

NORTH CAROLINA BOARD OF DIETETICS/NUTRITION  
BOARD MEETING  
9:00 A.M.  
1135 KILDAIRE FARM ROAD, SUITE 200  
CARY, NC 27511

**[ELECTRONIC ONLY MEETING]**

OPEN MINUTES: January 14, 2022

Board Members Present: Analia Camarasa, Ananya Sen, Patricia Pitts, Amy Beros, Christie Nicholson, Amanda Holliday, Karen Thomas

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guests: Traci Hobson, *ANA representative*, Henry Jones, *NCBDN General Counsel*

**Call to Order** – Dr. Ananya Sen

The meeting was called to order at 9:05 a.m. Dr. Sen read the following information for the Board, regarding holding electronic Board meetings.

Session Law 2020-3, entitled “An Act to Provide Aid to North Carolinians in Response to the Coronavirus Disease 2019 (Covid-19) Crisis,” sets forth, among other things, changes to the way boards may conduct meetings through simultaneous electronic means during the declaration of emergency. These changes will remain in effect until the declaration of emergency ends.

Since the Board has fully transitioned its operations to a virtual workspace, to ensure that the Board is complying with these new requirements and using best practices when meeting, please take note of the following guidelines:

1. Board members must identify themselves by name prior to speaking at any time during the meeting.
2. The Board Chair shall conduct all votes during the meeting by roll call; each voting Board member must identify himself or herself by name before casting a vote.
3. All documents to be reviewed by the Board will be distributed by electronic means in advance of the meeting.
4. Board members must announce themselves when joining or exiting the remote meeting because Board staff must accurately reflect attendance in the minutes and because the Board must maintain a quorum of participating members throughout the remote meeting.
5. All electronic chats, instant messages, texts, emails, etc. between Board members during the remote meeting are public records and must be provided to the Board’s Executive Director, as the Board’s custodian of records, at the conclusion of the remote meeting.
6. Please be mindful of your surroundings and background noise while participating in the remote meeting. When not speaking, please place your microphone on mute; and
7. Members of the public will be provided with the opportunity to watch or listen to open sessions of the remote meetings. However, Board members may continue to make motions to enter closed session, as allowed by law, to which members of the public will not have access.

To ensure a quorum, Dr. Sen asked members to recognize their presence when their name was read:

1. Amanda Holliday – Present
2. Amy Beros – Present
3. Analia Camarasa – Present
4. Christie Nicholson – Present
5. Karen Thomas – Present
6. Patricia Pitts – Present
7. And I, Dr. Sen, am present.

Dr. Sen declared there was a quorum. Dr. Sen asked if there were any existing conflicts. None Reported.

Patricia Pitts joined the meeting at 11:11 a.m.

Amanda made a motion to approve the agenda as presented. Christie seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

**Secretary’s Report** – Patricia Pitts

The December 2021 open and closed minutes were sent out electronically prior to the meeting. Christie motioned to approve the minutes as presented; Amanda seconded the motion. Dr. Sen asked if there was any discussion on the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

**Treasurer’s Report** – Amy Beros

The December 2021 Cash Flow report, Budget report, Investment reports and Savings report were shared with the Board for review electronically prior to the meeting. Amanda motioned to approve the financial reports as presented. Analia seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

**Public Comment** – Dr. Sen

None raised.

**Administrative Report** – Marnie Jones

Marnie reported the total active licensee count at 3,662. Additionally, there were four Provisional licensees. Since the last administrative numbers report given on December 15, 2021, there had been thirty-five new licensees. Also, since the December 15, 2021 meeting report, fifteen licensees had gone inactive, and two licensees had relinquished. Marnie reported that thus far, 495 licensees had renewed their licenses. The first renewal postcard was sent out the first week of January.

