

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

October 30, 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
Margaret Jones, RD, LDN, Board Member
Howard Wetsman, MD, Medical Advisor**

Martina Musmeci Salles called the meeting to order at 11:15 a.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.

PUBLIC COMMENTS:

Dr. Carol O'Neil was present for the open portion of the meeting.

AGENDA:

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to approve the agenda as amended to add 5. Financial Statement for the period ended September 30, 2015, and to rename the new complaint listed under Executive Session 2016-01 instead of 2015-08.

MINUTES:

1. Meeting of July 10, 2015

Motion was made by Clare Miller, seconded by Terry Compton and unanimously carried, to approve the minutes of the July 10, 2015 meeting as presented.

FINANCIAL:

1. Financial Statement for the period ending June 30, 2015

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending June 30, 2015.

2. Financial Statement for the period ending July 31, 2015

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending July 31, 2015.

3. Financial Statement for the period ending August 31, 2015

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending August 31, 2015.

4. Financial Statement for the period ending September 30, 2015

Members of the board reviewed the financial statement prepared by Susan Sevario, CPA, for the period ending September 30, 2015.

Motion was made by Howard Wetsman, seconded by Margaret Jones and unanimously carried, to accept the financial reports for June - September, 2015.

5. Auditor's Report

Jolie Jones presented the board with the Auditor's Compilation Report for the fiscal year 2014-2015.

ADMINISTRATIVE REVIEW:

1. Board Operations

Jolie Jones provided the board with a report showing that since January 1, 2015, the board has received:

Applications	104
Upgrade Requests	10

Since January 1, 2015, the board has approved:

Applications	100
Upgrades	10

The board has offered three Consent Agreement and Orders for individuals practicing without a valid license.

Renewals processed between April 15 – October 30, 2015:

Renewed online	1047
Renewed in office	171
Total Renewed	1218
Total Lapsed	61

The board has received 4 complaints since January 1, 2015.

2. Executive Director Update

Jolie Jones provided the board with the following updates:

The board's Rules and Regulations were officially revised on September 20, 2015, at the cost of \$3,064.00.

The board's second checking account which was housed at Whitney Bank has been combined with the board's main checking account at Capital One.

Remote deposit has been set up. The board will reimburse LBESPA only for the per check deposit fee of fifteen cents. LBESPA is paying the monthly and equipment fees.

LBESPA is sending Jolie Jones to the FARB Forum in Clearwater Beach, Florida from January 28-31, 2016.

The board is still considering multiple options for office relocations.

The contract that the Louisiana State Board of Social Work Examiners has with Essential Solutions ends December 2015. Jolie Jones met with InfinIT Technology Group and is awaiting a proposal. This contract should be less cumbersome, as board staff will be making website changes and will not include database changes.

Document scanning with C.F. Biggs is going well. All older records have been sent for scanning, which included financial statements, renewals, and lapsed files.

The board office provided results from an email which was sent to other state dietetic licensure boards inquiring if they perform criminal background checks, if they hire a legislative consultant, and how long a provisional license can be held.

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to add to the list of recommendations for revisions to the Practice Act to allow the provisional license to be held for a period of eighteen months.

Additionally, the board would like to revise the 900 hours required by the accrediting agency of the Academy of Nutrition and Dietetics to 1200 hours to come in line with the standards; as well as, changing the language that the board must be domiciled in Baton Rouge to the "greater baton rouge area".

Jolie Jones provided the board with information regarding criminal background checks with and without statutory authority through the Louisiana State Police and the Federal Bureau of Investigations (FBI). The board will consider implementing criminal background checks in the future.

The project with Covalent Logic is moving forward. LBESPA's website and content management system is being designed first and LBEDN's will be incorporated in November. Go Live is planned for the end of January.

3. Legislative Considerations

The board may want to talk with the Board of Pharmacy regarding language in their Practice Act indicating whom they can receive orders from.

4. House Concurrent Resolution No. 74

House Concurrent Resolution No. 74 provides for the issuance of a temporary practice permit for military member or a military spouse during the period that they are satisfying the requirements for licensure.

The board will allow the issuance of temporary practice permit for 60 days, which may be renewable for 30 days. Jolie Jones will consult with George Papale on proper wording for this policy.

5. ACEND's Future Education Model

The board reviewed ACEND's future education model. January 1, 2024 is the projected date for requiring a Master's degree in Dietetics/Nutrition.

6. Update on Board Appointments

Two names have been submitted by the Louisiana State Nursing Association to the Governor's office to replace Terry Compton. The Louisiana State Medical Society has also been notified of the vacancy for Dr. Howard Wetsman's Medical Advisor position.

7. Disciplinary Actions on Website

Dale Atkinson, Attorney for the Federation of Associations of Regulatory Boards (FARB), suggests that final orders should remain posted indefinitely in the interest of public protection.

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to continue to post enforcement actions for one year on the board's website.

8. Schedule 2016 Board Meeting Dates

Board meetings were scheduled as follows:

January 8 at 12:00 p.m.

April 15 at 11:00 a.m.

July 8 at 11:00 a.m.

