

A Board meeting of the Georgia Board of Examiners of Licensed Dietitians was held on April 24, 2009 at 10: 05 a.m. at the Professional Licensing Boards Division of the Secretary of State, located at 237 Coliseum Drive, Macon, Georgia.

MEMBERS PRESENT

DeeDee Williams, Chairman
Nancy Walters, MMSC, RD, LD, Vice Chairman
Jessie Wright, MS, RD, LD, Cognizant
Joan Fischer, PhD, RD, LD
Frances Cook, MA, RD, LD
Tracey Neely, MS, RD, LD (via telephone from 12:10 to 2:15 pm)

STAFF PRESENT

Sandy Bond, RN, MSN, MBA, Executive Director
Gwen Dodson, Administrative Assistant to the Executive Director
Katrina Martin, RN, BSN, Nursing Consultant – Practice/Licensing Supervisor
Wylencia Monroe, JD, Assistant Attorney General
Pam Candler, Board Support Specialist

OTHERS PRESENT

Barbara Hopkins, Board Liaison, GDA (until 11:40 a.m.)

Mrs. Williams established that a quorum of the Board was present and called the standard scheduled Board Meeting to order at 10:15 a.m.

APPROVAL OF BOARD MINUTES

Mrs. Walters moved, Mrs. Fischer seconded and the Board voted to approve the Minutes from the February 13, 2009 Board Meeting with corrections. None opposed, motion carried.

APPROVAL OF AGENDA

Mrs. Fischer moved, Mrs. Cook seconded and the Board voted to approve the Agenda as presented.

BOARD LIAISON REPORT

Mrs. Hopkins spoke on information reviewed at a recent "Webinar". Of interest to the Board was a case where a dietitian had privileges at her facility exclusively to write patient orders. The licensure law does not indicate whether a Licensed Dietitian can or cannot write patient orders. Mrs. Fischer responded that she was under the impression that a Licensed Dietitian can write patient orders while Mrs. Walters stated that the board has been hearing this particular question for the past 10 to 12 years. Mrs. Hopkins stated that there was a problem with prescriptions and laboratory orders. One thing that was addressed was the need to demonstrate professional competence and it should be facility directed. All Licensed Dietitians can write orders based on their expertise and approval by their organization and/or agency. The Georgia Dietetic Association needs to educate its members on clinical privileges, prescriptions and lab orders, even though the physician is the main person responsible for the patient. Dietitians work under a physician and it is the physician's ultimate responsibility.

The law does not specifically speak to this issue and any questions should be referred to the ADA. Ultimately it would be up to the individual clinician. It is the Licensed Dietitian's responsibility to use caution, know their laws, both Federal and State, rules and scope of practice and be responsible to establish what privileges they may have and how they relate to the scope of practice.

ASSISTANT ATTORNEY GENERAL'S COMMENTS

Mrs. Monroe reviewed Board Members' duties and responsibilities as detailed under the provisions of the Law.

Mrs. Williams stated that if anyone wanted to communicate with another board member through E-mail on Board business, then they should also send a copy to Mrs. Monroe and Mrs. Bond. If you receive something that you think would be of value to the office, and/or the Board, then send it to the office and allow them to prepare it for Board review.

EXECUTIVE DIRECTOR'S REPORT

Mrs. Bond asked how Board Staff can be more expedient, and perform the duties that Staff is charged with accomplishing in addition to economizing on the ways things are done. The staff and Board need to work on how we can cut costs since the State Government will probably need to make additional budget cuts with workload remaining steady to heavier with a reduction in staff. She asked the Board to consider quarterly meetings rather than bi-monthly and supplementing the regular board meetings with periodic conference calls.

CORRESPONDENCE

Mrs. Monroe stated that the Board should provide some guidance on eligibility requirements, while Mrs. Walters felt that the Board should not overlook, but should point out laws and rules that could provide a clearer understanding to a potential applicant. According to Mrs. Walters, the school mentioned by the applicant will not meet the criteria, but she does know some programs that can help. Mrs. Wright felt the Board should develop a standard letter that staff may use in responding to correspondence. Mrs. Walters volunteered to assume responsibility for developing a letter for individuals questioning eligibility requirements.

BOARD MEMBER APPLICATION REVIEWER

Mrs. Williams requested feedback from the Board on issues that may be decided by one member of the Board which would give staff a chance to proceed with licensure issues. This relates to the request for a conference call made between Board Meetings to discuss two applications for licensure. Mrs. Monroe stated that if there were no disciplinary issues involved, then a Board Member should be able to approve licensure. Mrs. Walters suggested a conference call with at least a quorum to discuss between Board meeting applications, provided that all information is placed on Webshare prior to the call so that each Board Member can peruse the applications and formulate their opinions before the conference call.

