

**Minutes of the Meeting of the
Louisiana Board of Examiners in Dietetics and Nutrition**

April 21, 2017

Attending:

**Martina Musmeci Salles, MPH, RDN, LDN, FAND, Chairperson
Lori Roy, MS, RD, LDN, Vice Chairperson
Meghan Kavanaugh, MS, RN, RD, LDN, CDE, Secretary/Treasurer
Margaret Jones, RD, LDN, Board Member/Board Liaison
Clare Miller, MS, RDN, LDN, Board Member
Howard Wetsman, MD, Medical Advisor**

Absent:

Jeanine Songy-Latham, MPH, RD, LDN, Board Member

Martina Musmeci Salles called the meeting to order and read the board's mission statement at 11:12 a.m. in the Conference Room of the Board office located at 37283 Swamp Road, Suite 3B, Prairieville, Louisiana. Jolie Jones, Executive Director, was present for the entire meeting.

PUBLIC COMMENTS:

No one was present at the meeting to provide public comments.

AGENDA:

Motion was made by Clare Miller, seconded by Meghan Kavanaugh and unanimously carried, to approve the agenda as amended to add Conferences including CLEAR and FARB, as well as, 1.f. Complaint #2014-03 to Review of Pending Complaints, 2.d. Complaint #2017-12 to Review of New Complaints, and add 3. Review of Applications, a. K.H. in Executive Session.

MINUTES:

1. Meeting of January 6, 2017

Motion was made by Lori Roy, seconded by Clare Miller and unanimously carried, to approve the minutes of the January 6, 2017 meeting as presented.

FINANCIAL:

1. Financial Statement for the months ended September 30, 2016 – January 31, 2017

Members of the board reviewed the financial statements prepared by Susan Sevario, CPA, for the months ending September 30, 2016 – January 31, 2017.

Motion was made by Margaret Jones, seconded by Lori Roy and unanimously carried, to accept the financial reports for the months ending September 30, 2016 – January 31, 2017.

2. Professional Contracts 2017-2018

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to offer George Papale a legal contract at the rate of \$175.00 per hour for a maximum amount of \$12,000.00 for the fiscal year 2017-2018.

Motion was made by Margaret Jones, seconded by Clare Miller and unanimously carried, to offer Statewide Surveillance an investigation contract at the rate of \$50.00 per hour plus expense reimbursement at the state rate for a maximum amount of \$2,500.00 for the fiscal year 2017-2018.

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to offer Susan Sevario, CPA, a financial services contract at the rate of \$200.00 per month for a maximum amount of \$2,400.00 for the fiscal year 2017-2018.

3. Budget

Motion was made by Dr. Howard Wetsman, seconded by Clare Miller and unanimously carried, to accept the budget as presented for the 2017-2018 fiscal year as follows:

Revenues	
License Fees - LDNs	\$ 9,000.00
License Fees - PL-LDNs	\$ 1,000.00
Upgrade Fees	\$ 500.00
Renewal Fees - LDNs	\$ 78,000.00
Renewal Fees - PL-LDNs	\$ 300.00
Restitution	\$ 1,000.00
Interest (Checking)	\$ 200.00
Miscellaneous	\$ 500.00
Total	\$ 90,500.00
Total Revenues	\$ 90,500.00
Other Assets	
Cash in Checking	\$ 180,000.00
Total	\$ 180,000.00
Total Other Assets	\$ 180,000.00

TOTAL AVAILABLE FUNDS	\$ 270,500.00
Salaries	
Executive Director (25%)	\$ 20,000.00
Administrative Specialist	\$ 35,000.00
Total	\$ 55,000.00
Related Employee Benefits	
Retirement (35.2% ER portion for 25% ED + 100% Admin)	\$ 19,500.00
Medicare for 25% ED + Admin (1.45%)	\$ 1,000.00
Social Sec (6.2%)	\$ 2,500.00
Health Insurance (25% Exec Director + 100% Admin)	\$ 15,000.00
OPEB	\$ 15,000.00
Compensated Absences	\$ 1,500.00
Total	\$ 54,500.00
Total Salaries & Benefits	\$ 109,500.00
Expenses/Travel	
Administrative (in-state mileage)	\$ 500.00
Administrative (in-state other)	\$ 300.00
Board (in-state mileage)	\$ 3,500.00
Board (in-state other)	\$ 1,800.00
Board (out-state other)	\$ 1,000.00
Conferences/CE/Board Training	\$ 15,000.00
Total	\$ 22,100.00
Meeting Expenses	
Hotel, Food, etc.	\$ 3,000.00
Total Travel & Meeting Expenses	\$ 25,100.00
Expenses/Operating	
Rent	\$ 7,500.00
Printing	\$ 2,500.00
Postage & Delivery	\$ 3,500.00
Public Licensure Awareness	\$ 25,000.00
Professional Membership/Dues	\$ 1,000.00

