of Administrative 84321  
Services for the Central Service Agency Consolidation initiative. 84322

**Section 207.10.90. EXPANDED FUNCTIONS OF THE CENTRAL SERVICE** 84323  
**AGENCY** 84324

Notwithstanding any contrary provision of law, on July 1, 84325  
2009, or as soon as possible thereafter, the Central Service 84326  
Agency, in consultation with the Director of Budget and 84327  
Management, shall review the support services the Central Service 84328  
Agency performs on behalf of the boards and commissions named in 84329  
division (A) of section 125.22 of the Revised Code (except the 84330  
Commission on Hispanic-Latino Affairs) and the fiscal condition of 84331  
those boards and commissions. The Central Service Agency shall 84332  
thereafter provide recommendations regarding consolidation of 84333  
finance, human resources, legal, procurement, and other 84334  
administrative functions to achieve administrative cost savings 84335  
and efficiency. The Central Service Agency also may initiate or 84336  
deny personnel or fiscal actions for the boards and commissions if 84337  
such an initiation or denial would result in administrative cost 84338  
savings and efficiency among the boards and commissions, and may 84339

require the boards and commissions to enter into agreements to 84340  
share office equipment, office space, or other assets to the 84341  
extent such an agreement would create efficiencies or savings in 84342  
rental, lease, or contractual expenses. 84343

Except with respect to the authority of the boards and 84344  
commissions named in division (A) of section 125.22 of the Revised 84345  
Code to appoint or employ additional employees for the performance 84346  
of professional, technical, clerical, or other duties, this 84347  
section shall not be interpreted as a grant of authority to the 84348  
Central Service Agency to supersede or replace the boards or 84349  
commissions in the performance of their respective statutory 84350  
duties, or to appoint, remove, or demote the executive directors 84351  
of the respective boards or commissions. 84352

The Director of Budget and Management may take actions made 84353  
necessary by administrative reorganization for the purpose of cost 84354  
savings and efficiency by making budget changes, transferring 84355  
programs, creating new funds, and consolidating funds. 84356

**Section 207.20.10. GENERAL SERVICE CHARGES** 84357

The Department of Administrative Services, with the approval 84358  
of the Director of Budget and Management, shall establish charges 84359  
for recovering the costs of administering the programs funded by 84360  
the General Services Fund (Fund 1170) and the State Printing Fund 84361  
(Fund 2100). Such charges within Fund 1170 may be used to recover 84362  
the cost of paying a vendor to establish reduced pricing for 84363  
contracted supplies or services. 84364

If the Director of Administrative Services determines that 84365  
additional amounts are necessary to pay for consulting and 84366  
administrative costs related to securing lower pricing, the 84367  
Director of Administrative Services may request that the Director 84368  
of Budget and Management approve additional expenditures. Such 84369  
approved additional amounts are appropriated to appropriation item 84370

100644, General Services Division-Operating. 84371

**Section 207.20.20. COLLECTIVE BARGAINING ARBITRATION EXPENSES** 84372  
84373

With approval of the Director of Budget and Management, the 84374  
Department of Administrative Services may seek reimbursement from 84375  
state agencies for the actual costs and expenses the Department 84376  
incurs in the collective bargaining arbitration process. The 84377  
reimbursements shall be processed through intrastate transfer 84378  
vouchers and credited to the Collective Bargaining Fund (Fund 84379  
1280). 84380

**Section 207.20.30. BROADBAND OHIO** 84381

Any unencumbered, unexpended amounts of the foregoing 84382  
appropriation item 100607, IT Services Delivery, that were 84383  
allocated for implementation of the NextGen Network in fiscal 84384  
years 2008 and 2009 are hereby reappropriated for the same purpose 84385  
in fiscal years 2010 and 2011. 84386

**Section 207.20.40. EQUAL OPPORTUNITY PROGRAM** 84387

The Department of Administrative Services, with the approval 84388  
of the Director of Budget and Management, shall establish charges 84389  
for recovering the costs of administering the activities supported 84390  
by the State EEO Fund (Fund 1880). These charges shall be 84391  
deposited to the credit of the State EEO Fund (Fund 1880) upon 84392  
payment made by state agencies, state-supported or state-assisted 84393  
institutions of higher education, and tax-supported agencies, 84394  
municipal corporations, and other political subdivisions of the 84395  
state, for services rendered. 84396

**Section 207.20.50. MERCHANDISE RESALE FUND ABOLISHMENT** 84397

On July 1, 2009, or as soon as possible thereafter, the 84398

**The Counselor, Social Worker and Marriage and Family Therapist Board proposes changes to section 125.22 and temporary language requested through the Governor's office of Boards and Commissions.**

## **125.22 Central service agency - fund.**

(A) The department of administrative services shall establish the central service agency to perform ~~routine~~ and provide support for the following boards and commissions:

- (1) Architects board;
- (2) Barber board;
- (3) State chiropractic board;
- (4) State board of cosmetology;
- (5) Accountancy board;
- (6) State dental board;
- (7) State board of optometry;
- (8) Ohio occupational therapy, physical therapy, and athletic trainers board;
- (9) State board of registration for professional engineers and surveyors;
- (10) State board of sanitarian registration;
- (11) Board of embalmers and funeral directors;
- (12) State board of psychology;
- (13) Ohio optical dispensers board;
- (14) Board of speech-language pathology and audiology;
- (15) Counselor, social worker, and marriage and family therapist board;
- (16) State veterinary medical licensing board;
- (17) Ohio board of dietetics;
- (18) Commission on Hispanic-Latino affairs;
- (19) Ohio respiratory care board;
- (20) ~~Ohio commission on African-American males;~~

~~(21)~~ Chemical dependency professionals board.

(21) State medical board;

(22) Board of nursing;

(23) State board of pharmacy;

(24) Ohio medical transportation board;

(25) Ohio Athletic Commission;

(26) Board of motor vehicle collision repair;

(27) Manufactured Homes Commission;

(28) State board of orthotics, prosthetics, and pedorthics;

(29) State board of career colleges and schools.

(B)(1) ~~Notwithstanding any other section of the Revised Code,~~ The agency, in conjunction with the individual boards and commissions named in division A of this section, shall MAY develop and implement specific service level agreements to perform and provide the following routine support services for said the boards and commissions; said service level agreements may provide for all or some of the following services named in division (A) of this section:

(a) ~~Preparing~~ Make ing recommendations regarding and the preparing preparation and processing of payroll and other personnel documents;

(b) Preparing and processing vouchers, purchase orders, encumbrances, and other accounting documents;

(c) Maintaining ledgers of accounts and balances;

(d) Preparing and monitoring budgets and allotment plans in consultation with the boards and commissions;

(e) Other routine support services ~~that the director of administrative services considers appropriate to achieve efficiency.~~ the agency and boards and commissions consider appropriate to achieve efficiency.