Mrs. Walters and Mrs. Fischer are the educators and they should continue to review Continuing Education Credits. Ms. Neely has assumed the role in the past as the individual who makes application decisions. She stated that she would be happy to continue.

Mrs. Martin stated that she had problems with applicants that defined their roles as dietitians and Ms. Neely has been most helpful in the past. Mrs. Monroe said that she thought there was a list of questions to pose to the applicant concerning their duties. Ms. Neely said that she would call Mrs. Martin sometime next week to set up some times that she could review problem applications.

EXECUTIVE SESSION

Mrs. Walters moved and Mrs. Fischer 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 received the Assistant Attorney General's Report. In favor of the motion were those present who included Board Members: Williams, Wright, Fischer, Cook, Neely and Walters. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

ASSISTANT ATTORNEY GENERAL

Mrs. Monroe reported that she had one open case on which she sent a Consent Order for Unlicensed Practice on April 17, 2009. Applicant has not returned the Consent Order and she is waiting to hear from the applicant. A check of incoming mail at the Professional Licensing Boards revealed that the applicant had mailed the Consent Order to the Board Office.

LEGAL/DISCIPLINE COGNIZANT REPORT – JESSIE WRIGHT

(DIET – Diet Investigative Case Number)

R.C. APP. #1162695 Mrs. Wright reported that she conducted an applicant interview on February 25, 2009. After looking over his application, she felt that there was no unlicensed practice. He was working outside the state with Morrison's Cafeterias inspecting safety and sanitation. It was her recommendation that this individual be licensed and that the case be closed. Mrs. Walters moved and Mrs. Wright seconded and Board voted to approve licensure with no restrictions.

On Complaint Number LD090010, she felt that this case did not refer to a specific dietitian and that the case should be referred to the regulatory agency overseeing nursing homes. Mrs. Walters suggested that the complainant might want to address his issues with a local ombudsman.

On Complaint Number LD090004, Mrs. Wright felt that the Board should write a letter to Ms. Shawn LaGrua requesting an update since the individual involved is operating without a license.

APPLICATION REVIEW

(DIET – Diet Investigative Case Number)

Mrs. Wright moved and Mrs. Fischer seconded and the Board voted to approve applications for licensure for the February and March period that were determined pursuant to Board approved guidelines to have met licensure requirements. See attached reports.

Applicant # 1179605 Mrs. Fischer moved to proceed with licensure by restoration, with a letter of concern, upon receipt of a signed Consent Order and payment of a \$500.00 fine for unlicensed practice. Mrs. Walters seconded the motion and the Board voted to approve the motion unanimously.

Applicant # 1170186 Mrs. Walters moved to proceed with licensure by restoration, with letters of concern to the applicant, for unlicensed practice and the Human Resources Director where applicant is employed. Mrs. Fischer seconded and motion and the Board voted to approve the motion.

Applicant # 1161975 Mrs. Fischer moved to approve pending receipt of documentation of final disposition with a letter of concern sent to the applicant for their driving under the influence arrest. Mrs. Fischer also directed Board Staff to flag applicant's file for the Continuing Education Credits during the renewal period. Mrs. Wright seconded and motion and the Board voted to approve unanimously.

Applicant # 1158287 Mrs. Wright moved to deny licensure based on OCGA 43-11(a)-9. Mrs. Fischer seconded and motion and the Board voted to approve unanimously.

Applicant # 1165979 Mrs. Walters moved to request Cognizant and Assistant Attorney General to conduct an investigative interview with applicant. Mrs. Fischer seconded the motion and the Board voted to approve unanimously.

Case # DIET090008 Mrs. Walters moved to accept the consent order for licensure by restoration. Mrs. Fischer seconded the motion and the Board voted to approve unanimously.

NEW POLICY

In reviewing applications, the Board recommended new policy as follows:

One or more DUI arrests, over seven (7) years old, need not be brought before the Board. The Licensing Analyst can go ahead and license the applicant. Multiple DUI arrests younger than 7 years need to be reviewed by the Board for their licensure recommendations.

Motion was made by Mrs. Walters and seconded by Mrs. Wright to adjourn the meeting at 3:00 p.m.

Minutes recorded by:

Pam Candler, Board Support Specialist

Minutes reviewed and edited by:

Sylvia Bond, Executive Director

DeeDee Williams, President

Sylvia Bond, RN, MSN, MBA
Executive Director

The minutes were recorded by Pam Candler, Board Support Specialist and approved on ____ September 25, 2009 ____