Maintenance	\$ 500.00
Insurance	\$ 500.00
Bank Charges/Credit Card Fees	\$ 5,000.00
Telephone/Internet	\$ 1,000.00
Equipment Rental	\$ 1,000.00
Miscellaneous	\$ 1,000.00
Office Supplies	\$ 2,000.00
Rules Revisions + Licensee Notification	\$ 2,000.00
Utilities	\$ 400.00
Security	\$ 120.00
Total	\$ 53,020.00
Total Operating Expenses	\$ 53,020.00
Professional Services	
Accounting	\$ 2,500.00
Auditor	\$ 1,000.00
Calligrapher	\$ 600.00
Computer - IT Consultants	\$ 10,000.00
Legal Counsel	\$ 12,000.00
Other Consultants	\$ 5,000.00
Investigators	\$ 2,500.00
Scanning	\$ 5,000.00
Total	\$ 38,600.00
Total Professional Services	\$ 38,600.00
Acquisitions/Equipment	
Computer Software/Database	\$ 5,000.00
Office Equipment	\$ 18,000.00
Total	\$ 23,000.00
Total Acquisitions/Equipment	\$ 23,000.00
Total Expenditures	\$ 249,220.00
Total Revenue over Expenditures	\$ (158,720.00)
Total Available Funds over Expenditures	\$ 21,280.00

Motion was made by Dr. Howard Wetsman, seconded by Clare Miller and unanimously carried, to convert the part-time Administrative Specialist position to full-time because of the increase in workload, with a salary of \$35,000 effective July 1, 2017 or after.

ADMINISTRATIVE REVIEW:

1. Board Operations

Jolie Jones provided the board with a report showing that since January 6, 2017, the board has received and approved:

Applications	25
Upgrade Requests	2

The board has offered no Consent Agreement and Orders for individuals practicing without a valid license since January 6, 2017.

The board has received 4 new complaints since January 6, 2017.

The board has received 66 renewals since April 15, 2017.

2. Executive Director Update

Jolie Jones discussed financial disclosure and an email the board received from the legislative fiscal office. Additionally, Ms. Jones provided the board with a breakdown of continuing education and renewal requirements by state.

3. Update from Renewal Committee

Lori Roy gathered information from other states and gave a brief update to the board regarding the date of CDR renewals. The board will reconsider this at their next board meeting in July, based on the outcome of Senate Bill 75.

The board scheduled a rules review for June 16, 2017. Board members should submit suggested changes to Jolie by June 1st.

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to change future LBEDN board meetings to begin at 9:00 a.m.

4. Update on Board Appointments

The Louisiana Academy of Nutrition and Dietetics (LAND) submitted a letter to the Governor requesting appointments to the LBEDN board.

5. Update on 2017 Legislative Session

Jolie Jones gave updates to board members on Senate Resolution 10, Senate Bill 75, House Bill 519, Senate Bill 205. Martina Musmeci Salles shared the bills that LAND was watching and/or supporting.

CONFERENCES:

Council on Licensure, Enforcement & Regulation (CLEAR)

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to send Meghan Kavanaugh, Martina Musmeci Salles, Dr. Howard Wetsman, and the new board members (if appointed timely, also to board training), to the CLEAR Conference in Denver, Colorado, from September 13-16, 2017, and pay related expenses.

Federation of Associations of Regulatory Boards (FARB)

Motion was made by Clare Miller, seconded by Meghan Kavanaugh and unanimously carried, to send Lori Roy, Margaret Jones, and Jolie Jones to the FARB Regulatory Law Seminar in Savannah, Georgia, on October 5-8, 2017, and pay related expenses.

EXECUTIVE SESSION:

Motion was made by Lori Roy, seconded by Meghan Kavanaugh and unanimously carried, to move in to Executive Session at 2:30 p.m. for the following reasons:

to discuss the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least twenty-four hours before the meeting,

for investigative proceedings regarding allegations of misconduct or any other matter now provided for or as may be provided for by the legislature.

