

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: July 14, 2021

Board Members Present: Analia Camarasa, Ananya Sen, Patricia Pitts, Amy Beros, Christie Nicholson, Amanda Holliday

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guests: Traci Hobson, *ANA representative*

*Absent:* Christina Wilson

**Call to Order** – Dr. Ananya Sen

The meeting was called to order at 9:08 a.m. Dr. Sen 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, Dr. Sen asked members to recognize their presence when their name was read:

1. Amanda Holliday – Present
2. Amy Beros – Present
3. Analia Camarasa – Present
4. Christie Nicholson – Present
5. Christina Wilson – Present
6. Patricia Pitts – (Joined at 9:13 am)
7. And I, Dr. Sen, am present.

Dr. Sen declared there was a quorum. Dr. Sen also asked if there were any existing conflicts. Hearing none, Christie made a motion to approve the agenda as presented. Analia seconded the motion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Patricia – Yes, and Dr. Sen – Yes.

**Secretary’s Report** – Analia Camarasa

The June 2021 open and closed minutes were sent out electronically prior to the meeting, as were the June 2021 and May 2021 (edited) Rules Committee Meeting Minutes. Patricia motioned to approve the minutes as presented; Christie seconded the motion. Dr. Sen asked if there was any discussion on the motion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Patricia – Yes, and Dr. Sen – Yes.

**Financial Report** – Amy Beros

The June 2021 Cash Flow report, Budget report, Investment report and Savings report were shared with the Board for review electronically prior to the meeting. Amy noted that due to several items such as virtual workplace transition, lower than expected legal fees, and higher than expected renewals, the NCBDN ended the fiscal year approximately \$40k above budget. She credited the staff with stewarding the Board’s funds responsibly to be able end the fiscal year in this position. Christie motioned to approve the financial reports as presented. Analia seconded the motion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Patricia – Yes, and Dr. Sen – Yes.

**Public Comment** – Dr. Sen

None raised.

**Administrative Report** – Marnie Jones

Marnie reported the total active licensee count at 3,419. Additionally, there were six Provisional licensees. Since the last administrative numbers report given on June 9, 2021, there had been fifty-five new licensees. Also, since the June 9, 2021 meeting report, zero licensees had gone inactive, and six licensees had relinquished.

**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). Analia seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Patricia – Yes, and Dr. Sen – Yes.

Marnie moved Traci Hobson to the virtual waiting room to close the electronic meeting.

### ***Application Review***

The Board reviewed one application, as well as a follow up legal matter on a previous applicant. In addition, the Board discussed current open complaints and investigations.

10:00 a.m. Patricia left the call.

### ***Investigation Report***

Charla reviewed the investigation report with the Board. Several licensee matters were presented, as well as one anonymous complaint, and one additional licensee matter that became evident after the report was sent out. Review Investigation report for details.

Analia motioned to reopen the session. Amy seconded the motion. No discussion. Roll call for approval: Amanda – yes, Amy – yes, Analia – yes, Christie – yes, Dr. Sen – yes. The meeting was reopened at 10:20 am.

Marnie moved Traci Hobson back into the open virtual meeting.

### **Executive Report, Continued...** - Charla Burill

Actions related to closed session:

1. Amy motioned to ratify the electronic approval of P. Aubel's license application, C. Lakeman's license application and issuance of cautionary letter, as well as motioned to close the anonymous public complaint OIJYO-M70Z9 received on June 9, 2021 due to its anonymity, no violation apparent, and no contact information available, and motioned to issue a cautionary letter to reactivation applicant Drienie Martinez for potentially continuing to hold herself out as licensed on social-media. Analia seconded the motion. No further discussion. Roll call to approve motion: Amanda – yes, Amy – yes, Analia – yes, Christie – yes, Dr. Sen – yes

### **Board Positions** – Charla Burill

Charla stated the slate for voting on new Board positions. The slate is:

Chair – Dr. Sen

Vice Chair – Amanda Holliday

Treasurer – Amy Beros

Secretary – Patricia Pitts

Christie motioned to approve the slate as presented. Analia seconded the motion. Roll call to approve motion: Amanda – yes, Amy – yes, Analia – yes, Christie – yes, Dr. Sen – yes

Dr. Sen raised the concern that she has been named the new Medical Director of Central Prison and thus has taken on even more responsibility and has a mandatory 10 AM meeting on Wednesdays. She asked the Board if they could start Board meetings at 11 am going forward so that she could accommodate her schedule. All present were amendable to the idea. Marnie will follow up with Patricia, who had left the call.