(2) The agency may perform and provide other services which a board or commission named in division (A) of this section delegates to the agency and the agency accepts.

(3) The agency may perform and provide any service for any professional or occupational licensing board not named in division (A) of this section or any commission if the board or commission requests such service and the agency accepts.

(C) The director of administrative services shall be the appointing authority for the agency.

(D) The agency shall determine the fees to be charged to the boards and commissions, which shall be in proportion to the services performed or provided for each board or commission. All services shall be documented in service level agreements signed by central service agency and its customers.

(E) Each board or commission named in division (A) of this section and any other board or commission requesting services from the agency shall pay these fees to the agency from the general revenue fund maintenance account of the board or commission or from such other fund as the operating expenses of the board or commission are paid. Any amounts set aside for a fiscal year by a board or commission to allow for the payment of fees shall be used only for the services performed or provided by the agency in that fiscal year. All receipts collected by the agency shall be deposited in the state treasury to the credit of the central service agency fund, which is hereby created. All expenses incurred by the agency in performing or providing services for the boards or commissions shall be paid from the fund.

(F) ~~Nothing in this~~ This section shall be construed as a grant of authority for the central service agency to initiate or deny personnel or fiscal actions for the boards and commissions that are part of a service level agreement. Central service agency may deny fiscal or personnel actions that are contrary to state law or policy. The state law or policy shall be cited on the denial.

Effective Date: 04-07-2003; 2008 SB225 06-202-2008

Temporary Language:

Section \_\_\_\_\_. Notwithstanding any contrary provision of law, on July 1, 2009, or as soon as possible thereafter, the Central Service Agency shall review the services it performs on behalf of the boards and commissions named in division (A) of section 125.22 of the Revised Code and the fiscal condition of those boards and commissions with those boards and commissions. The Central Service Agency in consultation with the boards and commissions shall thereafter provide recommendations to the Director of Budget and Management regarding consolidation of human resources, fiscal and information technology functions to achieve administrative cost savings and efficiency. The Central Service Agency shall develop and enter into a single service level agreement<sup>s</sup> with the Boards and Commissions identified in paragraph (A) of section 125.22 of the Revised Code. The Central Service Agency and Boards and Commissions shall develop a resolution process for settling any disagreements. The resolution process will be a part of the service level agreement document. The service level agreement, and any Board and Commission specific addendums, shall be signed by the respective Board and Commission and Central Service Agency. Those agreements may require the transfer of Boards' and Commissions' employees and/or assets, or to share office equipment, office space, or other assets to the extent such an agreement would create efficiencies or savings in human resources, fiscal or information technology expenses.

This section shall not be interpreted as a grant of authority to the Central Service to supersede or replace the boards in the performance of their respective statutory duties, but shall focus on functions that are not evident to their licensees or customers and do not interfere with the protection of the public.

The Director of Budget and Management shall take budget actions made necessary to implement the service level agreements signed by the respective Boards and Commissions and Central Service Agency. The Director of the Department of Administrative Service shall ensure service level agreements are properly implemented.

### **Counselor, Social Worker and Marriage and Family Therapist Board**

Board Executive Director Jim Rough presented testimony on the board's budget noting that HB1 provides adequate staffing and funding to carry out its mandates. He said that the board is requesting a number of new fees and fine authority for violations. These include a fee for late renewals, a fee for license verification to other states, a fee for board-provided continuing education and fines for improper continuing education.

He said the board supports the governor's consolidation proposal but he finds "the language ambiguous and inconsistent." He presented suggested amendments to address those concerns.

### **HOUSE PRIMARY AND SECONDARY EDUCATION SUBCOMMITTEE**

Rep. Dyer: 330-517-7098

Thu., Feb. 26, 2009

**HB1 BIENNIAL BUDGET (Sykes V)** To make appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011 for the operation of state programs.

#### **Ohio Manufactured Homes Commission (OMHC)**

Retiring Executive Director David Zofko of the commission spoke to executive budget recommendations of \$435,000 per annum. He said the "relatively young" organization protects the safety, health and property of manufactured home occupants through the following means:

- enforcement of HUD Final Rule: 24 CFR Parts 3280 and 3285, effective Jan. 1, 2009.
- establishment and enforcement of uniform manufactured home installation standards.
- training and licensing of manufactured home installers.
- training and certification of manufactured home inspection agencies, building departments and their personnel, as well as training of health department designees.
- approval of quality course sponsors and their courses.
- administration of a responsive and rational dispute resolution program.
- efficient, fair and uniform enforcement of laws and rules governing manufactured home installation and inspection, per R.C. 4781.

"With effective regulation," Zofko said, "OMHC envisions knowledgeable, licensed installers following uniform installation standards with uniform enforcement, thereby protecting the public, enhancing the value and reliability of manufactured homes ... increasing access to home ownership for Ohioans, and strengthening industry and the economy."

He noted OMHC only began normative rule enforcement as of July 1, 2007, although its Alternative Dispute Resolution Program became effective Sept. 15, 2006 as one of the first approved by HUD for manufactured homes.

Zofko said the commission is currently certifying more building departments and third party inspection agencies.

"Like other 4K9 boards and commissions, OMHC will be self-supporting. However, unlike any other state licensing agencies, we are the only agency whose revenue depends on another agency, the Ohio Department of Health, to enforce our rules," he explained, noting that the commission's primary source of funding is in the cost of inspection seals, not licensing nor the General Revenue Fund.

"The sole jurisdiction is the Ohio Department of Health (ODH). If they do not enforce OMHC rules in manufactured home parks, OMHC does not receive its revenue," he said, noting the current challenge to the commission and the state. "Of the 122 local health districts, only 14 are ODH certified to inspect parks."

Zofko put estimated revenue for FY10 and FY11 at \$642,440 and \$711,370, respectively. "In the existing economic climate with uniform enforcement, the OMHC can still be self-supporting," he said, indicating its commissioners are unpaid volunteers.

Salaries and compensation for OMHC's four full-time employees, he said, are projected to consume roughly \$335,000 in FY10 and \$345,000 in FY11 of the \$435,000 per annum. The remainder would go to capital expenses and "the cost of doing business."

