

## MINUTES OF THE BOARD OF DIETITIAN/NUTRITIONIST EXAMINERS

DATE: September 27, 2019

TIME: 10:00 AM CST

LOCATION: Poplar Conference Room  
665 Mainstream Drive, 1<sup>st</sup> Floor  
Nashville, TN 37243

MEMBERS PRESENT: James Burkard, LDN, Chair  
Linda Hankins, LDN  
Queen Cox, LDN, Secretary  
Loveday Nwobilor, LDN  
Patrick Parham, Citizen Member

MEMBER(S) ABSENT: Jamie Bailey, LDN

STAFF PRESENT: Kimberly Hodge, Interim Director  
Lyndsey Boone, Board Administrator  
Darrel Traynor, Board Administrator  
Eric Winters, Associate General Counsel

### **Call to Order**

A roll call of all board members and administrative staff present was taken. With a quorum present, Mr. Burkard called the meeting to order at 10:01 AM.

### **Public Comment**

Ms. Hodge instructed the Board and the public that a public comment may be made on any of the subject matter the Board will be going over today.

### **Board Update**

Lyndsey Boone, Board Administrator, introduced a new Board Administrator Darrel Traynor who will be working for the Board with Ms. Boone.

### **Conflict of Interest**

Ms. Hodge briefly went over the Conflict of Interest form and instructed the Board to notify the staff of any conflicts and to sign their forms if they had not yet done so.

## **Legislation**

Ms. Sara Warner, Office of Legislative Affairs, presented the following updates from the 2019 legislative session:

### **Public Chapter 61**

This act states that an entity responsible for an AED program is immune from civil liability for personal injury caused by maintenance or use of an AED if such conduct does not rise to the level of willful or wanton misconduct or gross negligence. This act took effect on March 28, 2019.

### **Public Chapter 195**

The majority of this act pertains to boards governed by the Department of Commerce and Insurance. One small section applies to the health related boards. Currently, the health related boards have an expedited licensure process for military members and their spouses. Previously, a spouse of an active military member had to leave active employment to be eligible for this expedited process. This act removes that requirement. This section applies to all health related boards. The Commissioner of Health is permitted to promulgate rules, but rules are not needed to implement the act. This act takes effect July 1, 2019.

### **Public Chapter 229**

This act allows healthcare professionals to accept goods or services as payment in direct exchange of barter for healthcare services. Bartering is only permissible if the patient to whom services are provided is not covered by health insurance. All barter accepted by a healthcare professional must be submitted to the IRS annually. This act does not apply to healthcare services provided at a pain management clinic. This act took effect April 30, 2019.

### **Public Chapter 243**

This act mandates that an agency that requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination must provide appropriate accommodations in accordance with the Americans with Disabilities Act (ADA). Any state agency that administers a required examination for licensure (except for examinations required by federal law) shall promulgate rules in regard to eligibility criteria. This legislation was introduced to assist individuals with dyslexia. This act took effect May 2, 2019 for the purpose of promulgating rules, and for all other purposes, takes effect July 1, 2020.

### **Public Chapter 447**

This act permits law enforcement agencies to subpoena materials and documents pertaining to an investigation conducted by the Department of Health prior to formal disciplinary charges being filed against the provider. This bill was brought by the Tennessee Bureau of Investigation. This act went into effect May 22, 2019.

## **Minutes**

Ms. Taliaferro made a motion, to accept the February 22, 2019 minutes as written. Board took a vote to accept the minutes. The motion carried.

## **Financial Report**

There was no financial report at this time. The End of Year report had not yet been completed.

## **Investigative and Disciplinary Reports**

Ms. Lori Leonard, Disciplinary Coordinator in the Office of Investigations presented the investigative and disciplinary report. There is only one licensee who is currently being monitored, it shows that she is a revocation and that if she reappplies it will flag that she owes CEU's if she decided to re-apply for licensure, but she is paying on her costs.

For the year 2019 there were two new complaints; both for lapsed license. One complaint was closed with a letter of warning, which is a form of discipline that is not reportable to the national databank. Currently, there are five open complaints that are being investigated and/or reviewed.

## **Administrators Report**

This is an Administrative Report from Lyndsey Boone, Board Administrator. The information contained in this report will keep the Board aware of all essential activity pertaining to licensure for Dietitian/Nutritionists.

As of September 26, 2019, the Board had 2,018 licensed Dietitian/Nutritionist.

The following is the licensing activity from February 22, 2019 through September 26, 2019:

Newly Licensed – 126

Reinstatement - 19

Failed to Renewed/Expired Licenses – 66

Retired- 8

Number of Renewals Online- 352

Number of Paper Renewals – 138

The current rates for travel are, in-state lodging \$179.00, in-state meals & incidentals \$45.75 a day, the standard mileage rate is \$0.47 a mile and the Overnight meals & incidentals is \$61.00 a day.

The 2019 Food and Nutrition (FNCE) Conference & Expo is on October 26-29, 2019 in Philadelphia, PA.

**BOARD MEETING DATES FOR 2019 and 2020**

Friday March 6, 2020

Friday September 4, 2020

**Office of General Counsel Report**

Mr. Winters informed the Board that after case review yesterday, September 26, 2019, four (4) open files will be coming over to the Office of General Counsel. However, there are no Consent Orders on today's agenda to be presented. We will likely have Consent Orders for ratification or Contested Cases set for the March 2020 meeting.

