

**GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS  
MINUTES OF BOARD MEETING  
April 25, 2008**

A Board Meeting of the Georgia Board of Examiners of Licensed Dietitians was held on April 25, 2008 at 10:30 a.m. at 237 Coliseum Drive, Macon, Georgia.

**The following members were present:**

Frances Cook, MA, RD, LD-Chair  
DeeDee Williams, Vice-Chair  
Joan Fischer, PhD, RD, LD,  
Lula Hutchinson, RD, LD  
Jessie Wright, MS, RD, LD, Cognizant

**Absent:**

Nancy Walters, MMSc, RD, LD  
Tracey Neely, MS, RD, LD

**Administrative Staff Present:**

Brig Zimmerman, Executive Director,  
Serena Gadson, Application Specialist II  
Amanda Allen, Board Secretary,  
Latrice Peaco, PLB Legal Section Intern

**Attorney General's Office:**

Wylencia Monroe, AAG

**Board Liasion:**

Ellen Jurgens, GDA Liaison  
Gail Stinson, GDA Liaison, (absent)

**Rule Committee Meeting:**

The Rules Sub-Committee met before the standard scheduled Board meeting. They began discussing composing a rule regarding electronic practice, as well as, offering volunteer licensure. The Rules committee requested to hold a conference call on May 14<sup>th</sup> to continue the rule discussion.

Mr. Zimmerman stated he would e-mail the members of the rules sub-committee information pertaining to both rules prior to the requested conference call.

**Scheduled Board Meeting**

**Ms. Cook established that a quorum of the Board was present and called the standard scheduled Board meeting to order at 10:35 a.m.**

**Agenda:**

**Ms. Williams moved and Ms. Hutchinson seconded, and the Board voted to approve the agenda with late agenda items added. None opposed, motion carried.**

### **Announcements:**

Ms. Joan Fischer and Ms. Jessie Wright informed the Board that they both attended the Georgia Dietetic Association annual meeting that was held on April 3<sup>rd</sup>-5<sup>th</sup>. Ms. Wright informed the Board, that most of the questions that were presented were in reference to the current renewal period.

Ms. Joan Fischer also informed the Board that the number of required hours that must be completed by all interns has increased. The new required hours have increased from the standard 900 to 1200.

### **Minutes:**

**Ms. Williams moved, Ms. Hutchinson seconded, and the Board voted to approve the Minutes from the February 08, 2008 meeting with corrections. None opposed, motion carried.**

### **Correspondences:**

Correspondences' were reviewed and responses were replied to the correspondent by the Administrative Staff.

- Sandi Smith, PT

**Ms. Williams moved, Ms. Fischer seconded, and the Board voted to allow the administrative staff to respond to all correspondence presented to the Board as discussed. None opposed, motion carried.**

### **Liaison Report:**

The Liaison Report was presented by Ms. Ellen Jurgens, Georgia Dietetic Association.

Ms. Ellen Jurgens stated that she will be attending the Georgia Dietetic Association's scheduled Board meeting to be held week ending May 02, 2008. She will present to the GDA Board a copy of the proposed rule amendments to Board Rule **157-6-.01 & .02 Code of Conduct and Ethics of Dietitians.**

### **Public Hearing: Proposed Rule Amendments: 157-6- Code of Conduct and Ethics of Dietitians.**

Ms. Cook established that a quorum was present, and called the Public Hearing to order at 10:50 A.M. As there were no comments submitted and no members of the public attended the hearing, the public hearing was adjourned at 10:55 A.M.

**Ms. Fischer moved, Ms. Hutchinson seconded, and the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A § 43-28-7.**

**Ms. Fischer moved, Ms. Hutchinson seconded, and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. § 43-28-7 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(3)(A),(B),(C),&(D) and that the formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Dietetics.**

**SYNOPSIS OF PROPOSED RULE AMENDMENTS TO THE  
GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS RULES,  
CHAPTER 157-6 CODE OF CONDUCT AND ETHICS OF DIETITIANS**

**PURPOSE:** The purpose of the proposed rule amendment is to correct any errors or omissions and add language to assist in the clarification of the rule to the general public.

**MAIN FEATURES:** The main feature of the proposed rule amendment is the rewording of several statements and the addition of clarifying statements within the existing rule.

