

NORTH CAROLINA BOARD OF DIETETICS/NUTRITION  
BOARD MEETING  
11:30 AM  
140 PRESTON EXECUTIVE DRIVE, SUITE 205-C  
CARY, NC 27513

**[ELECTRONIC ONLY MEETING]**

OPEN MINUTES: November 18, 2020

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

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guests: Brittany McAllister, ANA (formerly BCNS) representative

**Call to Order**

The meeting was called to order at 11:30 A.M. A quorum was present. Dr. Sen asked if there were any conflicts. None declared. Amanda Holliday motioned to approve the agenda as presented. Patricia Pitts seconded the motion. All approved.

Charla indicated that she would walk the committee through each suggestion being proposed for change on her screen for reference. Board members may reference the previously shared document from the ANA for ANA's suggestions.

- **21 NCAC 17 .0103 QUALIFICATIONS FOR LICENSURE**
  - Charla notes that .0103 requires technical changes to ensure reference to changed statute citations are correctly referenced.
- **21 NCAC 17 .0104 APPLICATIONS**
  - This rule was just adopted in 2019, however the ANA has submitted suggestions for additional language changes. The changes to addresses can be handled with a technical change submitted to the Codifier of Rules.
  - In review of the ANA's comments, the Board discussed that while the language being proposed by the ANA may improve clarity, it does not substantively change the meaning or intent of the language. Additionally, regarding the interview process, the Board felt that inserting language providing for only electronic interviews was too limiting. Therefore, the Board discussed that since the rule was relatively newly adopted, and may take some time to put into practice, if down the line more clarity is needed then the Board could readdress a rule change at that time.
  - Clarification could also be provided on the website if need be.
- **21 NCAC 17 .0106 GRANTING LICENSE WITHOUT EXAMINATION**
  - Charla noted the the addition of "substantially" was recommended by the ANA; however, Charla suggested that if the Board inserted "substantially," it should amend the rule the rule to match the statutory language, which provides for, "substantially the same." To add "substantially" to "equivalent" would degrade the meaning. The Board members agreed with a preference to be in line with the statute. This rule will also include the addition of the new credential, "licensed nutritionist" where appropriate.
- **21 NCAC 17 .0108 DISAPPROVED APPLICATION**

- While the ANA proposed suggestions here as well, when reviewing .0108, Charla noted that the “list” of reasons the Board can disapprove an application is not exhaustive in .0108, and in addition, many of those reasons are located elsewhere in the rules. Also, noting the language indicates “...shall not approve...” the Board discussed the concern that while some reasons are more definitive, others would be a Board discussion/decision and thus not fit under the directive “shall not approve...” The Board agreed this one needed further discussion. Charla has been asked to seek advice from the Rules Review Commission on whether this rule is required, whether it should be expanded or edited to be inclusive of more reasons, or repealed altogether. In addition, Charla will investigate other Board’s regulations to see if there is precedence for this type of regulation.

The Committee decided that it would set another meeting date for December/early January where it will continue discussion of .0108 and further discussion on the following:

- **21 NCAC 17 .0110 LICENSURE CERTIFICATE**
- **21 NCAC 17 .0112 SUSPENSION, REVOCATION AND DENIAL OF LICENSE**
- **21 NCAC 17 .0113 FEES**
- **21 NCAC 17 .0114 CODE OF ETHICS FOR PROFESSIONAL PRACTICE AND CONDUCT**
- **21 NCAC 17 .0116 VIOLATIONS, COMPLAINTS, SUBSEQUENT BOARD ACTION, AND HEARINGS (Recommend for Repeal)**
- **21 NCAC 17 .0201 DEFINITIONS (Recommend for Repeal)**
- **21 NCAC 17 .0202 REQUIREMENT FOR REVIEW (Recommend for Repeal)**
- **21 NCAC 17 .0203 REVIEW AND BOARD ACTION (Recommend for Repeal)**
- **21 NCAC 17 .0401 INDIVIDUALS AIDING THE PRACTICE OF DIETETICS/NUTRITION**
- **21 NCAC 17 .0402 INDIVIDUALS PROVIDING NUTRITION INFORMATION**
- **21 NCAC 17 .0403 ELECTRONIC PRACTICE**
- ***SECTION .0500 – INVESTIGATIVE PROCESS, COMPLAINTS, AND ADMINISTRATIVE HEARINGS - Recommended new section to be added (replacing 21 NCAC 17 .0116)***

12:50 P.M. Dr. Sen invited public comment. Brittany McAllister from the ANA thanked the Board for consideration of their suggestions. Brittany indicated they still would express that there is some lack of clarity on the issue of whether an internship can be paid or unpaid and whether interviews can be done remotely. She looked forward to continuing the discussion on the rules concerning weight control programs as well as individuals aiding the practice of nutrition.

A motion to adjourn the meeting was made by Amanda; Patricia seconded the motion. No further discussion. All approved. Meeting adjourned at 12:57 P.M.