

NORTH CAROLINA BOARD OF DIETETICS/NUTRITION
BOARD MEETING
9:00 A.M.
1135 KILDAIRE FARM ROAD, SUITE 200
CARY, NC 27511

[ELECTRONIC ONLY MEETING]

OPEN MINUTES: September 16, 2022

Board Members Present: Analia Camarasa, Ananya Sen, Karen Thomas, Amanda Holliday,
Patricia Pitts, Christie Nicholson

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guest: Henry Jones, General Counsel, Traci Hobson, ANA representative

Absent: Sarah Thomas

Call to Order – Amanda Holliday

The meeting was called to order at 9:04 a.m. A quorum was present. While the North Carolina State of emergency has now ended, as of August 15, 2022, Amanda still read the following information for the Board, regarding holding electronic Board meetings.

Session Law 2020-3, entitled “An Act to Provide Aid to North Carolinians in Response to the Coronavirus Disease 2019 (Covid-19) Crisis,” sets forth, among other things, changes to the way boards may conduct meetings through simultaneous electronic means during the declaration of emergency. These changes will remain in effect until the declaration of emergency ends.

Since the Board has fully transitioned its operations to a virtual workspace, to ensure that the Board is complying with these new requirements and using best practices when meeting, please take note of the following guidelines:

1. Board members must identify themselves by name prior to speaking at any time during the meeting.
2. The Board Chair shall conduct all votes during the meeting by roll call; each voting Board member must identify himself or herself by name before casting a vote.
3. All documents to be reviewed by the Board will be distributed by electronic means in advance of the meeting.
4. Board members must announce themselves when joining or exiting the remote meeting because Board staff must accurately reflect attendance in the minutes and because the Board must maintain a quorum of participating members throughout the remote meeting.
5. All electronic chats, instant messages, texts, emails, etc. between Board members during the remote meeting are public records and must be provided to the Board’s Executive Director, as the Board’s custodian of records, at the conclusion of the remote meeting.
6. Please be mindful of your surroundings and background noise while participating in the remote meeting. When not speaking, please place your microphone on mute; and

7. Members of the public will be provided with the opportunity to watch or listen to open sessions of the remote meetings. However, Board members may continue to make motions to enter closed session, as allowed by law, to which members of the public will not have access.

Amanda asked if there were any existing conflicts. None reported.

The agenda was sent out to the Board electronically for review. Christie made a motion to approve the agenda as presented. Karen seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Christie – Yes, Karen – yes, Amanda – Yes.

Secretary's Report – Charla Burill (for Patricia Pitts)

The August 2022 open and closed minutes were provided for electronic review prior to the meeting. Christie motioned to approve the August minutes; Karen seconded the motion. Amanda asked if there was any discussion on the motion. No further discussion. Roll call to approve motion: Analia – Yes, Christie – Yes, Karen – yes, Amanda – Yes.

Treasurer's Report –Christie Nicholson

The August 2022 Cash Flow report, Budget report, Investment report, and Savings report were shared with the Board for review electronically prior to the meeting. Christie commented that the notes in the reports are self-explanatory. Charla noted that the BCBS insurance renewal has come in and is a tiny bit lower than the previous year. Since it falls within the planned budget, no approval is required and the policy will auto-renew.

Analia motioned to approve the financial reports as presented. Karen seconded the motion. No discussion. Roll call to approve motion: Analia – Yes, Christie – Yes, Karen – yes, Amanda – Yes.

Public Comment – Amanda Holliday

Traci Hobson noted she has no comment at this time.

Administrative Report – Marnie Jones

Marnie reported the total active licensee count at 3,850. Additionally, there were ten Provisional licensees, three of which were new since our August 19, 2022 meeting. Also since the last administrative numbers report given on August 19, 2022, there had been fifty new licensees, zero licensees had gone inactive, and zero licensees had relinquished.

- Patricia Pitts joined the meeting at 9:18 a.m.

Executive Director Report – Charla Burill

Karen motioned to close the 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). In addition, the motion closes the meeting to **consult with legal counsel** under Article 33C of Chapter 143-318.11(3) and Article V Section 4 (3) of the Bylaws. Analia seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Christie – Yes, Karen – yes, Pat – yes, Amanda – Yes.

Meeting closed at 9:20 a.m.

Legal Consultation – Henry Jones

Henry Jones provided the Board with an update and guidance on current legal matters, as well as pertinent applicant and investigative matters.

Brigham resubmission reviewed. Investigation report reviewed; see report for details.

Patricia motioned to reopen the meeting. Dr. Sen seconded the motion. No discussion. Roll call for approval: Analia – Yes, Dr. Sen – Yes, Christie – Yes, Karen – Yes, Pat – Yes, Amanda – Yes.

- Traci Hobson and Cindy Schwalb rejoined the meeting.

Rules Update – Amanda Holliday

Amanda noted that the Board received comments from the ANA representative just last night, as well as two sets of comments received by the September 13th deadline. In order to give the Board more time to properly review and consider all comments received, Amanda suggested the Board move forward with adoption of 21 NCAC 17 .0113 which addresses fees, as no comments were received on this rule, and this rule if approved, will take significant administrative time to implement. In addition, the Board scheduled a Rules Committee meeting where the Rules Committee can work through all comments received and discuss further. The Rules Committee meeting will be held on 9/30 at 1:30 p.m.

Christie made a motion to adopt the proposed changes to 21 NCAC 17 .0113. Patricia seconded the motion. No discussion. Roll call for approval: Analia – Yes, Dr. Sen – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, Amanda – Yes.

The Board worked to reschedule the October Board meeting as it was set up months ago without review of the publication schedule for the Rules and hearing dates. The Board rescheduled the October meeting to October 17th at 3:00 pm, so that if rules are adopted at the October meeting, they can be submitted by the October 20th deadline. It will be a somewhat abbreviated meeting to take only the essential matters into consideration given the late change in date.

- Cindy Schwalb left the call at 11:40 a.m.

Actions related to closed session:

1. Karen motioned to approve the draft letter recommended by the Education Committee for applicant Brigham with the deletion of reference to the October meeting date. Dr. Sen seconded the motion. No discussion. Roll Call for approval: Analia – Yes, Dr. Sen – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, Amanda – Yes.
2. Christie motioned to close matter 2022-0196 with approval of the recommended closure letters. Patricia seconded the motion. No further discussion. Roll Call for approval: Analia – Yes, Dr. Sen – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, Amanda – Yes.
3. Patricia motioned to license SILV-UAZJ1Q. Dr. Sen seconded the motion. No further discussion. Roll Call for approval: Analia – Yes, Dr. Sen – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, Amanda – Yes.
4. Dr. Sen motioned to license WOOD-CHWXKT. Patricia seconded the motion. No further discussion. Roll Call for approval: Analia – Yes, Dr. Sen – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, Amanda – Yes.

Policies for review – Amanda Holliday

There were several updated policies presented to the Board electronically for review. They have been available for Board review for two months:

- Procedures for Electronic Meetings
- NCBDN Life Insurance Policy
- Employee Code of Conduct
- Accounting Policy updates
- Board member Travel Policy

Christie motioned to approve all policies referenced. Analia seconded the motion. No discussion. Roll Call for approval: Analia – Yes, Dr. Sen – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, Amanda – Yes.

Unfinished/New Business - Amanda Holliday

- n/a

Public Comment – Amanda Holliday

- Tracey – None at this time.
- Henry noted that there has been a public hearing and comment period, thus the Board need not accept any further public comments for the rules published on July 15th.

Analia motioned to adjourn the meeting at 11:51 a.m. Patricia seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Dr. Sen – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, Amanda – Yes.