In response to further questions from Rep. Maag about OMHC and ODH's respective jurisdictions, Zofko clarified his call for a consolidation of all regulatory activities under the commission. "The sanitarian that gives flu shots is not the person to inspect manufactured homes. That is currently state law."

Regardless of which agency contracts with private third parties to inspect the homes, Zofko conceded the heavy cost of inspection. "The price of inspection has been a criticism," he said, citing a range of \$400-\$500 per home.

Rep. Morgan sought further clarification, asking about the regulation of manufactured home retailers. The witness said that actually falls to the Bureau of Motor Vehicles.

"There is nothing I would like to have more than complete control over the manufactured home industry," said Zofko. "Right now, it's a confusing process, to say the least."

He noted that ODH can take up to 7-8 business days just to return a phone call about a needed inspection.

### **Latino Affairs Commission (LAC)**

Director Ezra Escudero of LAC issued the call for cultural and economic diversity, saying "we have the opportunity to secure Ohio's long-established influential place in Congress and the Electoral College if we successfully ensure that all Ohioans, especially new Ohioans, are counted in the 2010 Census."

He said LAC had focused on the following question since 2001: "Why do Hispanic Ohioans face so many inordinate challenges to securing educational achievement, and what can we do to change things?"

Since then, said Escudero, the commission had produced an "abundance of solutions," including prioritized preschool enrollment; stronger relationships between parents, teachers, administrators and state policymakers; and promoting parental engagement at all levels. Results from LAC's recent eight-city tour of Ohio is projected for May 2009.

Other efforts include a Latino Small Business Development Center launched with the Ohio Department of Development in 2007, an Ohio Council of Hispanic Chambers of Commerce and Business Associations, and a partnership with the Ohio Hispanic Chamber of Commerce called Project OPEN. While funding for the project's economic impact study was cut in FY08, the rest of the program is included in the executive budget at 50 percent funding levels.

A further effort, the Grassroots Initiative, helps community organizations that assist Hispanics to become better grant writers and better advocates, and is currently forming a statewide council of Latino social service agencies.

"I am pleased to report that the impact of budget cuts has been greatly mitigated through resourcefulness, efficiencies and ingenuity," he said. "However, we are missing out on a crucial opportunity."

Escudero said that additional funding for one full-time program director and "marginal expenses" would allow the LAC Organizations Development Center to build more programs for Ohio's Hispanics.

### **Ohio State Dental Board (OSDB)**

OSDB Executive Director Lili Reitz said the board's primary functions in ensuring competent dentistry are through licensing, regulation and enforcement. That duty covers the nearly 7,000 dentists, 7,500 dental hygienists, 12,000 radiographers and other dental professionals operating in Ohio as of June 30, 2008.

"Pursuant to Ohio Revised Code 4715.03, the board is required to investigate complaints which indicate that a violation of the Dental Practice Act has occurred," she noted.



## Summary of HB 648

(A) State agencies must regulate access to confidential personal information (CPI) it keeps by adopting rules that include:

- (1) Criteria for determining who has access to CPI and which supervisors authorize access;
- (2) A list of valid reasons for accessing CPI based on an agency's authority;
- (3) A list of statutes and rules requiring confidential treatment of personal information;
- (4) A procedure that requires new or upgraded computer systems to be able to record access to CPI by state employees and, until then, a procedure for logging each access (manually);

There is an exception to the "until then" logging - so that logging is not required for access that :

- (a) both (i) results from research, routine office procedures or incidental contact and (ii) is not directed at a specific individual whether individually or as part of a group;

or

- (b) results from a request by the individual.

- (5) A procedure for allowing individuals to review the CPI about the individual;
- (6) A procedure for notifying individuals whose CPI has been improperly accessed; and
- (7) Requirements that the agency:
  - (a) Designate a data privacy point of contact (DPPOC) to work with the chief privacy officer to ensure privacy protections and compliance,
  - (b) Complete a privacy impact assessment by the DPPOC, and
  - (c) Use password or other authentication requirement to protect electronic CPI.

(B) State agencies must:

- (1) Establish a training program for all employees with access to CPI;
- (2) Distribute to those employees the policies published in the rules;
- (3) Obtain an acknowledgement of receipt of the policies from those employees; and
- (4) Post a poster summarizing the policies in conspicuous places and post the policies on its web site.

(C) For state employees:

- (1) Knowingly accessing CPI in violation of an agency rule is made illegal;
- (2) Knowingly using or disclosing CPI in violation of the law is made illegal; and
- (3) Doing either (1) or (2) is a first degree misdemeanor and creates a prohibition on employment with the State.

(D) Anyone directly harmed by knowing violations of a policy created by rules may seek recovery of damages from the person violating the policy.

(E) The Auditor of State shall obtain evidence that state agencies comply with this statute and the policies issued under the statute.

(F) Disciplinary actions including termination cannot be negotiated in state collective bargaining agreements.

### Recommendations for Initial Steps Moving Forward

Please keep in mind that:

- 1) The effort to implement HB 648 is likely to be an iterative process – you will learn at each step of the implementation process and will then need to return to prior steps to make revisions.
- 2) Your agency may want to break up its implementation and its own evaluation according to its systems of records.
- 3) Agencies are ultimately responsible for their own compliance with the statute.
- 4) These are the initial steps intended to help agencies get started. There are other significant requirements such as logging that each agency will need to address.

#### Initial Steps:

- Appoint a data privacy point of contact, if you have not done so already
- Identify and document the confidential personal information that your agency maintains.
  - You may need to identify the personal information that your agency collects and uses, and then make a determination if there is a confidentiality requirement around that specific data.
- Understand and document the basis for collecting the information
  - Is there a specific legal requirement to collect and maintain the information?
  - Is there a business need relating to the agency's enabling statutes?
- Eliminate the collection of any personal information (confidential or not) that cannot be supported by legal requirement or valid business need.
- Begin to develop policies around who is granted access and the process for granting access
  - Think in terms of defining a small set of roles that would set the amount of access for users in each role.
- Begin to develop the list of valid reasons for accessing the confidential personal information you have identified.
- Move to implement the remaining provisions of the bill, such as logging and training and awareness.

# AN ACT

To amend section 1347.99 and to enact sections 1347.15 and 5703.211 of the Revised Code to require state agencies to adopt rules governing access to the confidential personal information that they keep, to create a civil action for harm resulting from an intentional violation of these rules, to impose a criminal penalty for such an intentional violation, and to require the Department of Taxation to adopt rules to generally require the tracking of searches of any of the Department's databases.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1347.99 be amended and sections 1347.15 and 5703.211 of the Revised Code be enacted to read as follows:

Sec. 1347.15. (A) As used in this section:

(1) "Confidential personal information" means personal information that is not a public record for purposes of section 149.43 of the Revised Code.

