

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

April 15, 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, RD, LDN, Board Member/Board Liaison**

Absent:

**Jeanine Songy Latham, MPH, RD, LDN, Board Member
Howard Wetsman, MD, Medical Advisor**

Martina Musmeci Salles called the meeting to order at 9:10 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 amended to add Personnel Matter to Executive Session.

MINUTES:

1. Meeting of January 8, 2016

Motion was made by Clare Miller, seconded by Margaret Jones and unanimously carried, to approve the minutes of the January 8, 2016 meeting as presented.

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to change the way that the board sends reappointment letters to associations. In the future, letters should be sent from the Board to the associations listing the board vacancy with the term dates. If the board member currently serving in that position wishes to serve again, they should notify the association of their desire for reappointment.

COMPLIANCE HEARING:

KAREE BALFANTZ

Karee Balfantz 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. Balfantz's request for reinstatement of her licensure based on current employment listed on the Application for License that she was employed in the field of dietetics/nutrition from July 1, 2015 to January 29, 2016, without the benefit of a valid license.

Ms. Balfantz testified that she did not practice without a valid license.

Motion was made by Lori Roy, seconded by Clare Miller and unanimously carried, to move in to Executive Session at 11:15 a.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 11:28 a.m. and reinstate Karee Balfantz's Licensed Dietitian/Nutritionist license.

DAMON YOUNG

Damon Young requested and appeared for a compliance hearing to appeal the Board's decision to deny issuance of his dietitian/nutritionist license. The Board denied Mr. Young's request for reinstatement of his licensure based on current employment listed on the Application for License that he was employed as a Clinical Dietitian from September 1, 2007 to the present, without the benefit of a valid license.

Mr. Young testified that he was employed full-time at Cornerstone and as an Adjunct Faculty at McNeese State University. He practiced from 2011 to the present as a Dietitian with a current CDR card.

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to move in to Executive Session at 11:45 a.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 11:45 a.m. and offer Damon Young a Consent Agreement and Order to include a \$5,000.00 fine, publication by the Board, as well as notifications to the Academy of Nutrition and Dietetics/Commission on Dietetic Registration Ethics Committee, the National Practitioner Data Bank (NPDB), and Cornerstone. Recused – Lori Roy.

FINANCIAL:

1. Financial Statement for the period ending December 31, 2015

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

Motion was made by Margaret Jones, seconded by Clare Miller and unanimously carried, to accept the financial report for December 31, 2015.

2. Professional Contracts

Motion was made by Margaret Jones, seconded by Lori Roy 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 2016-2017.

Motion was made by Lori Roy, seconded by Margaret Jones 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 \$5,000.00 for the fiscal year 2016-2017.

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to offer Susan Sevario, CPA, a financial services contract at the rate of \$175.00 per month for a maximum amount of \$2,100.00 for the fiscal year 2016-2017.

3. Budget

Motion was made by Clare Miller, seconded by Lori Roy and unanimously carried, to accept the budget as presented for the 2016-2017 fiscal year as follows:

Revenues

License Fees - LDNs	85 x \$90	\$	7,650.00
License Fees - PL-LDNs	7 x \$95	\$	665.00
Upgrade Fees	7 x \$45	\$	315.00
	1240 x		
Renewal Fees - LDNs	\$60	\$	4,400.00
Renewal Fees - PL-LDNs	7 x \$30	\$	210.00
Restitution		\$	1,000.00
Interest (Checking)		\$	200.00
Miscellaneous		\$	800.00
Total		\$	85,240.00