**THE PROPOSED RULE AMENDMENTS TO THE GEORGIA BOARD OF EXAMINERS OF  
LICENSED DIETITIANS RULES, CHAPTER 157-6, CODE OF CONDUCT AND ETHICS OF  
DIETITIANS**

**NOTE:** Underlined text is proposed to be added; lined through text is proposed to be deleted.

**CHAPTER 157-6 CODE OF CONDUCT AND ETHICS OF DIETITIANS**

TABLE OF CONTENTS

**157-6-.01 Code of Conduct. Amended.**

**157-6-.02 Ethics of Dietitians. Amended.**

**157-6-.01 Code of Conduct. Amended.**

(1) Unprofessional Conduct Defined. Unprofessional conduct may include but is not limited to the following:

(a) failing to provide appropriate consultation or direction according to minimal standards of acceptable and prevailing practice;

(b) failing to supervise the provision of nutrition services in a healthcare facility according to minimal standards of acceptable and prevailing practice;

(c) failing to notify a doctor, nurse, or other appropriate practitioner of the healing arts as to recommended nutrition care changes;

(d) practicing dietetics below the minimum standards of the profession as to assessments, evaluation, and documentation;

(e) practicing without a valid license;

(f) aiding in unlicensed practice, including but not limited to: ~~supervising, consulting, or co-signing notes of a registered dietitian that is not licensed under 43-11A;~~

1. supervising, consulting, or co-signing notes of a registered dietitian that is not licensed under 43-11A;

2. failing to adequately supervise a student enrolled in an approved academic program in dietetics;

3. failing to adequately supervise a dietetic technician, certified dietary manager or dietetic aide in a healthcare facility.

(g) failing to report to the Board unlicensed practice of dietetics; and

(h) failing to provide client specific/appropriate nutritional counseling and education.

**157-6-.02 Ethics of Dietitians. Amended.**

- (1) The licensure law for dietitians provides that a Code of Ethics will be adopted and published and licensed dietitians will be required to adhere to the Code of Ethics. This code of ethics reflects the ethical principles of the dietetic profession and outlines obligations of the member to self, client, society, and the profession, and is adapted from the Code of Ethics for the Profession of Dietetics adopted by the American Dietetic Association and the Commission on Dietetic Registration. A violation of the Code of Ethics is considered unprofessional conduct and grounds for discipline under OCGA 43-1-19(6); 43-11A-15(6).
- (2) Pursuant to O.C.G.A. §43-11A-7(9), the Georgia Board of Examiners of Licensed Dietitians shall have the power to adopt, publish and enforce a Code of Ethics. The Licensed Dietitian provides professional services with objectivity and with respect for the unique needs and values of individuals by:
  - (a) providing sufficient information to enable clients, and others, to make their own informed decisions;
  - (b) avoiding discrimination on the basis of factors that are irrelevant to the provision of the professional services, including, but not limited to, race, creed, sex, ethnicity, religion, disability, national origin, sexual orientation and age; and
  - (c) not engaging in sexual harassment;
- (3) The Licensed Dietitian accurately presents professional qualifications and credentials by:
  - (a) using “~~L.D.~~” “LD” or “Licensed Dietitian” only when his/her license is current and authorized by the Georgia Board of Examiners of Licensed Dietitians;
  - (b) using “PLD” or “Provisionally Licensed Dietitian” only when his/her provisional permit is current and authorized by the Georgia Board of Licensed Dietitians;
  - (c) ~~permitting use of his/her name for purpose of Certifying that the provision of dietetics services have been rendered only when if he/she has provided those services.~~ directly by the licensed dietitian or under the supervision of the licensed dietitian.
- (4) The Licensed Dietitian does not aid another in violating any Law or Rule of the Georgia Board of Examiners of Licensed Dietitians or aid another person in representing himself/herself as a Licensed Dietitian/Provisionally Licensed Dietitian or practicing dietetics when he/she is not licensed or otherwise exempted from licensure.
- (5) The Licensed Dietitian remains free from conflict of interest or the appearance of a conflict by providing full disclosure when a real or potential conflict of interest arises.
- (6) The Licensed Dietitian promotes or endorses products only in a manner that is neither false nor misleading.
- (7) The Licensed Dietitian assumes responsibility and accountability for personal competence in practice by:
  - (a) practicing dietetics based on scientific principles and current information;
  - (b) continually striving to increase professional knowledge and skills and to apply them in practice;
  - (c) recognizing the limits of his/her qualifications and where appropriate seeks counsel or makes referrals or collaborates with others;
  - (d) adhering to accepted standards for his/her area of practice.
- (8) The Licensed Dietitian complies with all applicable laws and regulations concerning the profession, but seeks to change them if they are inconsistent with the best interest of the public and the profession.
- (9) The Licensed Dietitian presents substantiated information and interprets controversial information without personal bias, recognizing that legitimate differences of opinion exist.