(2) "State agency" does not include the courts or any judicial agency, any state-assisted institution of higher education, or any local agency.

(B) Each state agency shall adopt rules under Chapter 119. of the Revised Code regulating access to the confidential personal information the agency keeps, whether electronically or on paper. The rules shall include all the following:

(1) Criteria for determining which employees of the state agency may access, and which supervisory employees of the state agency may authorize those employees to access, confidential personal information;

(2) A list of the valid reasons, directly related to the state agency's exercise of its powers or duties, for which only employees of the state agency may access confidential personal information;

(3) References to the applicable federal or state statutes or administrative rules that make the confidential personal information confidential;

(4) A procedure that requires the state agency to do all of the following:

(a) Provide that any upgrades to an existing computer system, or the acquisition of any new computer system, that stores, manages, or contains confidential personal information include a mechanism for recording specific access by employees of the state agency to confidential personal information;

(b) Until an upgrade or new acquisition of the type described in division (B)(4)(a) of this section occurs, except as otherwise provided in division (C)(1) of this section, keep a log that records specific access by employees of the state agency to confidential personal information;

(5) A procedure that requires the state agency to comply with a written request from an individual for a list of confidential personal information about the individual that the state agency keeps, unless the confidential personal information relates to an investigation about the individual based upon specific statutory authority by the state agency;

(6) A procedure that requires the state agency to notify each person whose confidential personal information has been accessed for an invalid reason by employees of the state agency of that specific access;

(7) A requirement that the director of the state agency designate an employee of the state agency to serve as the data privacy point of contact within the state agency to work with the chief privacy officer within the office of information technology to ensure that confidential personal information is properly protected and that the state agency complies with this section and rules adopted thereunder;

(8) A requirement that the data privacy point of contact for the state agency complete a privacy impact assessment form; and

(9) A requirement that a password or other authentication measure be used to access confidential personal information that is kept electronically.

(C)(1) A procedure adopted pursuant to division (B)(4) of this section shall not require a state agency to record in the log it keeps under division (B)(4)(b) of this section any specific access by any employee of the agency to confidential personal information in any of the following circumstances:

(a) The access occurs as a result of research performed for official agency purposes, routine office procedures, or incidental contact with the information, unless the conduct resulting in the access is specifically directed toward a specifically named individual or a group of specifically named individuals.

(b) The access is to confidential personal information about an individual, and the access occurs as a result of a request by that individual for confidential personal information about that individual.

(2) Each state agency shall establish a training program for all

employees of the state agency described in division (B)(1) of this section so that these employees are made aware of all applicable statutes, rules, and policies governing their access to confidential personal information.

The office of information technology shall develop the privacy impact assessment form and post the form on its internet web site by the first day of December each year. The form shall assist each state agency in complying with the rules it adopted under this section, in assessing the risks and effects of collecting, maintaining, and disseminating confidential personal information, and in adopting privacy protection processes designed to mitigate potential risks to privacy.

(D) Each state agency shall distribute the policies included in the rules adopted under division (B) of this section to each employee of the agency described in division (B)(1) of this section and shall require that the employee acknowledge receipt of the copy of the policies. The state agency shall create a poster that describes these policies and post it in a conspicuous place in the main office of the state agency and in all locations where the state agency has branch offices. The state agency shall post the policies on the internet web site of the agency if it maintains such an internet web site. A state agency that has established a manual or handbook of its general policies and procedures shall include these policies in the manual or handbook.

(E) No collective bargaining agreement entered into under Chapter 4117. of the Revised Code on or after the effective date of this section shall prohibit disciplinary action against or termination of an employee of a state agency who is found to have accessed, disclosed, or used personal confidential information in violation of a rule adopted under division (B) of this section or as otherwise prohibited by law.

(F) The auditor of state shall obtain evidence that state agencies adopted the required procedures and policies in a rule under division (B) of this section, shall obtain evidence supporting whether the state agency is complying with those policies and procedures, and may include citations or recommendations relating to this section in any audit report issued under section 117.11 of the Revised Code.

(G) A person who is harmed by a violation of a rule of a state agency described in division (B) of this section may bring an action in the court of claims, as described in division (F) of section 2743.02 of the Revised Code, against any person who directly and proximately caused the harm.

(H)(1) No person shall knowingly access confidential personal information in violation of a rule of a state agency described in division (B) of this section.

(2) No person shall knowingly use or disclose confidential personal information in a manner prohibited by law.

(3) No state agency shall employ a person who has been convicted of or pleaded guilty to a violation of division (H)(1) or (2) of this section.

(4) A violation of division (H)(1) or (2) of this section is a violation of a state statute for purposes of division (A) of section 124.341 of the Revised Code.

Sec. 1347.99. (A) No public official, public employee, or other person who maintains, or is employed by a person who maintains, a personal information system for a state or local agency shall purposely refuse to comply with division (E), (F), (G), or (H) of section 1347.05, section 1347.071, division (A), (B), or (C) of section 1347.08, or division (A) or (C) of section 1347.09 of the Revised Code. Whoever violates this section is guilty of a minor misdemeanor.

(B) Whoever violates division (H)(1) or (2) of section 1347.15 of the Revised Code is guilty of a misdemeanor of the first degree.

Sec. 5703.211. (A) The tax commissioner shall adopt rules under Chapter 119. of the Revised Code that, except as otherwise provided in division (B) of this section, require that any search of any of the databases of the department of taxation be tracked so that administrators of the database or investigators can identify each account holder who conducted a search of the database.

(B) The rules adopted under division (A) of this section shall not require the tracking of any search of any of the databases of the department conducted by an account holder in any of the following circumstances:

(1) The search occurs as a result of research performed for official agency purposes, routine office procedures, or incidental contact with the information, unless the search is specifically directed toward a specifically named individual or a group of specifically named individuals.

(2) The search is for information about an individual, and it is performed as a result of a request by that individual for information about that individual.

SECTION 2. That existing section 1347.99 of the Revised Code is hereby repealed.

