

A Board Meeting of the Georgia Board of Examiners of Licensed Dietitians was held on October 10, 2008, at 10:10 a.m. at the Professional Licensing Boards Division of the Secretary of State located at 237 Coliseum Drive, Macon, Georgia.

MEMBERS PRESENT

DeeDee Williams, Chairperson
Nancy Walters, MMSC, RD, LD, Vice Chair
Jessie Wright, MS, RD, LD, Cognizant
Joan Fischer, PhD, RD, LD,
Tracey Neely, MS, RD, LD
Frances Cook, MA, RD, LD

MEMBERS ABSENT

Lula Hutchinson, RD, LD
Gail Stinson, Board Liaison *Georgia Dietetic Association*

STAFF PRESENT

Sandy Bond, RN, MSN, MBA, Executive Director
Gwen Dodson, Administrative Assistant
Pam Candler, Board Support Specialist
Adrienne Price, RN, MSN, Nursing Consultant – Legal/Discipline
Katrina Martin, Licensing Supervisor
Wylencia Monroe, JD, Assistant Attorney General
Ronjalyn Bond, Licensing Analyst
Crystal Jackson, Licensing Analyst
Casey Pippin, Licensing Analyst
Jim Cleghorn, Business Analyst

Mrs. Williams established that a quorum of the Board was present and called the standard scheduled Board meeting to order at 10:11 a.m.

AGENDA

Mrs. Fischer moved and Mrs. Cook seconded, and the Board voted to approve the agenda as presented. None opposed, motion carried.

INTRODUCTIONS

Staff members introduced themselves to the respective Board Members and each person explained a little about their scope of activity as it relates to the Board.

APPROVAL OF BOARD MINUTES

Mrs. Wright moved, Mrs. Walters seconded, and the Board voted to approve the Minutes from the August 8, 2008 meeting with corrections. None opposed, motion carried.

EXECUTIVE DIRECTOR'S REPORT

Mrs. Bond reported on administrative items and the following:

- Budget constraints imposed by Governor Perdue regarding Board travel was reiterated to the Board.
- The 2009 proposed Board meeting dates were discussed and reviewed by each member. One board member reported some conflicts and would get back with the board during their next scheduled meeting.

- Mrs. Bond stated that recent budget cuts resulted in 25 people losing their jobs and that everyone is called upon to readjust to a changed environment with files still being relocated. Where formerly, there were 10 board offices, there are now 7 and Sandy has taken on the Licensed Practical Nurses and Diet Boards in addition to the Registered Nurses Board which comprise over 150,000 licensees with no additional staff. She asked the Board to please be patient and explained that the main goal is for the entire Professional Licensing Board to go "paperless". The Board was excited to hear that they would soon be receiving all their materials via e-mail and jump drives and they wholeheartedly approved.

ATTORNEY GENERAL'S OFFICE

The Board Attorney provided a status report which included information on any cases referred for action, requests for advice and/or requests for authority for proposed rules.

Mrs. Neely moved, Mrs. Cook seconded, and the Board voted to accept the Attorney General's report as presented. None opposed, motion carried.

ENFORCEMENT

No report presented, however, Mrs. Price stated that in the future she would be presenting reports to the Board, and she reviewed the process from the time she receives a complaint, the cognizant review process, the Attorney General phase and then the punishment, if any and how she oversees all of these processes in her role as Legal/Disciplinary Consultant.

EXECUTIVE SESSION

Mrs. Neely moved, and Mrs. Walters 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 report. In favor of the motion were those present who included Board members: Cook, Williams, Wright, Fischer, Neely, and Walters. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

APPLICATIONS

Abraham, Jeny, App.#1088540 - Mrs. Neely moved, and Mrs. Walters seconded, and the Board voted to proceed with licensure by registration.

Porter, Holly, App.#1162335 - Mrs. Neely moved, and Mrs. Walters seconded, and the Board voted to proceed with licensure by registration.

S.T. - Mrs. Neely moved, and Mrs. Walters seconded, and the Board voted that the application was incomplete.

R.C., App.#1162695 - Mrs. Neely moved, and Mrs. Walters seconded, and the Board voted to table for further information.

J.L.E., App.#1158287 - Mrs. Neely moved, and Mrs. Walters seconded, and the Board voted to send the applicant a letter requesting the applicant send a detailed explanation of arrests, legal documentation of arrests and ask why he answered "no" to the conviction question on the application.

M.L.G-H., App.#1162697 - Mrs. Cook moved, and Mrs. Neely seconded, and the Board voted that the applicant is ineligible to be endorsed.