**Ratifications**

Ms. Hankins made a motion, to approve the list of newly licensed and reinstated licensees. The Board took a vote. The motion carried.

**NEW LICENSES -DIETITIANS/NUTRITIONISTS**

Andrews Keena Jill	Carter Ashlyn	Fitzgerald Molly Ann
Baggett Lindsey Paige	Chadwell Erin Anita	Fox Madeleine
Barnhart William Robert	Chestnut Caroline Knauss	Fritts Tina Overbee
Bass Claire	Chui Tsz-Kiu	Froimson Samantha
Baumann Kristy	Claxton Allison	Goss Lydia Rachel
Baxter Lee	Connor Katherine Lehr	Gregory Nadine Jane
Bekka Rebecca	Cook Carol	Hall Nina German
Benefiel Erin	Crim Megan Bartee	Hassett Ashley Marie
Biggs Debra Collins	Crouch Summer	Hebblethwaite Rita
Bolton Andrea Newby	Darnell Holly Elizabeth	Hellstrom Amber Christine
Botter Rebecca Irene	Davenport Leah Elizabeth	Hixson Katherine
Brandon Ericka	Davis Kelsey Marie	Howard Samantha Lynn
Brewster Heather Nichole	Denny Penelope Ponthieu	Jester Ashley
Brignac Sarah Crowton	Digioia Grace	Jordan Kristen Nicole
Brockman Jacqueline	Dismukes Kelsey Reece	Jordan Lindy
Burton Caitlin Louise	Dowland Laura Maria	Justice Kathryn
Burton Samantha Brett	Duval Mariel F	Wooldridge
Bush-Zolecki Donna L	Etherton Anne Kristine	Kabir Ayesha
Caldwell Helen Thomas	Fedoris Allison	Khaled Maria T
Capritto Brooke Alayna	Fenzel Amy Leigh	Krause Deborah

Kropf Rebecca Ellen  
Lawson Karen L.  
Le Nikky  
Leclair Laurie Ann  
Lee Alesia N  
Lowe Taylor Elizabeth  
Maddux Emily S.  
Mahdi Mihad  
Majors Lauren  
Manning Diana Bryn  
Martin Alison Jane  
Mason Amanda Koa Willis  
Master Rachel Marie  
Maxwell Christine  
Mccrary Joshua  
Mchugh Andrea Lynn  
Miller Jennifer Brook  
Mincey Megan D  
Neal Audrey  
O'Bar Katherine Eileen  
Partacz Megan Marie  
Pate Megan Nicole  
Perry Mollie Shmerling  
Prunte Caroline

Radford Linsey Nicole  
Ragsdale-Lawlor Deanna  
A  
Reeser Mackenzie Rae  
Johnson  
Reske Kathryn Lee  
Reynolds Tina R.  
Riebl Shaun  
Rocus Allison Kathleen  
Rogers Chandler  
Rogers Valerie Anne  
Russo Anne  
Savage Marion Beckham  
Schaus Jessica Rae  
Schmidt Charlene Elaine  
Sears Michelle Lynn  
Sheffield Whitney Camille  
Shull Lauren Elizabeth  
Simpson Emma  
Singleton Bryanna  
Smith Cassandra  
Sommerville Jennifer Rose  
Spires Lee Anne  
Springer Beverly

Stauffer Sacha Lynn  
Stockman Mary-Catherine  
Stott Emily  
Suttle Emily Kathleen  
Trueblood Carolyn  
Tucker Kaitlyn Elaine  
Van Wyk Trisha Marie  
Vesey Jennifer  
Wagstaff Olivia Jean  
White Heather Renee  
Williams Simona Alicia  
Williamson Donna  
Richards  
Wilson Alyssa Dragutsky  
Wilson Isabel Marie  
Wineland Kathryn Ann  
Wojtowicz Emily  
Wood Heather  
Yarcusko Emily  
Yomano Jessica Anne  
Yount Morgan Elaine  
Zellers Sara Elizabeth  
Zinger Rebecca

### **2019 Conferences**

The 2019 Food and Nutrition (FNCE) Conference & Expo is on October 26-29, 2019 in Philadelphia, PA. Mr. Loveday Nwobilor will be attending the conference on behalf of the Board. Mr. Nwobilor was asked to give a detailed report at the next Board meeting on what he learned at FNCE.

### **Board Elections**

Queen Taliaferro made a motion to nominate Patrick Parham for president, seconded by Linda Hankins. The motion carried.

James Burkard made a motion to nominate Queen Taliaferro for secretary, seconded by Patrick Parham. The motion carried.

### **Public Comment**

Ms. Boone made a last call for any public comment, there was none.

**Correspondence**

Ms. Taliaferro had an inquiry for the attorney, Mr. Winters, on licensing requirements. Ms. Taliaferro was instructed to submit the questions to the administrative office in writing to give the attorney ample time to do research on said questions. Ms. Taliaferro also inquired on what meetings are approved for Board attendance; Ms. Taliaferro was instructed to submit all meeting information to the administrative office for internal review.

**Adjournment**

There being no other business, Mr. Parham made a motion, to adjourn the Board meeting. The Board took a vote. The motion carried.

The Board meeting was adjourned at 10:27 AM, Friday, September 26, 2019

  
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**Board Secretary**

\_\_\_\_\_ **7-31-2020**

**Date**

**These minutes were ratified by the Board on March 31, 2020.**