

LOUISIANA BOARD OF EXAMINERS IN  
DIETETICS AND NUTRITION

MAY 29 2015

IN THE MATTER OF  
KRISTIN FIORELLO

COMPLAINT NUMBER 2015-03  
LICENSE NO. 2478

**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, Kristin Fiorello (“Ms. Fiorello”) held a Licensed Dietitian/Nutritionist license subject to the jurisdiction and rules and regulations of the Louisiana Board of Examiners in Dietetics and Nutrition (the “Board”); and

**WHEREAS**, pursuant to a complaint and an administrative investigation, Ms. Fiorello has indicated her desire to resolve this matter through a Consent Agreement and Order as provided for in Rule No. 503 of the Board’s Rules and Regulations and La. R.S. 49:955(D) of the Louisiana Administrative Procedure Act; and

**WHEREAS**, Ms. Fiorello, has admitted the following:

1. Ms. Fiorello was a Licensed Dietitian/Nutritionist (“LDN”), licensed by the Board to engage in the practice of dietetics and nutrition in the State of Louisiana pursuant to the Louisiana Dietetic and Nutrition Practice Act, La. R.S. 37:3081 *et seq.*, as evidenced by License No. 2478.
2. At all times pertinent to the facts and matters alleged herein, Ms. Fiorello has been employed at LifeStart Wellness as a GM/Registered Dietitian.
3. Ms. Fiorello failed to renew her license by June 30, 2014.
4. During the period that her license was lapsed, July 1, 2014 through March 25, 2015, Ms. Fiorello continued to reference herself as a Registered

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Dietitian (“RD”) and practice in the scope of practice of a licensed dietitian/nutritionist.

5. Ms. Fiorello reapplied for her license and subsequently had a Provisional LDN license issued effective March 26, 2015.
6. Upon acceptance of this Consent Agreement and Order by Ms. Fiorello, the Board will issue a **Licensed Dietitian/Nutritionist license**.

**WHEREAS**, by referencing herself as a dietitian during the period her license was lapsed, Kristin Fiorello has violated La. R.S. 37:3091 which is cause for disciplinary action pursuant to La. R.S. 37:3090(A)(5).

**WHEREAS**, Ms. Fiorello has indicated her desire to resolve this matter through a Consent Agreement and Order;

**IT IS HEREBY ORDERED** that in consideration of the foregoing and pursuant to the authority vested in the Board by La. R.S. 49:955(D), the Board orders and Ms. Fiorello accepts the following administrative action which is a final decision pursuant to La. R.S. 49:958:

1. Within ninety (90) days of the date of the original Consent Agreement and Order signed on March 26, 2015, Applicant shall take and pass an Open Book Examination covering the Louisiana Dietetic/Nutrition Practice Act and the Board’s *Rules and Regulations* to include Rule No. 113 *Ethical Standards*.
2. Ms. Fiorello shall pay a fine in the amount of \$750.00 within one (1) year from the date all parties sign this Consent Agreement and Order. Such fine is authorized by La. R.S. 37:3092(B). Quarterly payments shall be remitted by

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either certified check, money order or credit card. The first payment is due within 90 days from the date all parties sign this Consent Agreement and Order.

**Waiver of Rights.** Licensee is aware that she has the right to consult with an attorney of her choice and understands she has the right to an administrative hearing on the facts in this case. She understands and agrees that by signing this Consent Agreement and Order, she is waiving her rights to a hearing. Further, she understands and agrees that she is relieving the prosecutor of any burden it has of proving the facts admitted above. Licensee further understands and agrees that by signing this Agreement she is voluntarily and knowingly giving up her right to present oral and documentary evidence, to present rebuttal evidence, to cross-examine witnesses against her, and to appeal the Board's decision.

**Effect of Non Acceptance of Agreement.** Licensee agrees that this Consent Agreement and Order is subject to the approval of the Board. She agrees that, if the Board rejects this agreement, it will be void, and an Administrative Complaint may be filed. If this agreement is rejected by the Board it will not constitute a waiver of licensee's right to a hearing on the matters alleged in an administrative complaint and the admissions contained herein will have no effect. Licensee agrees that, if the Board rejects this agreement, the Board may decide the matter after a hearing, and its consideration of this agreement shall not alone be grounds for claiming that the Board is biased against her, that it cannot fairly decide the case, or that it has received ex parte communication.

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Address of Board. All payments ordered and any reports required by this Consent Agreement and Order shall be addressed to: Louisiana Board of Examiners in Dietetics and Nutrition, 18550 Highland Road, Suite B, Baton Rouge, Louisiana 70809.

**IT IS HEREBY FURTHER ORDERED** that this Consent Agreement and Order shall take effect immediately upon its adoption by the Board and is a public record of the Board. The terms of this Consent Agreement and Order may be published and reported, including but not limited to, the Board's website, the Academy of Nutrition and Dietetics/Commission on Dietetic Registration Ethics Committee, and the National Practitioner Data Bank-Healthcare Integrity and Protection Data Bank (NPDB-HIPDB).

I, Kristin Fiorello, have read the Consent Agreement and Order, understand it, and agree to be bound by its terms and conditions. I specifically acknowledge that failure to comply with the terms of the Consent Agreement and Order will result in SUSPENSION of my license. The admissions contained herein will be considered proven and the only issue will be failure to follow the terms of the Consent Agreement and Order.

DATED: 5/26/15

Kristin Fiorello  
Kristin Fiorello  
Kristin Fiorello

SUBSCRIBED AND SWORN TO before me this 26 day of May, 2015, in Jefferson, Louisiana.



David Campbell  
Notary Public  
Print Name: David Campbell  
My commission expires: on death

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**ORDER**

The Louisiana Board of Examiners in Dietetics and Nutrition, having examined the Consent Agreement and Order, Case No. 2015-03, adopted the Consent Agreement and Order in this matter.

DATED this 10<sup>th</sup> day of July, 2015 in Baton Rouge, Louisiana.

LOUISIANA BOARD OF EXAMINERS IN  
DIETETICS AND NUTRITION

Martina Musmeci Salles  
MPH, RDN, LDN, FAND  
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