Total Revenues **\$ 85,240.00**

Other Assets

Cash in Checking	\$	170,586.41
Total	\$	170,586.41

Total Other Assets \$ **170,586.41**

TOTAL AVAILABLE FUNDS \$ **255,826.41**

Salaries

Executive Director (25%) \$ 17,000.00

Administrative Specialist - PT \$ 12,000.00

Total \$ **29,000.00**

Related Employee Benefits

Retirement (37% ER contribution for 25% ED) \$ 6,000.00

Medicare for 25% ED (1.45%) \$ 250.00

Social Security (6.2%) & Medicare (1.45%) for Admin \$ 1,000.00

Health Insurance (25% Exec Director) \$ 2,600.00

OPEB \$ 6,000.00

Compensated Absences \$ 500.00

Total \$ **16,350.00**

Total Salaries & Benefits \$ **45,350.00**

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

Conference Registration \$ 1,500.00

Total \$ **8,600.00**

Meeting Expenses

Hotel, Food, etc. \$ **1,800.00**

Total Travel & Meeting Expenses \$ **10,400.00**

Expenses/Operating

Rent \$ 7,500.00

Printing \$ 1,500.00

Postage & Delivery \$ 3,000.00

Dues & Subscriptions \$ 100.00

Maintenance	\$	500.00
Insurance	\$	500.00
Bank Charges/Credit Card Fees	\$	5,000.00
Telephone/Internet	\$	600.00
Equipment Rental	\$	1,000.00
Miscellaneous	\$	800.00
Moving	\$	-
Office Supplies	\$	1,500.00
Computer - Software/Database	\$	22,500.00
Rules Revisions	\$	1,600.00
Total	\$	46,100.00

Total Operating Expenses **\$ 46,100.00**

Professional Services

Accounting	\$	2,100.00
Auditor	\$	1,000.00
Calligrapher	\$	500.00
Computer - IT Consultants	\$	3,000.00
Legal Counsel	\$	12,000.00
Other Consultants	\$	5,000.00
Payroll Services	\$	-
Investigators	\$	2,500.00
Scanning	\$	2,000.00
Total	\$	28,100.00

Total Professional Services **\$ 28,100.00**

Acquisitions/Equipment

Computer Equipment	\$	1,500.00
Office Equipment	\$	1,500.00
Total	\$	3,000.00

Total Acquisitions/Equipment **\$ 3,000.00**

Total Expenditures **\$ 132,950.00**

Total Revenue over Expenditures **\$ (47,710.00)**

Total Available Funds over Expenditures **\$ 122,876.41**

ADMINISTRATIVE REVIEW:

1. Board Operations

Jolie Jones provided the board with a report showing that since January 8, 2016, the board has received:

Applications	22
Upgrade Requests	2

Since January 8, 2016, the board has approved:

Applications	18
Upgrades	2

The board has offered two Consent Agreement and Orders for individuals practicing without a valid license since January 8, 2016.

The board has received 2 complaints since January 8, 2016.

2. Executive Director Update

Jolie Jones provided board members with an update on the move to the new board office and with a tour of the board's new website and database hosted by Covalent Logic.

3. Update on Board Appointments

Martina Musmeci Salles, Board Chairperson, informed the board members that information was found on the Louisiana State Board of Nursing's website related to Terry Compton's licensure. Terry has resigned from the Board. The Board will send a letter to the Board of Ethics, the Louisiana State Board of Nursing, and the Louisiana State Nursing Association, to protect the Board from any future problems.

4. Policy Related to Applicants Answering Yes to Application Questions

Motion was made by Margaret Jones, seconded by Lori Roy and unanimously carried to begin requiring proof of transcript and internship/pre-professional verification statements to be submitted directly from the university and/or Program Director, with initial and reinstatement applications as of May 1, 2016.

Motion was made by Margaret Jones, seconded by Clare Miller and unanimously carried to create the following policy: Any application that has affirmative answers to designated questions within Part 3 of the Application for Licensure, the Board's Executive Director, can assign the application to a board member depending on the severity of the question and answer, to prevent unnecessary delays in the processing of applications.

5. Legislative Update

Wednesday, April 13, 2016, Martina Musmeci Salles and Clare Miller represented the licensure board at the Capital for the hearing of the House Bills in the Health and Welfare Committee meeting. The House Bills all are sponsored by Representative Robert Johnson. Kristen Gradney was there as

LAND's representative along with Scott Kirkpatrick, LAND lobbyist. The House Bills heard are: HB 595 (telehealth), HB 579 (diet orders), HB 642 (domicile, provisional licenses). All three bills passed through the Health and Welfare Committee and are going to be heard on the House floor.