**Executive Director Report** – Charla Burill

Patricia motioned to close the meeting for discussion regarding **complaints** and **investigations**, pursuant to Article 33C of Chapter 143, §143-318.11(7); Article 5 of the Bylaws, Section 4 (7), as well as closure for the **review of applications**, pursuant to Article 33C of Chapter 143, §143-318.18(6) and Article 5 of the Bylaws, Section 4 (8) and in addition to **consult with the Board’s General Counsel**, pursuant to Article 33C of Chapter 143, §143-318.11(3); Article 5 of the Bylaws, Section 4 (3). Amanda seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

Marnie moved Traci Hobson to the virtual waiting room to close the electronic meeting at 9:15 a.m.

Henry Jones, The NCBDN’s General Counsel, joined the call at 9:17 a.m.

### **Application Review**

The Board reviewed a request from Jaime Higginbotham to extend her application hold.

Henry provided guidance related to the Nancy Ruberto-Beachler matter and a new public records request.

Amanda lost power and dropped the call at approximately 9:50 a.m.

### **Investigation Report – Charla Burill**

Charla reviewed the cases before the Board on the Investigation report. See report for details.

Amanda rejoined via phone at 10:34 a.m.

Analia motioned to reopen the meeting. Christie seconded the motion. No discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

Marnie readmitted Traci Hobson to the open meeting at 11:37 a.m.

### **Executive Report, Continued...** - Charla Burill

Actions related to closed session:

1. Christie motioned to grant Ms. Higginbotham an extension to complete her supervised practice hours, given information provided indicates she has made effort to work on them and understanding with Covid related issues, there may be roadblocks to completing them. Amy seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.
2. Patricia motioned to accept Mr. Gray's letter, as a representative for Nancy Ruberto-Beachler, as a request for a contested case hearing, and accordingly will request our legal counsel to contact the OAH to make such a request under § 150B-40(e). Analia seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.
3. Patricia motioned to proceed with renewal licensee upon seeking clarification from her medical provider that she believes the renewal licensee is “safe” to practice dietetics/nutrition and confirmation from Henry that such a letter would suffice. Analia seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.
4. Christie motioned to close PC 2021-0191 as no violation was evident and to approve draft letters prepared. Karen seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

### **Covid Waiver** – Charla Burill

Charla reminded the Board of the previous waiver in place in response to the Governor’s Executive order for the Covid 19 pandemic. That waiver ended August 31, 2021. The office received a new request asking if the Board is considering new temporary provisions because of EO 245. Recognizing that many Boards are no longer operating under emergency provisions and recognizing that the provision of care across state lines is a bigger issue than specific pandemic related reasons, the Board agreed that it did not need to implement a new waiver at this time.

### **Unfinished & New Business** - Charla Burill

Charla noted for the Board that she shared with the board before the meeting an application from the Academy, which is seeking to apply for a grant through the Council of State Governments to explore a licensure compact. The application was from the Council of State Governments and the Academy made a request for the Board to consider if it would be willing to be listed as an entity that provides support for this initiative. Amanda noted she supports a compact and it is important to have a seat at that table for discussion. Christie and Amy both agree. Analia asked if this would only apply to RDs. Charla noted that the document mentions a provision as being applicable to professions that hold licensure in 30 or more states, so it is unclear on what that means for the specific CNS credential. Analia, Patricia and Karen all note they would be in favor of exploring this. Amanda motioned to allow the Academy to list the NCBDN on the application as an entity that provides support for the development of an interstate compact for the dietetics/nutrition profession. Amy seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

**Public Comment** - Dr. Sen

- Traci Hobson noted there is no public comment from her at this time.

**93B Training – Charla Burill**

Charla noted that the Board ran out of agenda time to do the required biennial legal training today. Charla will produce a webinar recording that the Board members can then do at their own pace. Once reviewed, Charla asked that each Board member send her a confirmation email that they have completed it. Charla will send the webinar the week of 1/18/22.

Analia motioned to adjourn the meeting at 11:56 a.m. Christie seconded the motion. No further discussion. Roll call to approve motion: Amanda – Yes, Amy – Yes, Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.