

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

January 9, 2015

Attending:

**Martina Musmeci Salles, MPH, RDN, LDN, FAND, Chairperson
Lori Roy, MS, RD, LDN, Vice Chairperson
Terry Compton, APRN, RN, MS, CDE, Secretary-Treasurer
Clare Miller, MS, RD, LDN, Board Member/Board Liaison
Jeanine Songy Latham, MPH, RD, LDN, Board Member
Paula Weeks, RD, LDN, Board Member
Howard Wetsman, MD, Medical Advisor**

Martina Musmeci Salles called the meeting to order at 12:37 p.m. in the Conference Room of the Board office located at 18550 Highland Road, Suite B, Baton Rouge, Louisiana. Jolie Jones, Executive Director, was present for the entire meeting. Lori Roy and Paula Weeks were excused from the meeting at 4:00 p.m.

Roll call was conducted by Terry Compton.

PUBLIC COMMENTS:

No one was available to make public comments.

AGENDA:

Motion was made by Paula Weeks, seconded by Howard Wetsman and unanimously carried, to approve the agenda as presented.

MINUTES:

Motion was made by Howard Wetsman, seconded by Clare Miller and unanimously carried, to approve the minutes of the October 24, 2014 meeting as presented.

FINANCIAL:

a. Executive Director follow up regarding OPEB and Long Term Debt

Jolie Jones provided the Board with an explanation from Susan Sevario, CPA, regarding long term debt, as noted on the Independent Accountants' Compilation Report. Long term debt is a relatively new item that the state is requiring to be included, which consists of accrued leave time, an unfunded actuarial accrued liability. This number will grow annually.

OPEB is postemployment benefits other than pensions. The most common form of OPEB is postemployment healthcare benefits. OPEB in our budget is a number given to the Board by the Auditor annually, based on a formula.

b. Financial Statement for the Period Ending September 30, 2014

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending September 30, 2014.

c. Financial Statement for the Period Ending October 31, 2014

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending October 31, 2014.

d. Financial Statement for the Period Ending November 30, 2014

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending November 30, 2014.

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to accept the financial reports for September, October, and November, 2014.

COMPLIANCE HEARINGS:

SARAH WALSH

Sarah Walsh requested and appeared for a compliance hearing to appeal the Board's decision to deny issuance of her Dietitian/Nutritionist license. The Board denied Ms. Walsh's request for licensure based on current employment listed on the Application for License as a Registered Dietitian from August 15, 2014.

Ms. Walsh testified that she moved from South Carolina. Her first patient was seen on September 4, 2014, as her first two weeks were orientation.

Motion was made by Paula Weeks, seconded by Howard Wetsman and unanimously carried, to move in to Executive Session at 2:25 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 Howard Wetsman, seconded by Jeanine Songy-Latham and unanimously carried, to come out of Executive Session at 2:30 p.m. and issue Sarah Walsh's Licensed Dietitian/Nutritionist license, as she meets exemption 3093.6.

CHRISTINA MARTIN

Christina Martin requested and appeared for a compliance hearing to appeal the Board's decision to deny reinstatement of her Dietitian/Nutritionist license. The Board denied Ms. Martin's reinstatement for licensure based on current

employment listed on the Application for License as a Registered Dietitian from January 15, 2014.

Ms. Martin testified that she got confused with CDR since the fee is the same and failed to renew her license. The first few months at her place of employment, there was no manager there.

Motion was made by Paula Weeks, seconded by Howard Wetsman and unanimously carried, to move in to Executive Session at 2:39 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 Jeanine Songy-Latham and unanimously carried, to come out of Executive Session at 2:45 p.m. and offer Christina Martin a Consent Agreement and Order to include a \$500.00 fine, open book examination, publication by the Board, as well as notifications to the Academy of Nutrition and Dietetics/Commission on Dietetic Registration Ethics Committee, and the National Practitioner Data Bank (NPDB).

CHRISTINE ANDRUS

Christine Andrus requested and appeared for a compliance hearing to appeal the Board's decision to deny issuance of her Dietitian/Nutritionist license. The Board denied Ms. Andrus' request for licensure based on current employment listed on the Application for License as a Food and Nutrition Services Assistant Director since June 4, 2012, with a job description indicating that Christine Andrus serves as an Assistant Director/Clinical Dietitian and includes work that is within the scope of practice of a Licensed Dietitian/Nutritionist.

Ms. Andrus, along with her supervisor, Megan Landry, testified that Christine Andrus was employed as a Food Service Supervisor from June 4, 2013 through 2013. The job description says that she would fill in as a Clinical Dietitian, but Megan Landry performed those duties. Ms. Landry provided the Board with a copy of a Performance Evaluation that she completed for Christine Andrus in the position of Food Service Supervisor from June 4, 2012 – June 30, 2013. Ms. Andrus' status changed to PRN while she completed her Internship. After completion of the internship, she was promoted to Assistant Director in May 2014. She obtained registration with CDR in October 2014 and then applied for her license.

The Board was also provided with a Performance Evaluation which was completed on December 15, 2014, showing "N/A" on all nutrition/dietetic areas.

Motion was made by Paula Weeks, seconded by Howard Wetsman and unanimously carried, to move in to Executive Session at 3:10 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 Paula Weeks, seconded by Howard Wetsman and unanimously carried, to come out of Executive Session at 3:15 p.m. and issue Christine Andrus' Licensed Dietitian/Nutritionist license, based on documentation and compliance hearing testimony.

