

NORTH CAROLINA BOARD OF DIETETICS/NUTRITION
BOARD MEETING
9:00 A.M.
1135 KILDAIRE FARM ROAD, SUITE 200
CARY, NC 27511

[ELECTRONIC ONLY MEETING]

OPEN MINUTES: August 19, 2022

Board Members Present: Analia Camarasa, Ananya Sen, Karen Thomas, Amanda Holliday,
Patricia Pitts, Sarah Thomas

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guest: Henry Jones, General Counsel, Dana Filatova, public/stakeholder

Absent: Christie Nicholson

Call to Order – Amanda Holliday

The meeting was called to order at 9:03 a.m. A quorum was present. While the North Carolina State of emergency has now ended, as of August 15, 2022, Amanda still read the following information for the Board, regarding holding electronic Board meetings.

Session Law 2020-3, entitled “An Act to Provide Aid to North Carolinians in Response to the Coronavirus Disease 2019 (Covid-19) Crisis,” sets forth, among other things, changes to the way boards may conduct meetings through simultaneous electronic means during the declaration of emergency. These changes will remain in effect until the declaration of emergency ends.

Since the Board has fully transitioned its operations to a virtual workspace, to ensure that the Board is complying with these new requirements and using best practices when meeting, please take note of the following guidelines:

1. Board members must identify themselves by name prior to speaking at any time during the meeting.
2. The Board Chair shall conduct all votes during the meeting by roll call; each voting Board member must identify himself or herself by name before casting a vote.
3. All documents to be reviewed by the Board will be distributed by electronic means in advance of the meeting.
4. Board members must announce themselves when joining or exiting the remote meeting because Board staff must accurately reflect attendance in the minutes and because the Board must maintain a quorum of participating members throughout the remote meeting.
5. All electronic chats, instant messages, texts, emails, etc. between Board members during the remote meeting are public records and must be provided to the Board’s Executive Director, as the Board’s custodian of records, at the conclusion of the remote meeting.
6. Please be mindful of your surroundings and background noise while participating in the remote meeting. When not speaking, please place your microphone on mute; and

7. Members of the public will be provided with the opportunity to watch or listen to open sessions of the remote meetings. However, Board members may continue to make motions to enter closed session, as allowed by law, to which members of the public will not have access.

To ensure a quorum, Amanda asked members to recognize their presence when their name was read:

1. Analia Camarasa – Present
2. Ananya Sen – Present
3. Christie Nicholson – Absent
4. Karen Thomas – Present
5. Patricia Pitts – Present
6. Sarah Thomas – Present
7. And I, Amanda Holliday, am present.

The agenda was sent out to the Board electronically for review. Analia made a motion to approve the agenda as presented. Dr. Sen seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Dr. Sen – Yes, Karen – Yes, Pat – Yes, Sarah – Yes, Amanda – Yes.

Amanda asked if there were any existing conflicts. None reported. New Board member, Sarah Thomas's Conflict of Interest Statement was received, and no conflicts were noted. Charla read aloud the portion of her letter stating as such.

The Board introduced themselves to Sarah and welcomed her onto the NCBDN.

- Dana Filatova joined the call, 9:12 a.m.

Secretary's Report – Patricia Pitts

The July 2022 open and closed minutes were provided for electronic review prior to the meeting. Noting the July minutes misrepresented Dana Filatova as Dana Reed, Charla noted this should be fixed in the July minutes. Analia motioned to approve the July minutes with the name fixed to show Dana Filatova was present; Karen seconded the motion. Amanda asked if there was any discussion on the motion. No further discussion. Roll call to approve motion: Analia – Yes, Dr. Sen – Yes, Karen – Yes, Pat – Yes, Sarah – Yes, Amanda – Yes.

Treasurer's Report – Charla Burill (for Christie Nicholson)

The July 2022 Cash Flow report, Budget report, Investment report, and Savings report were shared with the Board for review electronically prior to the meeting. Charla noted for the Board that anything of significance was noted in the comments area.

Analia motioned to approve the financial reports as presented. Karen seconded the motion. No discussion. Roll call to approve motion: Analia – Yes, Dr. Sen – Yes, Karen – Yes, Pat – Yes, Sarah – Yes, Amanda – Yes.

Public Comment – Amanda Holliday

None raised.

Administrative Report – Marnie Jones

Marnie reported the total active licensee count at 3,800. Additionally, there were ten Provisional licensees, two of which were new since our July 22, 2022 meeting. Also since the last administrative numbers report given on July 22, 2022, there had been forty-two new licensees, zero licensees had gone inactive, and six licensees had relinquished.

- Henry Jones joined the meeting at 9:24 a.m.

Executive Director Report – Charla Burill

Patricia motioned to close the meeting for discussion regarding **complaints** and **investigations**, pursuant to Article 33C of Chapter 143, §143-318.11(7); Article 5 of the Bylaws, Section 4 (7), as well as closure for the **review of applications**, pursuant to Article 33C of Chapter 143, §143-318.18(6) and Article 5 of the Bylaws, Section 4 (8). In addition, the motion closes the meeting to **consult with legal counsel** under Article 33C of Chapter 143-318.11(3) and Article V Section 4 (3) of the Bylaws. Analia seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Dr. Sen – Yes, Karen – yes, Pat – yes, Sarah – Yes, Amanda – Yes.