September 30 at 11:00 a.m.

All meetings will be held at the board's office.

9. Election of Board Positions

Motion was made by Terry Compton, seconded by Clare Miller and unanimously carried, to nominate Martina Musmeci Salles to continue to serve as Chairperson.

Motion was made by Clare Miller, seconded by Jeanine Songy-Latham and unanimously carried, to nominate Lori Roy to continue to serve as Vice Chairperson.

Motion was made by Terry Compton, seconded by Lori Roy and unanimously carried, to nominate Margaret Jones to serve as Secretary/Treasurer.

Motion was made by Jeanine Songy-Latham, seconded by Clare Miller and unanimously carried, to nominate Clare Miller to continue to serve as the LBEDN Liaison to LAND.

10. Application Committee Update

Motion was made by Terry Compton, seconded by Lori Roy and unanimously carried, to begin accepting initial, renewal, and upgrade applications online only when the board's new content management system is implemented.

COMPLIANCE HEARING:

ESTHER ELLIS

Esther Ellis requested and appeared for a compliance hearing to appeal the Board's decision to deny issuance of a dietitian/nutritionist license. The Board denied Ms. Ellis' request for licensure based on current employment listed on the Application for License as a Nutrition Programs Coordinator from August 11, 2015 to the present with a job description reflecting duties of a Licensed Dietitian/Nutritionist, without the benefit of a valid license.

Ms. Ellis testified that she has not practiced without a license and has been cognizant of her duties and title. This position was created for her and she has not yet engaged in any dietetic practice. The only flyer that she has created has been tips on reading the nutrition facts labels.

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to move in to Executive Session at 1:40 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 Clare Miller, seconded by Lori Roy and unanimously carried, to come out of Executive Session at 1:50 p.m. and send a private letter of reprimand to Esther Ellis, with a separate letter to employer relative to licensure requirements.

CORRESPONDENCE:

1. Email dated August 28, 2015, from NPDB re: licensure actions against impaired practitioners

The board reviewed a letter from the National Practitioner DataBank (NPDB) for informational purposes related to licensure actions against impaired practitioners.

EXECUTIVE SESSION:

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to move in to Executive Session at 4:36 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 Margaret Jones and unanimously carried, to come out of Executive Session at 4:58 p.m. to make the following motions:

1. Receipt of Pending Complaints

a. Complaint #2015-04

Motion was made by Terry Compton, seconded by Lori Roy and unanimously carried, to send a letter thanking the individual for their response and ensuring that they understand that the board not only has title protection, but individuals also cannot practice in the scope of dietetics/nutrition without a valid license.

b. Complaint #2015-05

Motion was made by Clare Miller, seconded by Margaret Jones and unanimously carried, to dismiss complaint #2015-05 based upon response received.

c. Complaint #2015-07

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to dismiss complaint #2015-07 based upon response received.

2. Receipt of New Complaints

a. Complaint #2016-01

Motion was made by Margaret Jones, seconded by Lori Roy and unanimously carried, to send a letter to Respondent.

3. Executive Director Annual Review

Jolie Jones, Executive Director left the room for this portion of the meeting.

4. Review of Applications

Motion was made by Jeanine Songy-Latham, seconded by Terry Compton and unanimously carried; to accept and approve the applications for the **LDN License** for the following:

Luongo, Maika	2647	Minks, TeNeal	2649
Bricendo, Michelle	2650	Samborski, Bryanna	2651
Silvio, Lauren	2652	Holdeman, Stacey	2653
Hayes, Kayla	2654	Melancon, April	2655
Midner, Ulrika	2656	Roberts, Natalie	2657
Miller, Tracy	2658	Murphy, Laurje	2659
Major, Alicia	2660	Roger, Sarah	2661
Nettles, Laura	2662	Bourgeois, Amanda	2663
Cochran, Thomas	2664	Moorman, Ashley	2665
Davis, Amy	2666	Naquin, Mallory	2667
Sifuentes, Cristina	2668	Berberovich, Tina	2670
Hebert, Kelly	2672	Yung, Linda	2673

Davis, Madalyn	2674	Gabay, Esther	2675
Creveling, Kristine	2676	Reagen, Lauren	2677
Yarbrough, Whitney	2678	Ellis, Esther	2979
Doran, Shannon	2680		

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

Gonzales, Cristina	2645	Bue-Perkins, Nicole	2646
Filer, Megan	2648	Johnson, LaJarde'	2669
Terrero, Melinda	2671		

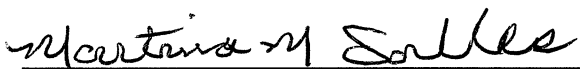
Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to **upgrade** the following licenses:

Barbee, Megan	2632	Rome, Jessica	2633
Gonzales, Cristina	2645	Faucheux, Allison	2641
Filer, Megan	2648	Comeaux, Noelle	2639
McAlister, Brittni	2554		

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

Rosevally, Meghan	2298	Armstead, Denise	1320
Taylor, Brittany	2127	Touart, Kelly	1616
Byrd, Rebecca	1706		

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to adjourn the meeting at 5:00 p.m.


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


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