(10) The Licensed Dietitian maintains the confidentiality of information and makes full disclosure about any limitations on his/her ability to maintain full confidentiality.

(11) The Licensed Dietitian conducts him/herself with honesty, integrity and fairness by:

(a) providing factual information to the public and colleagues of his/her services and not advertising in a false or misleading manner;

(b) making all reasonable effort to be objective and avoid bias of any kind in the professional evaluation of others.

(12) The Licensed Dietitian accepts obligation to protect the public and promotes the high standards of professional practice by upholding the laws, rules and Code of Ethics of the Georgia Board of Examiners of Licensed Dietitians and by reporting alleged violations.

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

**Ms. Fischer moved, Ms. Hutchinson seconded and the Board voted to adopt the amendments to Board Rule 157-6-.01 & .02 as posted. None opposed, motion carried.**

**Executive Director Report:**

1. Mr. Zimmerman reviewed the new procedures regarding complaints and Cease and Desist orders, and, provided the Board with a copy of the new administratively drafted Cease and Desist policy for review and discussion by the Board:

**Board Policy- Voluntary Cease & Desist Orders**

*It is the policy of the Georgia Board of Examiners of Licensed Dietitians to accept all voluntary Cease and Desist orders upon receipt in the Board office, and, in addition, to authorize the Board Chairperson or his/her designee to execute the Order(s) and to authorize the Order(s) to be docketed and served. It is the intent of the Board that the orders will be in effect upon docketing. The Georgia Board of Examiners of Licensed Dietitians will ratify the docketed Cease and Desists orders at its next meeting after the date of docketing and include a list of the approved orders in the Board's meeting minutes.*

**Ms. Hutchinson moved, Ms. Wright seconded, and the Board voted to accept the Voluntary Cease & Desist Policy as listed above. None opposed, motion carried.**

2. Mr. Zimmerman discussed the pending reappointment by the Governor of three Board members. Ms. DeeDee Williams and Ms. Jessie Wright both stated they would like to be reappointed to the Board. Ms. Lula Hutchinson informed the Board that she would not like to be reappointed to the Board.
3. Mr. Zimmerman informed the Board that House Bill 1222, 'Health Share' Volunteers in Medicine Act, has passed both the House and Senate and is awaiting the Governors signature. The amended bill will mandate the Board to create and offer volunteer licensure. The Board Rules Committee will begin drafting a rule regarding volunteer licensing.

**Ms. Williams moved, and Ms. Hutchinson seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k) (1) (2), and O.C.G.A. § 50-14-2 (1) to discuss Applications; and receive the Assistant Attorney General's. In favor of the motion were those**

**present who included Board members: Cook, Fischer, Wright and Williams. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.**

**Probation Report:**

Heather Peebles- In compliance

**Ms. Hutchinson moved, Ms. Fisher seconded, and the Board voted accept the Probation Report as presented. None opposed, motion carried.**

**Attorney General's Report:**

Ms. Wylencia Monroe, Assistant Attorney General, provided a status report, which included information on any cases referred for action, requests for advice and/or requests for authority for proposed rules.

**Ms. Williams moved, Ms. Hutchinson seconded, and the Board voted to accept the Attorney General's report as presented. None opposed, motion carried.**

**Enforcement Report:**

No report presented.

**Complaint Summary:**

**DIET050059** - Close Case due to unwarranted length of time of investigation and no additional information; Application for licensure has been withdrawn due to expiration. Request additional information from complainant. Upon the receipt and review of requested information, the Board may deem it necessary to re-open the complaint. In addition, copy of complaint will be forwarded to the Nursing Home Division.