### **Employee Code of Conduct** – Charla Burill

Charla noted that as a part of the annual Controller's Report, the *Employee Code of Conduct* must be reviewed annually by Board members, which is why it was provided as a part of this meeting's electronic materials.

Amanda Holliday left the virtual meeting at approximately 10:30 am.

### **ByLaws** – Charla Burill

A copy of the ByLaws with minor edits was presented to the Board electronically for review. Of note, these proposed edits were sent out at least 10 days prior to the Board meeting. Most of the edits were formatting, address updates, and grammatical corrections; however, a few areas noted for review were an edit under the Treasurer’s section to specifically allow for electronic approval of checks over \$5K, and an addition which captures the specific names of reports done for the state annually, including the Controller’s report for which the Treasurer and the Executive Director are responsible for completing. Christie made a motion to approve the edits to the ByLaws as presented. Analia seconded the motion. No further discussion. Roll call to approve motion: Amy – yes, Analia – yes, Christie – yes, Dr. Sen – yes

### **Annual Review Process Policy** – Charla Burill

The HR committee had finalized the Annual Review Process Policy and it was provided for Board review. Amy made a motion to accept the Annual Review Process Policy, which supersedes any previous policies. Analia seconded the motion. No further discussion. Roll call to approve motion: Amy – yes, Analia – yes, Christie – yes, Dr. Sen – yes

### **CHRI Policy** – Charla Burill

Per the SBI Audit of the NCBDN’s processes related to CHRI, Charla was required to centralize all CHRI procedures currently being followed, into one policy. This policy was presented for Board review and approval. Amy motioned to approve the CHRI policy as presented. Analia seconded the motion. No further discussion. Roll call to approve motion: Amy – yes, Analia – yes, Christie – yes, Dr. Sen – yes

### **Social Media Guideline/Evidence Based Practice** – Charla Burill

Charla reminded the Board of the background on the development of this document. It had been in place for approximately 10 years as a reference regarding Evidence-Based Practice. More recently, it had come to the Board’s attention that the professional use of social media in the practice of our licensees must be addressed, and it would be helpful to licensees and the public to provide best practice guidelines. The draft of this document was presented for Board review and approval. Analia asked to change some wording regarding a profit being earned from supplements to make it clear that the specific amount of profit did not need to be disclosed. Charla also noted that she will have Henry Jones review it from a legal standpoint to ensure the Board is not overstepping its guidance before bringing it back to the Board for final approval.

### **Controller’s Report** – Charla Burill

Charla and Amy have completed the annual self-assessment, and the confirmation letter has been submitted.

### **Unfinished Business** – Dr. Sen

- The 2021-2022 budget had been adopted while still in flux due to effects from staff annual reviews. The budget has been finalized with those numbers and was provided for the Board’s review.
- CHRI Regulation Agreement – Per the SBI Audit of 2021, this is now required of all Board members to sign. This has been done and is complete for current Board members.
- Legal Questions – Charla indicated that our legal questions during renewal season currently require applicants to recall all previous answers without time limit and report them. This often trips up licensees and requires time consuming staff intervention. Charla reviewed a change in language that would make all renewal legal questions require reporting only on circumstances from the last time the licensee had answered them. Thus, at initial application the applicant should report all circumstances or information relative to the questions from the standpoint of no time limit looking backwards to their past. But then, at each annual renewal, will only require reporting on incidents or information relative to the most recent last year. The Board reviewed the language as proposed. Christie, Dr. Sen and Analia all commented that they would like questions 6 and 7 to be consistent with this practice of capturing anything in the last year

or presently occurring. Analia motioned to approve the revised language for all renewal legal questions. Christie seconded the motion. No further discussion. Roll call to approve motion: Amy – yes, Analia – yes, Christie – yes, Dr. Sen – yes

**New Business** – Dr. Sen

- Charla reported that she anticipated being able to meet with the ANA (formerly BCNS) to discuss the Board’s questions in regards to supervision and proposes that until that happens, the Rules Committee meeting planned for the end of July should likely be postponed. In addition, Charla anticipates gathering more information from the Speech Board regarding swallow assessments and the Board potentially amending the definition of “nutrition assessment” to address this.
- Board appointments – Charla has not yet heard from the appointment office on a replacement for Christina Wilson. This will mean we need to wait until at least the August meeting to take a look at the affect on committee rosters. The Board will also wait until the new person is appointed to address the next six months of meeting dates.

**Public Comment** - Dr. Sen

- N/A

Analia motioned to adjourn the meeting at 11 AM and Amy seconded the motion. No further discussion. Roll call to approve motion: Amy – yes, Analia – yes, Christie – yes, Dr. Sen – yes