

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: April 22, 2022

Board Members Present: Analia Camarasa, Ananya Sen, Patricia Pitts, Karen Thomas, Christie Nicholson

Director: Charla Burill, Executive Director

Ex-Officio: Marnie Jones, Administrative Specialist

Guests: Henry Jones, General Counsel, Traci Hobson, *ANA representative*, Karen Davis, *LN*

Absent: Amanda Holliday, Amy Beros

Call to Order – Dr. Ananya Sen

The meeting was called to order at 9:08 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. Analia Camarasa – Present
2. Karen Thomas –Present
3. Patricia Pitts – Present
4. Christie Nicholson – Present
5. 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 made a motion to approve the agenda as presented. Christie seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, and Dr. Sen – Yes.

Treasurer’s Report – Charla Burill (for Amy Beros_

The March 2022 Cash Flow report, Budget report, Investment report, and Savings report were shared with the Board for review electronically prior to the meeting. Charla noted for the Board that staff was made aware of a potential fraudulent check that was supposedly issued by the Board; Wells Fargo currently has a 90-day hold on all checks that are not pre-approved. Charla will continue to work with Wells Fargo to approve individual checks prior to issuance.

Christie motioned to approve the financial reports as presented. Analia seconded the motion. No discussion. Roll call to approve motion: 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 3,565. Additionally, there were six Provisional licensees. Since the last administrative numbers report given on March 18, 2022, there had been thirty-three new licensees. Also, since the March 18, 2022 meeting report, fifty-nine licensees had gone inactive, and fourteen licensees had relinquished. Marnie reported that there are approximately eighty-eight licensees left to renew. Renewal email reminders will go out periodically through the end of May, and then the “Lapsed Letters” will go out the first week of June.

- Henry Jones joined the call at 9:18 a.m.

Executive Director Report – Charla Burill

Christie 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). In addition, the motion closes the meeting to **consult with legal counsel** under Article 33C of Chapter 143-318.11(3) and Article V Section 4 (3) of the Bylaws. Lastly, the motion includes closure **for review of proposed contracts** under Article 33C of Chapter 143-318.11(5) and Article V Section 4 (5) of the Bylaws. Analia seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Christie – Yes, Karen – Yes, Patricia – Yes, and Dr. Sen – Yes.

Marnie closed the virtual meeting at 9:20 a.m. and moved Ms. Karen Davis to the waiting room.

Legal Counsel:

Mr. Jones provided guidance on the provision of public records and documenting of public body minutes. He also provided an update on the upcoming administrative hearing for Ms. Ruberto-Beachler.

- Henry Jones left the call at 10:03 a.m.

Application Review

LN applications for Carlson, Beres, and Brigham were reviewed.

- Christie left the call at 10:48 a.m.

Investigation Report – Charla Burill

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

Audit Proposal Review – Charla Burill

Charla reviewed the quotes provided by vendors bidding for the NCBDN's annual audit services.

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

Marnie readmitted Karen Davis, and also Traci Hobson to the virtual meeting.

Executive Report, Continued... - Charla Burill

Actions related to closed session:

1. Analia motioned to license Applicant Carlson with issuance of a letter of concern addressing lack of clinical experience with various disease states and diverse population groups. Patricia seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.
2. Patricia motioned to ratify the approval to renew the applicant in matter KURZ-VLLYT4. Analia seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.
3. Analia motioned to accept the proposed auditing services proposal from Hawley, CPA for 2022 with option to renew. Patricia seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

Rules Committee Report – Charla Burill

The Rules Committee met on April 21, 2022, without coming to a final set of rules to propose to the Board for review. The Rules Committee agreed to meet again on May 13, 2022 from 1 pm – 3 pm. Marnie will send out the details.

Secretary's Report –Patricia Pitts

The March 2022 open and closed minutes, as well as the March 2022 Rules Committee Minutes were provided for electronic review prior to the meeting. Analia motioned to approve the minutes as presented; Karen seconded the motion. Dr. Sen asked if there was any discussion on the motion. No further discussion. Roll call to approve motion: Analia – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

Unfinished Business - Charla Burill

- Sanctioning Guideline edits were reviewed at the March meeting however a vote on accepting the amendments was not taken. Also, a minor edit addressing the date was found in the February 2022 minutes. Analia motioned to accept the Sanctioning Guideline edits as proposed, as well as readopt the February 2022 minutes as edited. Patricia seconded the motion. Dr. Sen asked if there was any discussion on the motion. No further discussion. Roll call to approve motion: Analia – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.

Public Comment - Dr. Sen

- Traci Hobson noted there was no public comment from her at this time. Karen Davis asked if her submitted complaint had been received. Charla noted it had been received and is in the process of being investigated.

Analia motioned to adjourn the meeting at 12:10 p.m. Patricia seconded the motion. No further discussion. Roll call to approve motion: Analia – Yes, Karen – Yes, Patricia – Yes and Dr. Sen – Yes.