CORRESPONDENCE:

- 1. Letter dated January 14, 2016 from CDR re: new registration eligibility processing system**
CDR has improved their registration eligibility processing system.
- 2. Letter dated January 19, 2016 from Louisiana Board of Ethics re: board member service**
A letter was sent on behalf of the board and Clare Miller sent a letter to the Louisiana Board of Ethics regarding service by a board member on the Legislative and Public Policy Committee. The Louisiana Board of Ethics did not note a conflict of interest.
- 3. Letter dated January 20, 2016 to LAND re: LBEDN Presentation**
Jolie Jones provided the Board with a copy of the letter sent to LAND regarding future presentations at the LAND Convention.
- 4. Letter dated March 3, 2016 from Damien Maddox re: dietary advice**
Board members reviewed a letter from Damien Maddox. The Board will send a response saying thank you for your letter, but these types of questions are not under the purview of the Board. Please consult the individual in charge of the nutrition services at your facility.

CONFERENCES:

Louisiana Academy of Nutrition and Dietetics (LAND)

No information was discussed regarding the Louisiana Academy of Nutrition and Dietetics.

EXECUTIVE SESSION:

Motion was made by Lori Roy, seconded by Clare Miller and unanimously carried, to move in to Executive Session at 2:21 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 3:04 p.m. to make the following motions:

1. Receipt of Pending Complaints

a. Complaint #2015-04

The board reviewed a letter from an attorney regarding this matter. The board does consider this matter resolved, but wanted to ensure that Respondent was aware of both title protection and scope.

b. Complaint #2015-08

Motion was made by Margaret Jones, seconded by Lori Roy and unanimously carried, to dismiss complaint #2015-08.

c. Complaint #2016-02

Motion was made by Margaret Jones, seconded by Clare Miller and unanimously carried, to dismiss complaint #2016-02.

2. Receipt of New Complaints

a. Complaint #2016-03

Motion was made by Lori Roy, seconded by Margaret Jones and unanimously carried, to send a letter about title protection and scope.

b. Complaint #2016-04

Motion was made by Margaret Jones, seconded by Lori Roy and unanimously carried, to send a letter about title protection and scope.

3. Review of Applications

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

Schroeder, Anna Rosa	2624	Carazo, Sara	2625
Whitmore, Kristen	2696	Bourque, Jennifer	2697
Allen, Marsha M.	2698	Quintana, Shiloh	2699
Mouhaffel, Rim	2701	Switzer, Rebecca	2702
Matz, Kelly	2703	Foster, Karen	2704
Cowmeadow, Susan	2705	Collins, Shalean	2706
Toepfer, Shannon	2707	Neufang, Marianne	2708
Glaxner, Rachel	2709	Galbraith, Annalise	2710
Dexter, Ashley	2711	Morlas, Micah	2712

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:

Clement, Julie Lyles	2627	Chitty, Jaqueline	2631
Arcement, Lauren	2700		

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

Duhe, Samantha	2604	Weilbacher, Alexis	2308
Foch, Courtney	2694	Callahan, Allison	2692

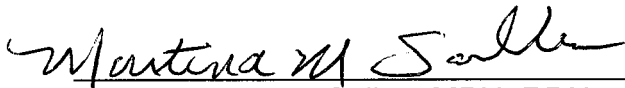
Motion was made by Margaret Jones, seconded by Lori Roy and unanimously carried, to **reinstate** the following licenses:

Gowland, Brittany	2294	Rodriguez, Kim	793
Shuck, Ashley	2313	Phillips, Takara	2061
Fisher-West, Cynthia	640	Harrington, Krystle	1939
Balfantz, Karee	1598		

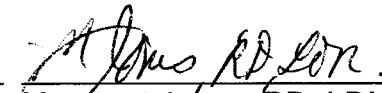
4. Personnel Matter

The Board received a letter in response from LBESPA regarding future increases for the Executive Director. LBESPA is not interested in limiting future salary increases.

Motion was made by Margaret Jones, seconded by Clare Miller and unanimously carried, to adjourn the meeting at 3:13 p.m.



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



Margaret Jones, RD, LDN
Secretary-Treasurer