

NORTH CAROLINA BOARD OF DIETETICS/NUTRITION  
RULES COMMITTEE MEETING VIA CONFERENCE CALL  
1:00 PM  
140 PRESTON EXECUTIVE DRIVE, SUITE 205-C  
CARY, NC 27513

MINUTES: December 18, 2018

Board Members Present: Shelia Garner Link, Ananya Sen, Analia Camarasa

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guests: Judy Stone, Brittany McAllister; Karen Thomas; Debbie Slutzky, Lakisha Brandon, and other members of the public unidentified

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.

Charla opened the meeting and walked Committee members through draft changes to each of the rules. The Committee first reviewed Rule 17.0101. There was not opposition to moving forward with the version presented, which included an addition of the word nutrigenomic. Whether or not to provide a definition of medical nutrition therapy was discussed, but noting it is already defined in the statute, it was concluded that this definition suffices for now. A question was raised as to why there were several terms removed in strikethrough text. Charla noted that these were terms that are now sufficiently defined in the statute.

Next, Rule 17.0105 was reviewed. This rule addresses the examinations approved for licensure. No changes to the substance of the rule were requested.

Rule 17.0107 was reviewed with one suggested change of adding “but before the license expires,” in the last paragraph (f) after “that the provisional license became effective.”

Rule 17.0109 was addressed next. This rule provides direction on the renewal process. Questions were raised regarding renewal and why it occurs annually. Questions were also raised about renewal notice, and how applicants receive notice. It was questioned whether or not to delete the language regarding “failure to receive renewal notice,” but it was decided to leave this language for now. Reasons as for annual renewal were provided, but it was indicated that more exploration of this issue may be desired. Continuing education was also discussed. Concern was expressed that with reliance on CDR and BCNS, who verify completion of continuing education requirements every five years, this may be problematic. It was suggested that we may want to rewrite our rules to require submission of continuing education directly to the Board, and more frequently, in order to ensure licensees are keeping up to date. Staff is willing to explore this issue if the Board decides it is desired. For now the language provided will be left, but this may be something the Board will revisit.

The Committee then reviewed Rule 17.0104. Initial discussion centered on section (i) and whether there should be a recency requirement in regards to completion of one’s academic program before completing the supervised practice. No conclusion was reached. Charla will investigate ACEND’s standards and report back to the Committee. Next the Committee looked at the language in (k)(2)(a) and also in (l)(a) and agreed

it could be changed to “The supervisor shall have access to all relevant patient/client records kept during the professional practice experience.” The concern being that not all supervisors are on site.

The third concern that was addressed was the language under (k)(2)(d)(iii) and (l)(d)(ii). The concern was that the language added a subjective requirement of satisfactory completion. The suggested change for (l)(d)(ii) was to make this: “Providing adequate information for the Board to be able to assess the applicant's performance in the areas of nutrition assessment, nutrition intervention, education, counseling, and management, monitoring and evaluation.” This change was agreed upon, and it was discussed that similar language should be provided in the LDN section, but focused on the competency related to an ACEND accredited program. Charla will review this language and report back to the Committee. Recognizing the Board’s concern regarding addressing situations where there may have been a relationship between the supervisor and the supervisee, under (k)(c)(v) it was agreed that we should add “attestation that the supervisor is not related to, married to, or domestic partners with the supervisee.”

Much time was spent discussing section (n) of 17.0104. The Committee agreed that all applicants should be required to submit the application as adopted. Recognizing that some may not be able to complete the application in entirety the Committee discussed possible ways to address this, but did not come to any firm conclusions. Suggested language from Judy Stone, providing more clarity as to the process of review, was considered, but again no decisions were reached. The Committee decided to wait until after the Board meeting on the 19<sup>th</sup>, and then it would revisit this language in order to try to provide clarity.

Finally Rule 17.0303 was reviewed. The Committee only addressed Judy’s suggestions to strike the word “delegates” from (1) and replace this section with “discusses and recommends nutrition care services undertaken by the student or trainee, which are appropriate to the level of nutrition care.” Brief discussion of the use of “delegated” in (2) occurred, but no final decisions were made. Analia voiced that she was okay with striking line (3), as suggested by Judy Stone, but the Committee did not reach full discussion on this point. Line (4) was not discussed.

The Committee ended the meeting at 3:02 P.M.