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*Speaker* \_\_\_\_\_ *of the House of Representatives.*

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*President* \_\_\_\_\_ *of the Senate.*

Passed \_\_\_\_\_, 20\_\_

Approved \_\_\_\_\_, 20\_\_

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*Governor.*

Sub. H. B. No. 648

127th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the  
\_\_\_ day of \_\_\_\_\_, A. D. 20\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_

## CE 2's for Board Review/Approval March 4, 2009

Reviewer	Course Number	Name	Course Title	Course Date	Hours
Duane	401/Appeal	Stephanie Zmuda	E Is For Epi	12/16/2008	5
Duane	418 A	Kristen Fink	Lake County General Health District Radiological Training	12/10/2008	2
Duane	418 B	Daniel Lark	Lake County General Health District Radiological Training	12/10/2008	2
Duane	418 C	Christopher Loxterman	Lake County General Health District Radiological Training	12/10/2008	2
Duane	418 D	Bert Mechenbrier	Lake County General Health District Radiological Training	12/10/2008	2
Duane	418 E	Frank Kellogg	Lake County General Health District Radiological Training	12/10/2008	2
Duane	418 F	Daniel Marn	Lake County General Health District Radiological Training	12/10/2008	2
Duane	418 G	Doug Mehls	Lake County General Health District Radiological Training	12/10/2008	2
Duane	418 H	Terry Kent	Lake County General Health District Radiological Training	12/10/2008	2
Duane	418 I	Timothy Cox	Lake County General Health District Radiological Training	12/10/2008	2
Duane	419	William Edwards	Weapons of Mass Destruction Hands on Training	1/9/2009	16
Duane	420	William Edwards	Pandemic Influenza & Preparedness	1/7/2009	18
Duane	421	Morrissa Rice	2008 USPHS Scientific & Training Symposium	6/12/2008	18
Duane	422	Gary Radabaugh	Biology & Control of Insects & Rodents	1/20/2009	18
Duane	423	Andrew Sines	OSHA 30 Hour General Industry Safety & Health	12/13/2008	18
Duane	424	Alison Shockley	PowerPoint 2007 Plus	1/21/2009	13
Duane	425	Michael Pompili	Current Topics in Environmental Health	1/20/2009	2
Duane	426 A	George Apostolos	Bed Bugs: Know Your Enemy	1/22/2009	2
Duane	426 B	Martin Cahill	Bed Bugs: Know Your Enemy	1/22/2009	2
Duane	426 C	James Lee	Bed Bugs: Know Your Enemy	1/22/2009	2

## CE 2's for Board Review/Approval March 4, 2009

Duane	427 A	Kate Lanza	Layout Plans, Design Plans, & As Built Records for Sewage Treatment Systems	1/20/2009	2
Duane	427 B	Brooke Semonin	Layout Plans, Design Plans, & As Built Records for Sewage Treatment Systems	1/20/2009	2
Duane	427 C	Jay Pruet	Layout Plans, Design Plans, & As Built Records for Sewage Treatment Systems	1/20/2009	2
Duane	428	Kevin Trombley	The Watershed Academy	2/15/2008	18
Duane	429	Ryan Tekac	Fundamentals of Environmental Engineering	12/10/2008	18
Duane	430	Ryan Tekac	Algebraic & Transcendental Functions	12/10/2008	18
Duane	431	Christl Wigner	Disaster Management for Public Services/Planning for & Responding to A Terrorism WMD Event	11/18/2008	16
Duane	432	Greg Putka	Carbon Monoxide & Natural Gas Fundamentals	1/20/2009	2
Duane	433	Jimmy Logan	Effective Communication	1/15/2009	12.75
Duane	434	Raymond Herbst	Principles of Emergency Management	11/14/2008	10
Duane	435	Raymond Herbst	Decision Making & Problem Solving	11/24/2008	8
Duane	436	Raymond Herbst	Emergency Planning	11/26/2008	10
Angela	437	Raymond Herbst	BDLS Basic Disaster Life Support	1/21/2009	7.5
Angela	438	Raymond Herbst	Effective Communication	11/25/2008	8
Angela	439	Anthony Stout	Meat & Poultry Product Labeling	5/22/2009	14.5
Angela	440	Anthony Stout	ServSafe	2/14/2008	16
Angela	441	Anthony Stout	Preparedness & Response to Agricultural Terrorism	8/15/2008	18
Angela	442 A	James Watkins	WMD Hands on Training	1/10/2009	16
Angela	442 B	Kevin Halligan	WMD Hands on Training	1/10/2009	16
Angela	442 C	Patrick Niles	WMD Hands on Training	1/10/2009	16
Angela	442 D	Vaughn Jackson	WMD Hands on Training	1/10/2009	16
Angela	443 A	James Watkins	Pandemic Influenza Preparedness & Planning	1/7/2009	18
Angela	443 B	Kevin Halligan	Pandemic Influenza Preparedness & Planning	1/7/2009	18
Angela	443 C	Patrick Niles	Pandemic Influenza Preparedness & Planning	1/7/2009	18
Angela	443 D	Vaughn Jackson	Pandemic Influenza Preparedness & Planning	1/7/2009	18

## CE 2's for Board Review/Approval March 4, 2009

Angela	444	David O'Toole, Jr.	Capture Zone Analysis for Pump & Treat Systems	4/30/2008	6
Angela	445	David O'Toole, Jr.	A Practical Approach for Assessing Upward Vapor	3/19/2008	6.5
Angela	446	David O'Toole, Jr.	DERR Site Coordinator Forum	10/21/2008	5
Angela	447	Roy Wiseman	Kentucky Onsite Wastewater 14th Annual Technical Conference & Expo	12/5/2008	12
Angela	448	Alison Capoun	Layout Plans, Design Plans, & As Built Records for Sewage Treatment Systems	1/20/2009	2
Angela	449	Daniel Stine	Depressurization Policy & AWWA Standard	5/12/2008	1
Angela	450	Matthew Young	Region 5 Radon Forum	4/11/2008	6
Angela	451	David Klusman	MEHA 15th Annual Ground Water Conference	10/3/2008	14
Angela	452	David Klusman	MDA 2005 Food Code/Food Law Training	1/22/2009	17.25
Angela	453	Terrence Grace	Inspector Training for Field Activities	12/16/2008	3.5
Angela	454	Matthew Hofelich	63rd Annual Celeryville Muck Crops School	1/8/2009	4.25
Angela	455	Matthew Hofelich	Ohio Produce Growers & Marketers Association 2009 Congress	1/14/2009	8
Angela	456	Matthew Hofelich	Ohio Coordinating Committee for the Control of Depredating Birds	12/10/2008	1.5
Angela	457	Shannon Sellards	BloodBorne Pathogens, Tuberculosis, AED, & Multi Agency Communication Training	1/27/2009	1.5
Angela	458	Ronald Cramer	Thermal Processing of RTE Products	4/10/2008	18
Angela	459	Achal Garg	2009 Industrial Waste Seminar	1/29/2009	4.5
Angela	460	Chris Rodabaugh	Soil & Water Conservation Society 2009 Water Meeting	2/3/2009	3.75
Angela	461	Jared Warner	Radiological Emergency Management	1/27/2009	10
Angela	462	Jared Warner	Introduction to Exercises	1/23/2009	5
Dave	463	Jared Warner	Public Health Preparedness Summit	2/21/2009	14.75
Dave	464	Rodney Reynolds	ODA Dairy Division Meeting	7/17/2008	5
Dave	465	Roy Wiseman	Town & Country Ford Parts & Recycling	12/19/2008	6
Dave	466 A	William Holden	Myths & Facts of Disinfectants	2/4/2009	1