Legal Consultation – Henry Jones

Henry Jones provided the Board with an update on the status of pending legal matters, as well as pertinent applicant and investigative matters.

- Henry Jones left the call at 10:27 a.m.

Application Review

The Board reviewed the application of Nicole Brooker.

The Board discussed an inquiry from a potential Category F applicant who asked the Board to informally review her education, as she was aware she may be deficient in the 6 credit biochemistry credit requirement. This was reviewed by the BCNS, and she was allowed to proceed. She has asked whether the Board would take portions of other classes that were not titled biochemistry to fill the .67 class credit she is deficient.

Applicant Brigham has re-submitted materials related to her April 2022 letter from the Board. Marnie will work to set up an Education Committee meeting to review these materials.

Patricia motioned to open the meeting at 11:46 am. Karen seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Karen – Yes, Patricia – Yes, Sarah – Yes, Dr Sen – Yes, Amanda – Yes.

- Dana Filatova re-joined the open meeting.

Actions related to closed session:

1. Dr. Sen motioned to approve the proposed non-disciplinary cautionary letter for case REDW-PPDQJZ and proceed to issue a license. Karen seconded the motion. No discussion. Roll Call for approval: Analia- Yes, Dr. Sen – yes, Karen – Yes, Patricia – Yes, Sarah – Yes, Amanda – Yes.
2. Karen motioned to approve applicant Brooker noting concerns regarding the independent nature of her supervision, but the applicant appears to meet current regulation requirements. Dr. Sen seconded the motion. No further discussion. Roll Call for approval: Analia- Yes, Dr. Sen – yes, Karen – Yes, Patricia – Yes, Sarah – Yes, Amanda – Yes.
3. Regarding the inquiry made by potential applicant Gilbreath re: whether the Board would consider coursework not titled Biochemistry to meet credits as required under NCGS 357.5(1)(b), Analia motioned that the Board not agree to piecemeal coursework from non-Biochemistry courses. Dr. Sen seconded the motion. No further discussion. Roll Call for approval: Analia- Yes, Dr. Sen – yes, Karen – Yes, Patricia – Yes, Sarah – Yes, Amanda – Yes.

Rules Update – Charla Burill

Charla noted that the second set of proposed rules were published August 15, 2022. The public rules hearing is scheduled for September 7, 2022.

Policies for review – Charla Burill

There were several updated policies presented to the Board electronically for review. Due to lack of time left in the meeting only the Employee Travel Policy was discussed; the remaining policies for review would be tabled for discussion at September's meeting. The Travel policy had been updated to reflect the most updated State requirements. Patricia motioned to approve the amended Travel policy bringing it into alignment with the State current provisions. Dr. Sen seconded the motion. No discussion. Roll Call for approval: Analia- Yes, Dr. Sen – Yes, Karen – Yes, Patricia – Yes, Sarah – Yes, Amanda – Yes.

Audit 2022– Charla Burill

Audit files have been sent to the Board's auditor. We await more information from her but should receive the final audit in Sept/October.

State of Emergency- Charla Burill

The State has ended the Governor's declared State of Emergency due to the Coronavirus, as of August 15, 2022. While no longer required to be held to the requirements for virtual meetings under this Executive Order, the Board will move to adopt a procedure for virtual meetings using best practices gained from this experience. It will be tabled until September's meeting.

- Patricia Pitts left the call at 12:07 p.m.

Status Updates for Employers – Charla Burill

The Board staff have been receiving many inquiries from employers or potential employers regarding the status of a person's application for licensure. The Board discussed several reasons that the status of a person's application is personal to them and not the employer. Thus, Analia motioned that it be the Board's position to not address inquiries from employers or potential employers regarding applicants for licensure. Karen seconded the motion. No discussion. Roll call for approval: Analia – Yes, Dr. Sen – Yes, Karen – Yes, Sarah – Yes, Amanda – Yes.

Committee Roster - Charla Burill

Adjusting committee rosters per changes in Board membership. Proposed roster as follows:

HR Committee

Christie Nicholson
Amanda Holliday
Ananya Sen

Category C & E Education Committee

LN (Cat. F & G) Applicant Education Committee
Amanda Holliday
Karen Thomas

Investigation/Complaint Committee

Sarah Thomas
Analia Camarasa
Christie Nicholson

Rules/Regulatory Committee

Analia Camarasa
Patricia Pitts
Ananya Sen

Unfinished Business - Charla Burill

- n/a

Public Comment – Amanda Holliday

Karen motioned to adjourn the meeting at 12:16 pm. Analia seconded the motion. No further discussion.
Roll call to approve motion: Analia – Yes, Dr. Sen – Yes, Karen – Yes, Sarah – Yes, Amanda – Yes.