

NORTH CAROLINA BOARD OF DIETETICS/NUTRITION  
BOARD MEETING  
9:30 A.M.  
140 PRESTON EXECUTIVE DRIVE, SUITE 205-C  
CARY, NC 27513

**[ELECTRONIC ONLY MEETING]**

OPEN MINUTES: March 25, 2020

Board Members Present: Shelia Garner Link, Christina Wilson, Amanda Holliday, Amy Beros, Analia Camarasa, Kim Iles

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guests: Brittany McAllister, BCNS representative

*Absent:* Dr. Ananya Sen

**Call to Order** – Shelia Garner Link

The meeting was called to order at 9:31 a.m. A quorum was present. Shelia asked if there were any conflicts of interest. None declared. Shelia asked the Board if there were any changes to the agenda. None declared. The agenda was accepted as presented.

**Secretary's Report** –Analia Camarasa

The February 2020 open and closed minutes were reviewed electronically prior to the meeting. Amy Beros motioned to approve the minutes as presented; Christina Wilson seconded the motion. Shelia asked if there was any discussion on the motion. None declared. All approved.

**Administrative Specialist Report** – Marnie Jones

The total active licensee count is 3,285. Additionally, there are four Provisional licensees. Since the last administrative numbers report given on February 19, 2020, there have been twenty-three new licensees, and zero new provisional licensees issued. Also, since the February 19, 2020 meeting report, thirty-four licensees have gone inactive, and eight licensees have relinquished.

There are 537 licensees left to renew. Renewal reminders through March 31, 2020 will be sent via email correspondence. The late postcard will be sent the first week of April, if the printer is still open due to the current Covid-19 pandemic.

**Financial Report** –Kim Iles

The February 2020 Cash Flow report, Budget report, Investment report and Savings report were shared with the Board for review electronically prior to the meeting. Kim reviewed highlights from the reports. Charla commented that the move of money to investments at Live Oak Bank, as approved in the last Board meeting, is pending due to the pandemic's effect on percentage rates. After discussion, the Board directed Charla not to reinvest the cash into a CD at Live Oak until CD rates are at or above 2%. Amanda Holliday motioned to approve the financial reports as presented. Analia seconded the motion. No further discussion. All approved.

### **Executive Director Report** – Charla Burill

Kim motioned to close the Board 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). Amanda seconded the motion. No further discussion was raised. All approved.

Brittany McAllister left the meeting.

The Board reviewed new Category F applicant Price, updates on applicant Davis, and updates on applicant Higginbotham.

Kim made a motion to reopen the Board meeting at 11:28 a.m. Amy seconded the motion. All approved.

The Board recessed from 11:28 - 11:40 a.m.

Brittany McAllister rejoined the call at 11:30 a.m.

- Amanda motioned to approve the application of Sharon Price. Christina seconded the motion. All approved.
- Amanda motioned to approve the four supervisors submitted by Karen Davis. Kim seconded the motion. All approved.
- Amy motioned to put forth resume's labeled "LDN\_2" and "LDN\_1" in that order, as recommendations for Kim's replacement, and resume's labeled "Clinical Redacted 2" and "Redacted Clinical 2" in that order, as recommendations for Shelia's position. Christina seconded the motion. All approved.

Amy motioned to close the Board 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), Christina seconded the motion. No further discussion was raised. All approved.

Charla discussed an issue related to one licensee who is currently completing the Board's drug testing program.

Amy motioned to reopen the meeting. Kim seconded the motion All approved to reopen at 11:49 a.m.

**Covid-19 Office Operations** – Charla detailed for the Board that at this time of national emergency and given state closures and requirements, both Charla and Marnie are working from home. Marnie will continue to check mail at the office unless state procedures dictate otherwise. There is currently no diminished capacity to report due to the pandemic.

Charla noted that given we are exclusively meeting electronically during the pandemic and it seems to be going well, she can budget for the coming year to have more electronic meetings. As we explore the benefits and drawbacks of going electronic, we can decide to do future meetings electronically or not.

Charla alerted the HR Committee that reviews are coming up this spring and they will need to be aware of those coming soon.

### **Unfinished Business** – Charla Burill

- N/A

### **New Business** – Charla Burill

The office has received a few inquiries regarding the Covid-19 crisis and continuity of care when patients have been sent home or returned to NC, their state of residence. Charla sought Henry Jones's legal advice since our current telemedicine laws would not technically allow for an unlicensed person to continue to provide medical nutrition therapy to a resident of NC if the provider was not licensed in NC. Upon discussion with legal counsel, it was noted that it would likely take a statutory change to clearly allow for continued temporary care. However, Henry has advised the Board to take the following position. Given the fluidity of the situation, the statement is not for publication, but rather guidance when working with inquiries.

### **Position of NCBDN Regarding Temporary Medical Nutrition Therapy Provided via Telehealth from Out-Of-State Unlicensed Practitioners to Existing Clients in North Carolina During the COVID-19 Pandemic**

It is the Board's understanding that some out-of-state lawfully practicing nutrition professionals, who are not licensed to provide medical nutrition therapy in North Carolina, now find themselves with patients who have temporarily returned from the provider's state of lawful practice to North Carolina. With the Board's primary focus being patient safety, the Board recognizes the need for continuity in patient care. Acknowledging these are unprecedented times, it is the position of the Board that during this State of Emergency, it will not interfere with established professional/patient relationships that existed before this State of Emergency, unless a complaint regarding such nutrition care is received from the client or from a knowledgeable person, on the client's behalf. This position is consistent with the Board's general practice regarding violations of the Dietetics/Nutrition Practice Act.

With this stated, the Board reserves the right to investigate all complaints received and take action within its authority where the health and safety of the public necessitates.

The Board will continue to monitor this situation and reassess its position as new developments unfold.

### **Public Comment** – Charla Burill

-None heard at this time

Analia motioned to adjourn the meeting at 12:09 p.m. and Amy seconded the motion. All Approved.