Motion was made by Margaret Jones, seconded by Clare Miller and unanimously carried, to come out of Executive Session at 4:40 p.m. to make the following motions:

1. Review of Pending Complaints

a. Complaint #2014-05

Motion was made by Clare Miller, seconded by Meghan Kavanaugh and unanimously carried, to send a letter that individual's name does have a red flag on the website; however, we do not use the terms "fraud and abuse" on the board's website. The red flag stays on the website indefinitely in the interest of consumer protection.

b. Complaint #2017-04

Motion was made by Margaret Jones, seconded by Clare Miller and unanimously carried, to send a letter to Pentec Health that the title the individual is using, "Nutritional Consultant" could indicate that she is assessing nutritional needs, providing nutritional counseling, developing, implementing and managing nutrition care systems, and evaluating, making changes in, and maintaining standards of quality food and nutrition care services. Individuals that are providing services must be licensed in Louisiana.

The board members decided to take no action related to the other individual.

c. Complaint #2017-05

Motion was made by Meghan Kavanaugh, seconded by Margaret Jones and unanimously carried, to dismiss complaint #2017-05, based on the individual's response.

d. Complaint #2017-06

Motion was made by Meghan Kavanaugh, seconded by Clare Miller and unanimously carried, to ask George Papale to send a letter to this individual.

e. Complaint #2017-07

Motion was made by Meghan Kavanaugh, seconded by Margaret Jones and unanimously carried, to ask George Papale to send a letter to this individual. This case concerns the board more than anyone thusfar, as this could do more harm to the public. The board consider public domain to be something from WIC, the government, food guide pyramid, etc. Ray Peat is not a reliable source for information in the public domain.

Martina Musmeci Salles and Clare Miller will investigate further.

f. Complaint #2017-03

Motion was made by Margaret Jones, seconded by Meghan Kavanaugh and unanimously carried, to send a letter to this individual and follow up with a phone call.

Additionally, Jolie Jones will contact Healthcare Professionals Foundation of Louisiana (hpfla.org) to see what it takes for them to provide support to our licensees.

The board would also like to consider adding a definition for unprofessional conduct, specifying disciplinary action for drug use, and possibly adding summary suspension to the board's future rules revisions.

Dr. Howard Wetsman will help the board in re-writing the Impaired Professionals Program in the Rules. We can start by reviewing the Board of Medical Examiners language.

2. Receipt of New Complaints

a. Complaint #2017-08

Motion was made by Meghan Kavanaugh, seconded by Margaret Jones and unanimously carried, to send a letter that there is a licensure law with scope and title protection.

b. Complaint #2017-09

Motion was made by Meghan Kavanaugh, seconded by Clare Miller and unanimously carried, to send a letter that there is a licensure law with scope and title protection.

c. Complaint #2017-11

Motion was made by Margaret Jones, seconded by Meghan Kavanaugh and unanimously carried, to ask George Papale to send her a letter that there is a licensure law with scope and title protection.

d. Complaint #2017-12

Motion was made by Meghan Kavanaugh, seconded by Margaret Jones and unanimously carried, to offer a Consent Agreement and Order to include completion of the open book examination, \$1,000 fine, and publication by the board, as well as to the National Practitioner DataBank and to AND/CDR Ethics Committee.

3. Review of Applications

a. KH

The board reviewed the documentation submitted and took no action.

Motion was made by Margaret Jones, seconded by Clare Miller and unanimously carried, to accept and approve the applications for the **LDN License** for the following:

Staggs, Amy	2781	Tran, Mary Kim	2782
Sarkodee-Adoo, Laticia	2783	Pate, Lindsey	2784
Miller, Brooke	2788	Hunter, Danielle	2790
Weatherford, Corrie	2792	Thompson, Kimberly	2793
Hofer, Emily	2795	Sarris, Leah	2796

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to accept and approve the applications for the **Provisional LDN License** for the following:

Breaux, Jennifer	2780	Scott, Madrea	2785
Falcon, Chandler	2786	Oliver, Sarah	2787
Hudson, Hailey	2789	Chandler, Kenyatta	2791
Jochum, Jamie	2794		

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to **upgrade** the following licenses:

Kusch, Rebecca	2777	Falcon, Chandler	2786
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Motion was made by Clare Miller, seconded by Margaret Jones and unanimously carried, to **reinstate** the following licenses:

Gilmore, Linda	2457	Hensgens, Heidi	2000
Pearce, Larisa	1772	Fontenot, Mary Catherine	946
Jackson, Virginia Lee	1917	Ross, Shikira	1310
Markle, Susan	1239		

Motion was made by Margaret Jones, seconded by Meghan Kavanaugh and unanimously carried, to adjourn the meeting at 5:05 p.m.

Martina M. Salles

Martina Musmeci Salles, MPH, RDN,
LDN, FAND
Chairperson

Meghan Kavanaugh

Meghan Kavanaugh, MS, RN, RD, LDN,
CDE
Secretary/Treasurer