466B Karen Myers

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## CE 2's for Board Review/Approval March 4, 2009

Dave	467	Phil Pugh	Pathophysiology & Pharmacology	8/15/2008	7	-0- Denied
Dave	468	Bradley Espen	Ohio Pesticide Commercial Applicator 2009 Certification Conference	2/10/2009	5	
Dave	469	Jeff Meyer	2008 Ohio Transportation Engineering Conference	10/29/2008	7.5	
Dave	470	Vincent Lutz	Ohio Pesticide Commercial Applicator 2009 Certification Conference	1/21/2009	5	
Dave	471	William Wendell	ICS 300: Intermediate ICS for Expanding Incidents	9/22/2008	15	
Dave	472 A	Lori Barnes	Food Safety for the Person in Charge	2/18/2009	1	
Dave	472 B	Michael Sabbato	Food Safety for the Person in Charge	2/18/2009	1	
Dave	472 C	Shannon Sellards	Food Safety for the Person in Charge	2/18/2009	1	
Dave	473	Michael Pompili	New Strategies Against Viral Respiratory Diseases: A Jump from Basic Research to Applied Science	2/19/2009	45	- .75
Dave	474	Steven Tostrick	IS 703: Resource Management	2/18/2009	3	
Dave	475	Steven Tostrick	IS 702: National Incident Management Systems	2/18/2009	3	
Dave	476	Steven Tostrick	IS 701: Multiagency Coordination System	2/17/2009	5	
Dave	477	Ernest Britton	Biology & Control of Insects & Rodents	2/15/2009	18	
Dave	478	Bradley Espen	Shoulder to Shoulder: Partnerships for Community Action	2/13/2009	6.5	
Dave	479	Peter Hoffmire	Hazardous Waste Operations & Emergency Response	2/11/2009	6	
Dave	480	Peter Hoffmire	12th Annual Joint AWMA/NYWEA Seminar	2/12/2009	6	
Dave	481	Daniel Collins	Environmental Health Training in Emergency Response: Portable Water	2/11/2009	2	
Dave	482	Daniel Collins	Environmental Health Training in Emergency Response: Solid Waste & Hazardous Materials	2/2/2009	1.5	
Dave	483	Daniel Collins	Environmental Health Training in Emergency Response: Food Safety	2/2/2009	1.5	
Dave	484	Daniel Collins	Environmental Health Training in Emergency Response: Wastewater	2/2/2009	1.5	

## CE 2's for Board Review/Approval March 4, 2009

Dave	485	Daniel Collins	Environmental Health Training in Emergency Response: Responder Safety	2/5/2009	1
Dave	486	Daniel Collins	Environmental Health Training in Emergency Response: Disaster Management	2/5/2009	2
Dave	487	Daniel Collins	Environmental Health Training in Emergency Response: Building Assessment	2/3/2009	1.5
Dave	488	Daniel Collins	Environmental Health Training in Emergency Response: Shelters	2/2/2009	2
Dave	489 A	Steve Mazak	Green Roofs: Beautiful & Innovative Solutions to Stormwater Pollution	2/18/2009	2
Dave	489 B	Susan Haboustak	Green Roofs: Beautiful & Innovative Solutions to Stormwater Pollution	2/18/2009	2
Dave	489 C	Christine Fienga	Green Roofs: Beautiful & Innovative Solutions to Stormwater Pollution	2/18/2009	2
Angela	490	Christine Fienga	Sewage Treatment System Program	2/23/2009	1
Angela	491 A	Andrea Geilinger	WMD Awareness Training	2/25/2009	6
Angela	491 B	Randy Shepard	WMD Awareness Training	2/25/2009	6
Angela	491 C	Ryan Murphy	WMD Awareness Training	2/25/2009	6
Angela	492	Jennifer Kurko	Asbestos Training	2/6/2007	11.5
Angela	493	Jennifer Kurko	Risk & Crisis Communication	12/5/2006	5.75
Angela	494	Jennifer Kurko	DAPC Training Seminar	12/17/2007	6
Angela	495	Alfonso Nunez	Ohio Pesticide Commercial Applicator 2009 Certification Conference	2/25/2009	5
Angela	496	Kevin Hanley	2008 Toxicology of Risk Assessment Conference & Workshop	4/17/2008	18
Angela	497	Pamela Walker Bauer	Threat & Risk Assessment	1/22/2009	18
Angela	498	Chad Masters	Pandemic Flu Preparedness & Planning	1/7/2009	18
Angela	499	David Nutini	2009 Public Health Preparedness Summit	2/18/2009	18
Angela	500	Robert Zahirsky	Operation & Maintenance of Gas Monitors	2/20/2009	18
Dave	501	Caroline Terakedis	Effect of Radiological Agents	2/15/2009	7.25

## CE 2's for Board Review/Approval March 4, 2009

Dave	502	Carl Mussenden	Developing & Implementing Winning Strategies	2/10/2009	18
Dave	503 A	Mohammed Khan	Ohio Pesticide Commercial Applicator 2009 Certification Conference	2/25/2009	5
Dave	503 B	Karl Stichert	Ohio Pesticide Commercial Applicator 2009 Certification Conference	2/25/2009	5
Dave	504	Eric Zgodzinski	WMD Hands on Training	1/8/2009	16
Dave	505	Eric Zgodzinski	Pandemic Flu Preparedness & Planning	1/4/2009	18
Dave	506 A	Abdul Smiley	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 B	Rich Fox	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 C	Craig Walkenspaw	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 D	Russell Brown	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 E	Mark Mansfield	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 F	Andy Drumm	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 G	Michelle Ackenhausen	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 H	Allan Hurtt	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 I	Habib Kaake	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 J	Brian Queen	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 K	Michael Harris	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 L	Annette DeHavilland	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 M	Edward O'Loughlin	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 N	Joan Snider	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 O	Karen Morr	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	506 P	Mary Wright	DSIWM Engineering Group Meeting	2/19/2009	1.5
Dave	507	Steven Snyder	WMD Radiological / Nuclear Training for HAZMAT Technicians	2/23/2009	18

