

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: May 20, 2020

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

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guests: Brittany McAllister, BCNS representative  
Yessi Williams, student intern  
Sophia Lind, student intern

**Call to Order** – Shelia Garner Link

The meeting was called to order at 9:36 a.m. A quorum was present. The Board members and staff introduced themselves to the guests who are attending the meeting.

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. Amanda Holliday motioned to approve the agenda as presented. Dr. Ananya Sen seconded the motion. All approved.

**Secretary's Report** –Analia Camarasa

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

**Financial Report** –Kim Iles

The April 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, including notation that the Board will not see late fees due to the waiver for the Covid-19 crisis. Dr. Sen motioned to approve the financial reports as presented. Amy Beros seconded the motion. No further discussion. All approved.

The draft budget was reviewed and presented by Charla and Kim. Charla noted that figures for salary and benefits will be determined by the HR committee's findings/ decisions, she allowed for higher than usual legal fees, a 90-day no penalty notice has been offered by our landlord, and she has budgeted for every other meeting to be a virtual meeting. Kim noted that while not in the budget, we always have a vacation accrual liability for paid time off that will show up on the annual audit.

Shelia asked Charla to elaborate on why she raised the legal fees in this year's budget, as well as how the Board uses her legal skills vs. the Board's General Counsel, Henry Jones. Charla explained that when she was first hired, the legal fees were budgeted much higher, similar to where they came in this past year, as everything was farmed out to Henry. Charla began to take over much of the associate level work, however,

Henry's guidance and second opinion prove valuable in various situations. His rate is much higher than an associate would bill, but his legal opinion bears weight and direction for the Board from an outside source.

Shelia has asked that the Board be ready to approve the budget at the June meeting.

**Administrative Specialist Report** – Marnie Jones

The total active licensee count is 3,186. Additionally, there are two Provisional licensees. Since the last administrative numbers report given on April 20, 2020, there have been seventeen new licensees, and zero new provisional licensees issued. Also, since the April 20, 2020 meeting report, zero licensees have gone inactive, and three licensees have relinquished.

There are 92 expired licensees left to renew. An alternate printer that was open for business was able to mail the 92 late "orange" postcards on May 13, 2020. Remaining renewal reminders through May 31, 2020 will be sent via email correspondence. Marnie will revisit with Charla and the Board prior to issuance of the Lapsed letters at the beginning of June, as matters related to legislation for the Covid-19 crisis may warrant a change to our procedures temporarily.

Marnie noted that the next scheduled meeting on June 19, 2020 is the last one officially on the books, and thus it is suggested that at the June meeting, the Board set the dates for the next group of meeting dates, with a possible cancellation for July to allow time for members to come off and be replacements to be appointed. Scheduling will be revisited in June.

**Executive Director Report** – Charla Burill

Amanda Holliday 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). The Board will also close the meeting for discussion of employee reviews pursuant to Article 5 of the Bylaws, Section 4 (6). Dr. Sen seconded the motion. No further discussion was raised. All approved.

Brittany McAllister, Yessi Williams, and Sophia Lind left the meeting.

***Applicant Higginbotham*** – This applicant requested in writing that her application be put on hold.

***Applicant Margaret King*** – Charla recapped the status of this applicant and directed the Board to the supplemental information she provided for review.

***Investigation Report***

Charla took the Board through the actions of the investigation committee report.

Charla also brought to the Board's attention an issue with an expired Provisional licensee who was unable to complete the RD exam within the one-year window due to closures of testing centers due to Covid-19.

Marnie and Charla left the call for the HR committee to confer.

HR Committee discussed employee reviews and employee raises. No decisions made.

A motion was made to reopen the Board meeting. It was seconded. All approved.

Brittany McAllister, Marnie Jones, and Charla Burill rejoined the call at 12:48 p.m.

- Analia motioned to approve the license application for Margaret King with the caveat that a letter be issued addressing the Board's concerns about the excess hours and their classification that could not be counted towards the requirement total. Amanda seconded the motion. All approved.
- Kim made a motion to extend the period of time for PLDN applicant Jackson to take her licensure qualifying exam in order to upgrade her PLDN license to an LDN license due to circumstances caused by COVID19 which is in line with advisement from outside council and SB704. Christina Wilson seconded the motion. All Approved.
- The Investigation committee asks Charla to schedule an interview with applicant Burton.
- Analia motioned to move Marnie Jones to a salaried employee (still part-time @ 32.5 hours) instead of an hourly employee. Amanda seconded the motion. All approved.

***Covid-19 Crisis Updates*** – Charla reconfirmed in the meeting the positions the Board has taken regarding licensure requirements during the Covid-19 crisis. Legislation continues to come out regarding occupational licensure and board ability to work through issues related to the crisis and license issuance.

Position 1:

The NC Board of Dietetics adopted the following position statement at their April 20, 2020 Board meeting:

Whereas, on April 8, 2020, Governor Cooper issued Executive Order 130, providing under Section 3(A) the authority to each professional health care licensure board to waive or modify enforcement of any legal or regulatory constraints that would prevent or impair persons from providing care if they are licensed in states, territories, or the District of Columbia, but are not licensed in NC, the North Carolina Board of Dietetics/Nutrition (the NCBDN) formally temporarily waives dietetics/nutrition licensure requirements for persons licensed in other states, territories, or the District of Columbia.

The need for this waiver will be reevaluated at the NCBDN's monthly Board meeting. At a maximum, this waiver will be effective no longer than the effectiveness of Executive Order 130.

Position 2:

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 are located in North Carolina, who are not able to travel to the provider's state for care. Acknowledging these are unprecedented times, it is the position of the Board that during this State of Emergency, for providers lawfully practicing in states that do not provide for licensure or certification requirements for dietitians and/or nutritionists, the Board will not interfere with established professional/patient relationships that existed before this State of Emergency or necessary new professional/patient relationships, unless a complaint regarding such nutrition care is received from the patient or from a knowledgeable person, on the patient'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 this temporary position as new developments unfold.

**Unfinished Business** – Charla Burill

- N/A

**New Business** – Charla Burill

- N/A

**Public Comment** – Charla Burill

-Brittany McAllister stated she had no comment for today's meeting.

Kim motioned to adjourn the meeting at 1:02 p.m. and Analia seconded the motion. All Approved.