

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

OPEN MINUTES: October 16, 2019

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

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guests: Brittany McAllister (*via conference call*), Christian Fell (graduate student)

Call to Order – Shelia Garner Link

The meeting was called to order at 9:34 a.m. A quorum was present. Shelia introduced the NCBDN’s new Board member, representing the public, Ms. Amy Beros. Shelia read Amy’s conflict of interest letter to the Board. Shelia asked the Board members if there were any other conflicts of interest to report. None declared. The Board members all introduced themselves to Ms. Beros.

Shelia asked the Board if there were any changes to the agenda. None declared. The agenda was adopted unanimously.

Secretary’s Report – Analia Camarasa

The September 2019 Board meeting minutes were reviewed electronically prior to the meeting. Shelia noted that on page three of the September open minutes, there is an errant capital letter on the word “Recapped.” Amanda Holliday motioned to approve the September open and closed minutes, with the noted correction of the errant capital letter to the open minutes; Kim Iles seconded the motion. Shelia asked if there was any discussion on the motion. None declared. All approved.

Treasurer Report – Kim Iles

The Cash Flow Report, Budget Report, Savings Report, and Investment Report for September 2019 were reviewed electronically prior to the meeting. Kim reviewed highlights from the reports. Kim noted that the legal fees are higher than expected due to legal questions related to rule making as well as issues related to the new LN pathway. Amanda motioned to approve the financial reports as presented. Analia seconded the motion. Shelia asked if there was further discussion regarding the motion. None declared. All approved.

Administrative Specialist Report – Marnie Jones

- **Numbers Report** - Since the last Board meeting date of September 18, 2019, there have been thirty three new Category A licensees, one new Provisional licensee, zero licensees have gone Inactive, and zero licensees have Relinquished. The total number of Active licensees is 3,265 and additionally, eight Provisional licensees.

- Marnie noted that next month the Board should come prepared with their schedules in order to set the next sequence of Board meeting dates.

Executive Director’s Report –Charla Burill

- Charla noted that she is still on maternity leave until early November, but addressing urgent matters on an “as needed” basis.

Shelia asked for a motion to close the Board meeting. Amanda 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). Kim seconded the motion. All approved.

Brittany McAllister left the call for the closed meeting.

- **LN Applicants** – Charla detailed the background on applicant Davis. The current question on the table being whether the Naturopathic doctorate obtained by her supervisors can be deemed equivalent to a doctorate in nutrition as provided in N.C.G.S. § 90-357.5 (c)(2).
 - Amanda introduced her graduate student, Christian Fell, to present the research he has done on various programs and accrediting agencies.
 - After completing his presentation of research, Mr. Fell was dismissed from the room in order for the Board to discuss the specific matter before them.
 - The Board felt it was important to get the answers to their outstanding questions and hold an interim meeting before the next regularly scheduled Board meeting in November in an attempt to continue to work towards resolution for Ms. Davis.
- **Investigation Report** – Charla Burill
 - Charla reviewed the open cases before the committee. Amy noted that she may have a contact for the prison system should we receive more prisoner complaints. Charla explained the most recent case regarding an applicant with a pending charge.

Kim Iles motioned to reopen the meeting; Amanda seconded the motion. All approved.

Christina Wilson motioned to ratify the actions of the Investigation Committee including licensing the applicant who has a pending charge not related to the practice of dietetics/nutrition. Dr. Sen seconded the motion. All approved.

Executive Director’s Report, Continued . . . – Charla Burill

- **Revised Rules .0101 and .0303** – The Rules Committee met last week to review the revised options for these rules. As noted previously, Rule .0101 is not required to change too much as the objections by the RRC were non-material in nature.

12:13 p.m. - Brittany rejoined the call.

- Charla explained that for .0303, the RRC timeline needs to move forward, thus, the most straightforward solution to meet the timeline, and revise the rule per their objections is to simply remove the language that was objected to in July. If the rule becomes problematic, we may need to address the statutory language but to be able to move forward, the recommendation is to remove the language as presented. The Rules Committee recommended approval of rule .0101 and rule .0303, as presented electronically prior to

the meeting. Shelia asked if there were any questions or objections. All voted in favor of approving the rules as presented.

- Charla will send the two rules to the RRC for publishing, and anticipates a November RRC review.
- **Audit** – Everyone received the 2018-2019 Audit for review at the September 2019 meeting. No discussion or comments noted. Dr. Sen motioned to accept the audit as presented. Analia seconded the motion. All approved.

12:18 p.m. – Cindy Schwalb joined the call.

- **LN Application** – Amanda, Christina, and Analia have been working through the LN application to try to revise it to ensure the questions in the law and rules are addressed, and also to better elicit qualitative and quantitative descriptions for experiences that applicants completed to meet the supervised practice requirements. The workgroup had a marked up application noted with questions and went through some of those edits with the Board.
 - The Board discussed whether it would continue to accept the CNS forms for 2018 graduates and forward. It was agreed that in an effort to reduce the amount of disparity across applications, that all applicants going forward must submit the NCBDN's application forms for consistency. Noted, even CNS candidates who became CNS's in 2018 and forward, have presented with older versions of CNS forms.

12:32 p.m. – Kara Price and David Hackenberg joined the call.

- Charla continued to detail the questions she had for the application workgroup and noted that in the past for applicant review, the tracking logs have been more helpful and revealing than other documents. The Board also discussed how the current examples in A3 were too generic and that the proposed example should be the guiding example. The Board discussed removing the chart of examples all together, and adding examples to the top of each section instead.
- Several members of the public were making comments on this topic, thus Shelia as Chair decided to open the meeting for public comment now, rather than wait until the planned time during New Business.

Public comment was made regarding the application, and what would be required. Concerns were raised regarding the requirements under the LN pathway, and why the statute did not provide for licensure by endorsement. Explanation was provided as to why licensure by endorsement was not provided for, for the LN pathway. It was clarified that the law requires an applicant demonstrate that he or she met the law's requirements not BCNS's requirements.

Brittany McAllister noted that the full requirements for a CNS are posted on their website and in general reiterated that there are three components to the CNS credential which are an academic program, 1,000 hours of supervised practice, and passing an exam.

Shelia closed the public comment period at 1:12 p.m.

It is noted, Brittany asked about the application workgroup and whether she could have input. She was asked to follow up with Marnie to facilitate this.

- **CHRI Policy-** The revised CHRI policy was presented at the September meeting and needed ratification. Kim motioned to ratify the CHRI Use policy as presented in September. Christina seconded the motion. All approved.
- **SB 553** – Charla noted that this has been vetoed by the Governor; however, we will still be prepared to respond to this bill should we need to in December.
- **Ethics Training-** The Board has received a request from the Ethics commission to verify the status of completed Ethics trainings for all Board members. Kim Iles must complete the refresher course before 12/31/19 and Amy Beros must complete her initial ethics training before March 2020.

Unfinished Business – Charla Burill

- Shelia noted that she had not had time to move forward with the HR committee research; thus, it will be tabled until the next meeting.

New Business

- Public Comment received earlier in the meeting.

Amanda motioned to adjourn the meeting at 1:19 p.m. and Christina seconded the motion. All Approved.