**CE 3 For Board Review/Approval March 4, 2009**

<b>Reviewer</b>	<b>ATA</b>	<b>Agency</b>	<b>Contact</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
Angela	22	City of Cleveland	Ronald Smith	75 Erieview Plaza	Cleveland	Ohio	44114
Angela	20	Clarke Mosquito Control	Brian Deenihan	159 North Garden Avenue	Roselle	IL	60172

## CE 4 for Board Review/Approval March 4, 2009

Reviewer	Course Number	Course Sponsor	Course Name	Course Date	Hours
Dave	09-179/Appeal	Columbus Public Health	ServSafe	Various	14
Dave	09-182	Cuyahoga County Board of Health	Private Water Systems	3/5/2009	1
Dave	09-183	Cuyahoga County Board of Health	Work Plan Training	Various	1
Dave	09-184	Summit County Health Department	Update on SCHED's Stormwater Program	3/11/2009	0.5
Dave	09-185	Ohio Veterinary Medical Association	Midwest Veterinary Conference	2/22/2009	24
Dave	09-186	Lake County General Health District	Lake County General Health District Radiological Training	Various	6
Dave	09-187	Tri-State Environmental Health Association	Agro-Terrorism, FERN, & The Digital Health Department	2/25/2009	3.5
Dave	09-188	Southeast Ohio Sanitarians Association	Bedbug Training	2/12/2009	2
Dave	09-189	Ohio Environmental Protection Agency	Behavioral Styles & Meeting Tools	Various	5.75
Dave	09-190	Ohio Environmental Protection Agency	Writing Advantage Franklin Covey	Various	6
Dave	09-191	Ohio Environmental Protection Agency	The Reading Management Workshop	Various	3.75
Dave	09-192	Ohio Environmental Protection Agency	Mahoning River Consortium Meeting	2/20/2009	0.5
Dave	09-193	Ohio Environmental Protection Agency	Mahoning River Consortium Meeting	1/16/2009	0.75
Dave	09-194	Gallia County Health Department	Sewage Treatment System Workshop	1/22/2009	<del>7</del>
Dave	09-195	Greene County Combined Health District	Playground Safety Audit	5/5/2009	6.25
Dave	09-196	Ohio Environmental Protection Agency	EPAC Meeting	1/29/2009	0.5
Dave	09-197	Cuyahoga County Board of Health	2009 Spring Food Safety Education Conference	4/14/2009	5.25
Dave	09-198	University of Cincinnati	Combustible Dust Hazard Issues in Industry	3/20/2009	6.75
Angela	09-199	Ohio Code Enforcement Officials Association	Zoning, Asbestos Safety, NSP Program, & Interior Residential Inspections	2/12/2009	4
Angela	09-200	Ohio Environmental Protection Agency	NEFCO Environmental Technical Advisory Committee	2/2/2009	1

Requested  
Addl Info.

~~7~~ 4.75

## CE 4 for Board Review/Approval March 4, 2009

Angela	09-201	Canton City Health Department	Role of the Red Cross in Mass Care	2/20/2009	1
Angela	09-202	Holmes County General Health District	Managing the Media: Crisis Communications, Media Relations, & Media Training	4/23/2009	4
Angela	09-203	360 Training	Electrical Fundamentals	Various	4
Angela	09-204	360 Training	Electrical Safety	Various	1
Angela	09-205	360 Training	Lockout/Tagout	Various	1
Angela	09-206	360 Training	Confined Spaces	Various	1
Angela	09-207	360 Training	Personal Protective Equipment	Various	1
Angela	09-208	360 Training	OSHA 10 Hour General Industry	Various	10
Angela	09-209	360 Training	Ergonomics	Various	1
Angela	09-210	360 Training	Bloodborne Pathogens	Various	2
Angela	09-211	360 Training	HAZWOPER 8 Hour Refresher	Various	8
Angela	09-212	Ohio Environmental Protection Agency	Refresher Session on Harassment/Discrimination Prevention	Various	2
Angela	09-213	Clermont County General Health District	POD Management Team Training	4/29/2009	6
Angela	09-214	Morrow County Health Department	2009 Sewage System Installer Class	1/29/2009	3
Angela	09-215	University of Cincinnati	Food, Farms, & Illness and the 4th Annual Malcom Adcock Memorial Lecture	3/26/2009	6
Duane	09-216	Cuyahoga County Board of Health	SANE: Sexual Assault Nurse Examiner	4/8/2009	<del>1.5</del> <del>-0-</del>
Duane	09-217	National Onsite Wastewater Recycling Association	NOWRA 18th Annual Technical & Education Conference	4/6/2009	23.25
Duane	09-218	Toledo Lucas County Health Department	Spring Forum on Environmental Health	3/6/2009	6
Duane	09-219	Public Health Dayton Montgomery County	Montgomery County Tularemia Surveillance Project	3/6/2009	1

Denied

## CE 4 for Board Review/Approval March 4, 2009

Duane	09-220	Ohio Environmental Protection Agency	First Energy Research Project to Sequester CO2 Wastes	4/16/2009	0.5
Duane	09-221	Ohio Environmental Protection Agency	NEFCO Environmental Technical Advisory Committee	3/4/2009	1
Duane	09-222	Lake County General Health District	Ohio EPA Presentations	3/6/2009	3
Duane	09-223	Summit County Health Department	Point of Sale Inspections (Private Water System/Septic)	3/25/2009	1
Duane	09-224	Akron Health Department	Gastroenteritis at a University in Texas	Various	2.5
Duane	09-225	Medina County Health Department	HazMat & WMD Awareness for the First Responder	Various	6
Duane	09-226	Medina County Health Department	WMD Radiological & Nuclear Awareness	Various	6
Duane	09-227	Zanesville Muskingum County Health Department	Healthy Homes Summit: Your Home, Your Health...Make the Connection	4/1/2009	4.75
Duane	09-228	Ohio Environmental Health Association	2009 Annual Education Conference	4/21/2009	11
Duane	09-229	Belmont County Health Department	Tri State Environmental Health United Dairy and Everly Septic Tours	3/18/2009	4
Duane	09-230	Ohio Environmental Protection Agency	Mahoning River Consortium Meeting	3/20/2009	0.5
Duane	09-231	Cuyahoga County Board of Health	2009 Ohio Stormwater Conference	5/13/2009	16.5
Duane	09-232	Ohio Department of Health Division of Quality Assurance	Annual Health Care Facility Surveyor Meeting	3/18/2009	5
Duane	09-233	Warren City Health Department	Food Safety Seminar 2009	4/20/2009	3
Duane	09-234	Ohio Department of Health Division of Prevention	Supervisor Awareness: Addressing Mental Health Concerns in the Workplace	Various	2
Duane	09-235	Safex, Inc.	IATA Shipping Training	5/7/2009	5.5
Duane	09-236	Safex, Inc.	DOT Requirements for Shipping Hazardous Materials	4/4/2009	11

