

NORTH CAROLINA BOARD OF DIETETICS/NUTRITION
RULES COMMITTEE MEETING VIA CONFERENCE CALL
3:00 PM
140 PRESTON EXECUTIVE DRIVE, SUITE 205-C
CARY, NC 27513

MINUTES: March 7, 2019

Board Members Present: Shelia Garner Link & Ananya Sen
Director: Charla Burill, Executive Director
Ex-Officio: Marnie Jones, Administrative Specialist
Guests: Brittany McAllister (BCNS)

This meeting was called in order to review proposed rule changes required under HB74. These rules include 21 NCAC 17.0101; 0104; 0105; 0107; 0109; and 0303.

- The Committee came together to discuss changes after a “pre-review” of the draft rules was completed by a Rules Review Commission attorney. Charla had made changes to align with her recommended edits, and shared them with the Committee, Judy Stone, and Brittany McAllister prior to the Committee meeting.
- It is noted that prior to the meeting starting some minor technical changes regarding acronyms and website addresses were provided by Brittany McAllister. Such changes were made and shared with the Committee.
- Charla led the meeting working through each rule starting with 17 .0101. No additional changes to the current version were suggested.
- The Committee then reviewed 17 .0104. The BCNS was concerned about the language requiring submission of application materials 60 days prior to the time the applicant wished to take the exam. This is because BCNS currently only offers the exam twice a year.. After discussion the Committee agreed to delete the language for now as timing of the exam is dependent upon the applicant’s academic and supervised practice being approved, should the applicant chose to pursue the exam through the Board. If concerns are raised by the RRC regarding this removal the Committee discussed changing this time frame to six months to be in line with when BCNS offers their exam.
- Additionally under 17 .0104 Brittany expressed BCNS concerns that in section (n) not only would an applicant be informed that the Board decided the applicant had not demonstrated meeting the statutory requirements, but Charla also that the applicant be told how he or she could demonstrate having met the statutory requirements. Draft language was added to address this concern.
- No concerns were raised regarding rules 17 .0105, .0107, or .0109.
- In reviewing 17. 0303 Brittany addressed BCNS’s concerns regarding legal authority to require that when an applicant is completing his or her supervised practice in NC, the supervisor taking responsibility for the supervisee’s services, must be licensed to provide the nutrition care. Some discussion occurred regarding the fact that a license is required to provide “medical nutrition therapy” in NC. Although this concern was not resolved, after some discussion, the Committee in consultation with Brittany, changed the language regarding “nutrition care activities,” to “medical

nutrition therapy.” Thus, the person providing “direct” supervision must be licensed in NC if supervising an applicant who is in NC providing “medical nutrition therapy.”

- No additional concerns were noted. Charla informed the Committee that she would send these substantive changes to the RRC attorney for review and comment, and then provide feedback for the Committee. As long as the RRC attorney is not concerned with these changes, the Committee would recommend to the Board at its meeting on March 13, 2019, that we move forward with publication.

Meeting was adjourned at 3:49 pm.