Williams, Latasha, App.#1163199 - Mrs. Cook moved, and Mrs. Neely seconded, and the Board voted to proceed with licensure by Endorsement.

APPLICATION REVIEWS AND APPROVAL OF LICENSURE

Mrs. Wright moved, Mrs. Waters seconded, and the Board voted to approve applications for licensure for the months of August, 2008, September, 2008 and October, 2008 that were determined, pursuant to Board approved guidelines, to have met licensure requirements. See attached reports.

POLICIES – SANCTIONS DETERMINED BY THE BOARD

Mrs. Neely moved, Mrs. Fischer seconded, and the Board voted to adopt the following policies to be posted on the Board's website along with the Laws and Rules governing the Georgia Board of Examiners of Licensed Dietitians:

Applications Policies

Staff is allowed to issue licenses where answers to the conviction/background question is "no" and the applicant has met all licensure requirements subject to final board approval.

Staff is allowed to issue provisional licenses where answers to the conviction/background question is "No" and the applicant has met all licensure requirements and has not failed the examination, subject to final board approval.

Staff is allowed to offer administrative consent agreement for licensure for unlicensed practice when application and documentations support unlicensed practice. The Board shall vote to accept all consent orders.

Staff is allowed to issue reinstatement licenses where answers to the conviction/background question is "No" and the applicant has met all licensure requirements.

Adopted 6/03; Amended 08/08/2008

Applications Denied Policy

Application Specialist will use the initials of an applicant whose licensure has been denied by the Board; until the denial becomes final either by expiration of the period of reconsideration, or the conclusion of the hearing process.

Adopted 6/03; Amended 08/08/2008

Disciplinary Action

To report Consent orders to the Office of the Inspector General, and Health Integrity Protection Databank and the Georgia Department of Medical Assistance and to include social security numbers and date of birth and to request the Attorney General's Office to include this reporting in all consent orders.

Adopted 6/03

Enforcement Cases

To permit the Cognizant Member to forward cases to Enforcement before presenting to the full Board, however, any/all cases forwarded to Enforcement must be presented to the Board at its next meeting.

Adopted 8/03

Policy: Unlicensed Practice:

Practicing without a valid license may be grounds to deny a license or to sanction an applicant upon licensure as follows:

1. Public reprimand
2. Less than thirty (30) days: Letter of Concern.
3. The Board will consider the following guidelines in determining a fine:
 - a. 31 days - Up to 3 months - \$100.00
 - b. Over 3 months - Up to 1 year - \$500.00
 - c. One (1) year up to two (2) years - \$1,000.00
 - d. Greater than two years to be determined by the Board.
4. Mitigating circumstances can be taken into account in varying the fines, subject to the Board's discretion

Adopted 2/10/06; Amended 08/08/08

Express Consent to Sign Board Orders between Board Meetings:

An Applicant for licensure by endorsement or restoration who has been determined to have practiced without a license will be presented to the Board for consideration of disciplinary action at the next scheduled Board meeting following the receipt of the application. If the Board decides to offer a Consent Order with fine, the applicant will be mailed the order. Upon the receipt of the signed and notarized Consent Order from the applicant, the Executive Director has permission to sign the order, if there are no other sanctions or restrictions, on behalf of the Board Chair. The order will then be forwarded to the Division Director and the PLB Legal section for docketing. If there are no additional sanctions or restrictions in the Order, the license may be administratively issued prior to the next Board meeting. The Executive Director will notify the Board of all signed Consent Orders at the next scheduled Board meeting.

Adopted 2/10/06; Amended 08/08/2008

Board Policy: Voluntary Cease & Desist Orders Effective Upon Docketing

It is the policy of the Board 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 Board will ratify the docketed Cease and Desist orders at its next meeting after the date of docketing and include a list of the approved orders in the Board's meeting minutes.

Adopted 4/25/08; Amended 08/08/08

NEW POLICY

Mrs. Wright moved and Mrs. Walters seconded and the board voted to adopt the following new policy to be added to the policies shown above:

Applications will not be presented to the board until they are complete with all requested documentation attached. Incomplete applications cannot be brought before the board for review. (10/10/08)

Mrs. Wright moved, and Mrs. Cook seconded, and with no additional business requiring discussion, the Board voted to adjourn today's meeting at 1:25 p.m.

Minutes recorded by:
Minutes reviewed and edited by:

Pamela N. Candler, Board Support Specialist
 Sylvia Bond, Executive Director

DeeDee Williams, *Chair*

Sylvia Bond, *Executive Director*

The minutes were recorded by Pam Candler, *Board Support Specialist*, and approved February 13, 2009.