BOARD/STAFF ISSUES:

a. Academy Consumer Protections Update

Dr. Carol O'Neil provided the Board with an update on items discussed at FNCE. Michigan's licensure law was recently rescinded and licensure across the country is under attack. There was a lot of discussion on being prepared to talk to legislators and how to approach them.

Several board members expressed concerns about the association not having a lobbyist. Dr. O'Neil said that was not a topic that was discussed at FNCE.

b. Update on LBEDN Vacancy

Dr. O'Neil mentioned that Margaret Jones is the only candidate for Paula Weeks' position, to which her term ends on March 5, 2015. The LDA Board is scheduled to vote on this matter on January 16, 2015.

c. Update on Applications and review of FARB Model License/Renewal Application

The Board would like to include a new question on the initial and renewal applications which reads "Do you currently use or have you used illegal/controlled substances in the past five years?" This statement should also be included in the declaration after the Rule is made.

The Board would like to consider adding a rule that individuals must report controlled substances.

d. Travel and Small Purchase Mandate

The Board received an exemption from the Commissioner of Administration from the travel and small purchasing mandate. The Board is still required to comply with the Hotel Planner.com mandate.

e. Louisiana Property Audit Report

The Board reviewed an Audit Report from the Louisiana Property Assistance

Agency, reflecting that the Board is in compliance with state property requirements.

f. Update on Board Policy and Procedure Manual

The Policy and Procedure Manual was revised with changes to the: liaison title and job description, newsletters, DTR, and professional signature updated to include "RDN".

g. Update from Rules Committee

The Board reviewed George Papale's responses to the proposed Rules changes. The proposed Introduction will not be included.

The Board discussed the Louisiana Telehealth Act, Act 442. Jolie Jones will ask George Papale what are the proper channels in seeking inclusion in Act 442, specifically can we ask the Legislature to amend Act 442 or have the Attorney General review. Clare Miller, Board Member/Liaison will discuss with LDA the need for a lobbyist, since the profession was completely left out of the telehealth act.

An FAQ will be added to the website regarding telenutrition.

The law should include telenutrition and under Provisional LDN, change to include internship.

Motion was made by Clare Miller, seconded by Jeanine Songy-Latham and unanimously carried, to move forward with Rules changes.

Motion was made by Clare Miller, seconded by Jeanine Songy-Latham and unanimously carried, to create a policy that says "A Provisional Licensed Dietitian/Nutritionist must have obtained a bachelor's degree and have successfully completed a dietetic internship."

CORRESPONDENCE:

a. Letter dated September 22, 2014 from CDR regarding credentialing update

This letter was provided for informational purposes only.

CONFERENCE(S):

LDA

a. Request to Exhibit at LDA Conference

Motion was made by Paula Weeks, seconded by Lori Roy and unanimously carried, to not exhibit at the LDA Conference.

b. Board Presentation at LDA

Board members discussed their presentation at LDA. The Board's presentation is scheduled for March 26th at 9:00 a.m. Martina will tweak last year's presentation and add telenutrition, licensees obligated to report, number of complaints in the past year, applications processed, and remind licensees that the Board is here to protect the public.

Board members would like a 1-2 page flyer prepared for the meeting to include a bullet point list of what to do they pass the exam, what to do when I get a job, etc. This may be a good thing to send to internship directors and maybe include in the annual hospital memo.

Citizen Advocacy Center (CAC)

a. Membership Request

The Board is not interested in membership at this time.

EXECUTIVE SESSION:

Motion was made by Paula Weeks, seconded by Howard Wetsman and unanimously carried, to move in to Executive Session at 2:04 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 Jeanine Songy-Latham, seconded by Howard Wetsman and unanimously carried, to come out of Executive Session at 3:30 p.m. to make the following motions:

a. Executive Director Evaluation

Motion was made by Howard Wetsman, seconded by Lori Roy and carried, to give Jolie Jones, Executive Director, a one-time increase of 10%, based on her Performance Evaluation.

b. Complaint #2014-08

Rule for Contempt will be heard in this case on January 20, 2015 at 9:00 a.m.

c. Complaint #2014-09

The Board confirmed that the website remains the same and that the individual holds a Registered Nurse (RN) license in Louisiana. George Papale feels that the case is strong.

Motion was made by Howard Wetsman, seconded by Lori Roy and unanimously carried to authorize George Papale to move forward with the case.

d. Complaint #2015-01

Motion was made by Howard Wetsman, seconded by Clare Miller and unanimously carried to check data monthly until the next meeting and then make a decision at the March meeting.

e. Review of Applications

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

Schuette, Katherine	2590	Smith, Brittany Nicole	2591
Pickett, Joyce A.	2593	Renda, Jennifer F.	2594
Rosas-Alvarez, Mauricio	2595	Guinta, Margaret Ann	2596
Seabrook, Jodi Kimbell	2597	Cohen, Rebecca	2598
Rosenbaum, Kelsey	2599	Faulk, Morgan	2600
Andrus, Christine	2601	Thomas, Covanique	2602

Motion was made by Terry Compton, seconded by Martina Musmeci Salles and unanimously carried, to **upgrade** the following licenses:

Walsh, Sarah 2592

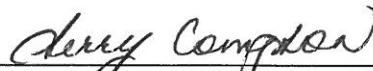
Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to **reinstate** the following licenses:

Jordan, Lindy 1868 Carrico, Cody 1550

Motion was made by Howard Wetsman, seconded by Terry Compton and unanimously carried, to adjourn the meeting at 4:58 p.m.



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



Terry Compton, APRN, RN, MS, CDE
Secretary-Treasurer