

**GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS
CONFERENCE CALL COMMITTEE MEETING
November 7, 2005**

A conference call meeting of a committee of the Georgia Board of Examiners of Licensed Dietitians was held on November 7, 2005 at 10:00 a.m. in Room 310, 237 Coliseum Drive, Macon, Georgia.

The following members were present:

Tracey Neely, MS, RD, LD, Chair
Jessie Wright, MS, LD, RD, Cognizant
Joan Fischer, PhD, RD, LD, Vice Chair
Nancy Walters, MMSc, RD, LD
Deedee Williams, Consumer Member

Absent:

Lula Hutchinson, RD, LD

Others Present:

Brig Zimmerman, Executive Director, Yvonne LeSane, Board Secretary and Serena Gadson, Application Specialist, Wylencia Monroe, Assistant Attorney General.

Chairperson Neely called the Committee meeting to order at 10:05am

Rule 157-2-.04:

The committee decided to recommend that the Board take the following action with respect to proposed amendment to Rule 157-2-.04: The formulation and adoption of these rules do not impose regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§43-1-4, 43-1-7, 43-1-19, 43-1-22, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15.

The committee decided to recommend that the Board take the following action with respect to proposed amendment to Rule 157-2-.04: It is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-4, 43-1-7, 43-1-19, 43-1-22, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15 to adopt or implement differing actions for businesses as listed at O.C.G.A. §§50-13-4(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of Dietetics.

The committee decided to recommend that the Board take the following action with respect to proposed amendment to Rule 157-2-.04: Post the Notice of Intent to Adopt and Notice of Hearing for the proposed rule change to rules 157-2-.04 for no less than 30 days prior to December 9, 2005 when the Board will hold a hearing on the rule and intent to adopt the proposed rule change as follows:

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS RULE 157-2-.04
Renewal of License and Penalties, and Reinstatement**

Main Features: Creation of a late renewal period and procedures to request an inactive status.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS RULE 157-2-.04:
Renewal of License and Penalties, and, Reinstatement**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

157-2-.04 Renewal of License and Penalties, and Reinstatement. Amended.

(1) Renewal of License and Fees.

(a) A license issued by the Board shall expire on March 31st of even numbered years. The license may be renewed upon payment of the renewal fee and completion of the renewal application, provided all requirements have been met.

(b) The license of any licensee who fails to apply for renewal by March 31st of the renewal year ~~will be deemed lapsed and an application for reinstatement will be required.~~ may be renewed by June 30th of that year by the payment of the current renewal fee plus an additional late renewal fee. See fee schedule. Practicing with an expired license is prohibited by law and practice during this period may result in disciplinary action for unlicensed practice.

(c) Each licensee applying for renewal must satisfactorily complete any continuing professional education requirements established by the Board.

(d) The Board may request additional verification of any requirements or credentials, as it may deem necessary.

(e) The failure to renew a license by June 30th following the March 31st expiration date shall cause the license to be administratively revoked and subject to reinstatement at the discretion of the board.

(2) Reinstatement of License.

(a) ~~A canceled license is a non-current license due to failure to renew the license before April 1st of the renewal year. A canceled license is considered the same as a revocation of said license and subject to reinstatement at the discretion of the Board.~~ A license that is no longer active shall be reinstated by the licensee upon meeting the conditions set by the board.

(b) To reinstate a license the applicant must:

1. submit an application for reinstatement, supplied by the Board;
2. pay the required reinstatement fee;
3. submit proof of having met Continuing Professional Education Requirements;
4. the Board may request additional verification of any requirements or credentials, as it may deem necessary.

(3) Inactive license status

(a) The holder of an active license may request to place the license on inactive status by submitting a written request to the board no later than June 30th following the March 31st expiration date.

(b) The holder of an inactive license that continues to practice is subject to disciplinary action for unlicensed practice.

(c) An inactive license may be reinstated by application for Reinstatement as provided in Rule 157-2-.04(2).

(d) The holder of an inactive license is required to obtain the required continuing professional education units that are obtained by active licensees.

Authority O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-1-22, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15.

2006 Board Meeting Dates:

Mr. Zimmerman re-submitted the following 2006 meeting dates for the Board's consideration:

February 10, 2006
April 28, 2006
June 16, 2006
August 11, 2006
October 13, 2006
December 1, 2006

The committee decided to recommend that the Board take the following action with respect to the proposed 2006 meeting dates: Approve the 2006 meeting dates.

Board Policy:

The committee decided to recommend that the Board take the following action with respect to the proposal of a fine scale for Unlicensed Practice. The following fees were presented:

1-2 years - \$1,000.00
2-3 years - \$1,500.00
3 + years – Mitigating circumstances can be taken into account in varying the fines, subject to the Board's discretion.

Ms. Monroe advised the Board that the law allows up to \$500. per violation.

The Board will further discuss at the December 9, 2005 meeting.

New Business:

Ms. Neely discussed the level of confidentiality within the Board.

Ms. Monroe will discuss at the December 2005 Board meeting and Mr. Zimmerman will have materials pertaining to the topic.

Attorney General's Report:

Diet040028: The committee decided to recommend that the Board take the following action with respect to the Attorney General's report: Accept the Attorney General's Report; forward to Enforcement to obtain further information.

Applications:

The committee decided to recommend that the Board take the following action with respect to the following application for licensure by registration with the Commission for Dietetic Registration:

K.L.L.: Offer a consent order with fine.

The committee decided to recommend that the Board take the following action with respect to the following application for licensure by restoration:

B.G.H.: Approve the waiver request with the following stipulations:

- Continuing education by March 31, 2006, and
- auditing for two (2) biennium's.

The committee meeting was adjourned at 11:15 a.m.

Tracey Neely, Chair

Brig Zimmerman, Executive Director
Professional Licensing Boards Division

Recorded by

Mollie L. Fleeman, Division Director
Professional Licensing Boards Division