

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

July 8, 2016

Attending:

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

Martina Musmeci Salles called the meeting to order at 11:08 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 Lori Roy, seconded by Clare Miller and unanimously carried, to approve the agenda as presented.

MINUTES:

1. Meeting of April 15, 2016

Motion was made by Margaret Jones, seconded by Lori Roy and unanimously carried, to approve the minutes of the April 15, 2016 meeting as presented.

COMPLIANCE HEARING:

ASHLEY BERTAUT

Ashley Bertaut requested and appeared for a compliance hearing to appeal the Board's decision to deny issuance of her provisional dietitian/nutritionist license. The Board denied Ms. Bertaut's application for licensure based on current employment listed on the Application for License that she was employed in the field of dietetics/nutrition since March 28, 2015, without the benefit of a valid license.

Ms. Bertaut testified that she did not practice without a valid license nor represent herself as a "Dietitian". There was an error in listing the date as 2015, it should have been listed as 2016. On March 28, 2016, Ms Bertaut testified that she started training/shadowing at Woman's Hospital for 3 hours a week. Ms. Bertaut was hired in a projects position and plans to be a relief dietitian when the main dietitian is on vacation.

Ms. April Cintron, LDN, was also present. Ms. Cintron was Ashley Bertaut's Supervisor Preceptor at Promise Hospital, but is now a Corporate Dietitian for Valley.

Motion was made by Lori Roy, seconded by Howard Wetsman and unanimously carried, to move in to Executive Session at 1:15 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 Jeanine Songy-Latham and unanimously carried, to come out of Executive Session at 1:56 p.m. and issue Ashley Bertaut's Provisional Licensed Dietitian/Nutritionist license.

FINANCIAL:

1. Financial Statement for the period ending January 31, 2016

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending January 31, 2016.

2. Financial Statement for the period ending February 28, 2016

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending February 28, 2016.

3. Financial Statement for the period ending March 31, 2016

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending March 31, 2016.

4. Financial Statement for the period ending April 30, 2016

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending April 30, 2016.

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to accept the financial reports for January – April 2016.

ADMINISTRATIVE REVIEW:

1. Board Operations

Jolie Jones provided the board with a report showing that since April 15, 2016, the board has received:

Applications	46
Upgrade Requests	1

Since April 15, 2016, the board has approved:

Applications	29
Upgrades	1

The board has not offered any Consent Agreement and Orders for individuals practicing without a valid license since April 15, 2016.

The board has received 2 new complaints since April 15, 2016.

2. Executive Director Update

Jolie Jones provided board members with an update on Covalent Logic and the database project. The Board will send a letter noting its dissatisfaction with the situation.

3. Update on Board Appointments

The Board welcomed Meghan Kavanaugh, the newest board member nominated by the Louisiana State Nursing Association.

Jolie Jones will send a letter to LAND about the upcoming board member vacancies for Jeanine Songy-Latham and Clare Miller's positions.

Jennifer Duhon is the individual who will replace Dr. Carol O'Neil as the Consumer Protection Liaison for LAND.

4. Legislative Update

All dietetic bills were passed through the legislature, signed by the Governor, and are effective August 1, 2016. HB 595 (telehealth) is now Act 417, HB 579 (diet orders) is now Act 415, and HB 642 (domicile, provisional licenses) is now Act 636.

5. Verification Statement Clarification

The Board discussed the necessity of requiring both verification statements for completion of the Didactic program and Dietetic internship. If an individual is in an internship, they came from a program.

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to require the verification statement from internship programs only.

6. Application for Licensure Questions

Board members discussed changing the employment termination question on the renewal application to read "Have you ever been terminated from a professional position for any reasons of misconduct or unethical behavior?"

CORRESPONDENCE:

1. Letter dated May 9, 2016 from CDR re: revised test specifications

Motion was made by Howard Wetsman, seconded by Clare Miller and unanimously carried, to accept the proposed changes to the CDR examination.

2. Letter dated July 5, 2016 from Glenn Koepp, Secretary of the Senate re: Task Force Meetings

Martina Musmeci Salles will serve on the Task Force on behalf of the Board.

CONFERENCES:

Council on Licensure, Enforcement and Regulation (CLEAR)

Jolie Jones provided the Board with an oral report related to her participation in CLEAR's Telehealth/Telemedicine webinar. Several of the obstacles identified in the webinar with telehealth is that there are few studies on outcomes, not all insurers cover telehealth, patients may lack the necessary technology, and there is a confusing regulatory environment. The presenter discouraged boards from creating a separate license or registration for telehealth, as telemedicine is defined as the practice of medicine. He also discouraged including technology, security and business models, as we don't know what's coming in the future.

EXECUTIVE SESSION:

Motion was made by Lori Roy, seconded by Clare Miller and unanimously carried, to move in to Executive Session at 1:15 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 Lori Roy, seconded by Clare Miller and unanimously carried, to come out of Executive Session at 1:56 p.m. to make the following motions:

1. Receipt of Pending Complaints

a. Complaint #2015-03

Motion was made by Howard Wetsman, seconded by Lori Roy and unanimously carried, to release Kristen Fiorello from the terms of the Consent Agreement and Order based on successful completion.

b. Complaint #2016-03

Motion was made by Clare Miller, seconded by Howard Wetsman and unanimously carried, to request that George Papale send a letter, as the picture claiming to be a "Dietitian" is still listed on her Facebook page.

c. Complaint #2016-04

Motion was made by Howard Wetsman, seconded by Lori Roy and unanimously carried, to send a letter that none of the alternative terms provided are prohibited, and remind her that there is a scope of practice that must be followed as well.

2. Receipt of New Complaints

a. Complaint #2016-07

Motion was made by Lori Roy, seconded by Clare Miller and unanimously carried, to send a letter that the Practice Act provides scope of practice and title protection.

b. Complaint #2016-08

Motion was made by Margaret Jones, seconded by Lori Roy and unanimously carried, not to accept #2016-08, as the Board can find no evidence to support the allegations.

3. Review of Applications

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:

Victoria, Angelle	2713	Langlais, Janelle	2714
Walker, Kathryn	2715	Cooksey, Tonya	2716
Nicklas, Jennifer	2717	Erickson, Julie	2726
Lewie, Katherine	2728	Legg, Brandy	2729
Ellison, Kimberly	2730	Gaucher, Lindsay	2733
Larimer, Cara	2735	Wood, Lisa	2736

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:

McCarty, William	2718	Rigby, Elizabeth	2719
Orlando, Rebecca	2720	Guillory, Joseph	2721
Genton, Sarah	2722	Anderson, Marquetta	2723
Smith, BreAnne	2724	Tracy, Britney	2725
Livas, Simone	2727	Whitman, Elizabeth	2731
Ehrman, Andrea	2732	Murphree, Candice	2734

Motion was made by Clare Miller, seconded by Margaret Jones and unanimously carried, to **reinstate** the following licenses:

LaPorte, Melanie	449	Avendano-Benham, Carmen	1848
Jarrell, Andrea	1005		

Motion was made by Howard Wetsman, seconded by Lori Roy and unanimously carried, to adjourn the meeting at 2:00 p.m.


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


Margaret Jones, RD, LDN
Secretary-Treasurer