## CE 4 for Board Review/Approval March 4, 2009

Duane	09-237	Safex, Inc.	Permit Required Confined Space Training	2/5/2009	7.5
Duane	09-238	Safex, Inc.	Trenching & Excavation Training	3/25/2009	7.5
Duane	09-239	Safex, Inc.	Fall Protection for Competent Workers	3/24/2009	7
Duane	09-240	Operator Training Committee of Ohio, Inc.	Water Workshop	3/3/2009	12
Duane	09-241	Summit County Health Department	Food Safety Basics	Various	2
Duane	09-242	Mansfield, Ontario, Richland County Health Department	Operation of Extended Aeration Wastewater	3/4/2009	6
Duane	09-243	Clarke Mosquito Control	2009 Community Mosquito Control Workshop	Various	3
Duane	09-244	Ohio Environmental Protection Agency	Emergency/Disaster Response Protocol (A)	Various	5.25
Duane	09-245	Ohio Environmental Protection Agency	Emergency/Disaster Response Protocol (B)	3/30/2009	5.25

**Youst, Stephanie**

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**From:** Youst, Stephanie  
**Sent:** Tuesday, January 27, 2009 1:16 PM  
**To:** 'Ray Herbst'  
**Subject:** RE: I will wait to see what your package to me contains

Ray -

Your renewal packet was not returned and I am not sure where you received that information. The only item sent to you was an incomplete notice stating that you did not have sufficient CE on file to renew and that your registration would become inactive on 2/1/09 unless you were able to provide an additional 6 hours of Board approved CE by January 31, 2009. I am in receipt of the CE review requests you submitted for Board review and those items will be reviewed at the next Board meeting which is scheduled for March 4, 2009.

At this time your registration will expire effective 2/1/09 and will remain listed as inactive until the Board meets, reviews, and approves your CE requests.

It is the responsibility of each organization, NEHA, ODH, CDC, etc... to request approval by the Board for courses that they offer to RS/SIT's for continuing education credit. NEHA and ODH are approved agencies, but have not requested approval for many of the offerings they provide. This process/practice has not changed over the past several years.

You will not be responsible for the late fee of \$27 since your renewal materials were received prior to the January 31, 2009 deadline. I hope this clarifies things for you. Please feel free to contact me if you have any additional questions or concerns regarding the renewal process. I will also pass your comments along to the Board for their review.

Stephanie Youst  
 Executive Secretary  
 Ohio Sanitarian Registration Board  
 77 South High Street, 16th Floor  
 Columbus, Ohio 43215-6108  
 Phone: (614) 466-1772  
 Fax: (614) 644-8112  
<http://sanitarian.ohio.gov/>

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**From:** Ray Herbst [mailto:rherbst@ashlandhealth.com]  
**Sent:** Monday, January 26, 2009 7:08 PM  
**To:** Youst, Stephanie  
**Subject:** I will wait to see what your package to me contains  
**Importance:** High

Dear Ms. Youst:

I do not have questions, not at this juncture.

I respect the facts that you are detail-oriented, and desire to maintain the timeless integrity of the State Board of Sanitarian Registration, and in those respects, you perform an outstanding job.

1/27/2009

If you returned the registration fee, and all the other documentation that you required back to me, I would like to personally drive to Columbus to appear before the Board to express my disgust, however, I neither have the time to spare nor the money. You performed a similar process 2 years ago, and it facilitates a huge waste of my postage and time and you fail to understand the severe time limitations of a sanitarian on a nominal salary performing extensive job duties in this age of budget cuts who must take courses outside of the cookie-cutter Midwest Workshop. I do not have days to waste in my position with this agency taking courses that are not applicable to my job duties. However, it did take me 6 hours to assemble all of the paperwork for all possible courses that may have already been approved by the Board for some other individual. I am not sure you understand that the last 2 years have been an severe financial struggle for my family and we continue to exhaust retirement accounts just to survive.

Now, all of the CE-2 forms for each of the courses that I mailed in duplicate per each of the required instructions certified to your office to facilitate the review of their acceptance best not have been returned to me just because they have not been approved by the Board yet.

A reciprocating organization, the National Environmental Health Association, does not have a problem with the Centers for Disease Control/Ohio Department of Health/Public Health Infrastructure grant program-required courses, such as many of the FEMA ones I applied for CEUs from the Board. Your office is not proactive in accepting standard courses that meet the Ohio Administrative Code-SBSR requirements to the letter in certain public health programs, and in that respect, it is facilitating a waste of time having to review CE-2 forms and associated paperwork.

I went through the same extensive paperwork process with NEHA, and they do not throw the entire package back in my face, but process it in the order that it was received.

I will wait to see what this package contains.

Sincerely,

Ray Herbst, RS, REHS, Director of Public Health Preparedness, Health Education,  
& Ashland County-City Medical Reserve Corps  
Ashland County-City Health Department  
110 Cottage Street, Third Floor  
φ 40.8689, λ -82.318  
Ashland, OH 44805-2114  
phone 419-282-4295  
fax 419-282-4333  
cell 419-651-8456  
email: [rherbst@ashlandhealth.com](mailto:rherbst@ashlandhealth.com)

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**From:** Youst, Stephanie [mailto:Stephanie.Youst@exchange.state.oh.us]  
**Sent:** Monday, January 26, 2009 3:31 PM  
**To:** 'rherbst@ashlandhealth.com'  
**Subject:** Incomplete RS Notice

Raymond -

I have attached a copy of the incomplete notice that will be mailed to your home. Please let me know if you have any questions.

1/27/2009