**Ms. Wright moved, Ms. Fischer seconded and the Board voted to close the complaint due to the excessive time lapse. Open new complaint upon the receipt and Board review of additional information, as well as, forward copy of the complaint to the Nursing Home Division. None opposed, motion carried.**

**Cognizant Report:**

No Cognizant Report Presented

**Applications:**

**Ms. Wright moved and Ms. Williams seconded and the Board voted to take the following action on applications for licensure by reinstatement:**

**Patricia Vignati:     Approved**

**J.J.B. - Ms. Williams moved, Ms. Hutchinson seconded, and the Board voted to withdraw the file from the SOS Legal Department. Applicant Interview will be scheduled.**

**Ms. Wright moved and Ms. Williams seconded and the Board voted to take the following action on applications for licensure by endorsement:**

**C.B.G.:** Denied

**Ms. Wright moved and Ms. Williams seconded and the Board voted to take the following action on applications for licensure by registered:**

**T.L.B.:** Issue upon the acceptance of a signed Consent Agreement.

**Dr. Fischer moved and Ms. Williams seconded and the Board voted to ratify those applications for licensure determined to have met licensure requirement issued between Board meetings as follows:**

**Approved Licenses**

<b>Name</b>	<b>License No.</b>	<b>Issue Date</b>
Jackson, Steven Jac Todd	LD003265	2/7/2008
Marshall, Andrea Elizabeth	LD003266	2/7/2008
Agnew, Rachel D	LD003267	2/13/2008
Jibreen, Ruba	LD003268	2/18/2008
Weekes, Claudia Hermin	LD003269	2/28/2008
Chotiwat, Christina M	LD003270	2/28/2008
Wyatt, Wendy Carol	LD003271	3/7/2008
Blomgren, Angela S	LD003272	3/10/2008
Brown, Evelyn Freeman	LD003273	3/11/2008
Flolo, Natalie Ann	LD003274	3/19/2008
McAulay, Kimberly B	LD003275	3/21/2008
Bussey, Kathryn Williams	LD003276	3/24/2008
Anderson, Sue-Ellen Nichole	LD003277	3/26/2008
Close, Jennifer Gilley	LD003278	4/1/2008
Thomas, Maria Pearl	LD003279	4/7/2008
Jackisch, Anne G	LD003280	4/8/2008
Smith, Margaret Gill	LD003281	4/10/2008
Shreve, Tricia A	LD003282	4/10/2008
Parry, Robert I	LD003283	4/14/2008
Spano, Marie Ann	LD003284	4/21/2008
Yeagley, Maureen Anne	LD003285	4/21/2008
Tapp, Amy K	LD003286	4/22/2008
Runtz, Suzanne Michele	LD003287	4/23/2008

**Reinstatement**

<b>Name</b>	<b>License No.</b>	<b>Issue Date</b>
Kern, Rebecca	LD002292	3/7/2008
Strickland, Dawn	LD001135	3/17/2008
Cunningham, David	LD001397	4/4/2008
Sharpless, Jenny	LD001339	4/21/2008

**Provisional**

<b>Name</b>	<b>Issue Date</b>
Choitiwat, Christina	2/6/2008
Lester, Melanie	2/29/2008
Cain, Antonio	3/4/2008
Beddingfield, Stephanie	3/4/2008
Fitts, Ciara	3/7/2008
Lamar, Stephanie	3/18/2008
Chambers, Leatha	3/18/2008

**Waiver Request:**

**Sharon Hunt- Ms. Fischer moved, Ms. Williams seconded, and the Board voted to deny waiver request. Licensee must obtain 30 hours of Continuing Education by June 30, 2008. In addition, licensee must not continue to practice until license has been renewed by the Board. None opposed, motion carried**

**Investigative Interview:**

**T.H. - Ms. Hutchinson moved, Ms. Williams seconded and the Board voted to schedule an investigative interview. None opposed, motion carried.**

**Additional Business:**

Ms. Frances Cook, Chair summarized to the Board the topics discussed during the most recent meeting held with Secretary of State, Ms. Karen Handel and Division Director, Mr. Randall Vaughn.

**Ms. Williams moved, and Ms. Hutchinson seconded, and with no additional business requiring discussion, the Board voted to adjourn today's meeting at 1:25 p.m.**

Minutes recorded by: Amanda Allen, Board Secretary  
 Minutes reviewed and edited by: Brig Zimmerman, Executive Director

\_\_\_\_\_  
 Frances Cook, Chair

\_\_\_\_\_  
 Brig Zimmerman, Executive Director

These minutes were approved/signed on \_\_\_\_\_