

South Carolina Department of Labor, Licensing and Regulation
South Carolina Panel for Dietetics

Regular Meeting Minutes

March 27, 2009

Synergy Business Park, Kingstree Building, Room 204
110 Centerview Drive, Columbia, South Carolina 29210

PANEL MEMBERS PRESENT:

Phyllis A. Allen, Panel Chair
G. Robert Bowers
Mary Etta Moorachian
Nancy R. Taylor
Rona B. Ewart
Karen G. Schwartz

LLR STAFF PRESENT:

Sheridon Spoon, Office of General Counsel
Angie Combs, Administrator
Janice D. Meetze, Administrative Assistant

Public notice of this meeting was properly posted at the Panel office and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the 1976 South Carolina Code, as amended, relating to the Freedom of Information Act. A quorum was present at all times.

PANEL MEETING CALL TO ORDER / ATTENDANCE: The meeting was called to order at 10:12 a.m. by Panel Chair, Phyllis Allen.

APPROVAL OF AGENDA: The agenda for the March 27, 2009 Regular Board Meeting was presented for review and approval. A **motion** was made to accept the order of the Agenda. The motion was seconded and passed.

APPROVAL OF JUNE 20, 2008 BOARD MEETING MINUTES: A **motion** was made to accept the June 20, 2008 minutes, as amended. The motion was seconded and passed.

REPORTS / INFORMATION

Administrative Report: Ms. Combs reported there are 708 licensed dietitians in South Carolina.

Complaint Status Report: There are no pending complaints to date.

Statement of Economic Interests Form: Ms. Combs stated it was time to file the Statement of Economic Interests Form with the South Carolina State Ethics Commission; due date is April 15, 2009. Filing may be done electronically or forms may be downloaded at their Web site address <http://ethics.sc.gov>.

LLR Reorganization: Ms. Combs stated that as a result of agency restructure the Office of Licensure and Compliance has been created and basic renewal and initial licensing functions will be transitioned to the newly formed group; however, a license would not be issued until completion of all required documentation is received and any questionable applications will continue to be referred to the Administrator and remain under Panel jurisdiction. Mr. Rion Alvey has been appointed as the Assistant Deputy Director of the Office of Health and Medical Professions.

NEW BUSINESS

Notice to Unlicensed Registered Dietitians: A letter, approved by Sheridan Spoon, Office of General Counsel, and Ms. Allen was mailed to 670 unlicensed Registered Dietitians residing in South Carolina notifying / reminding them of the license requirements that became effective July 1, 2008. The Panel concurred to send letters to the South Carolina Hospital Association, the Nursing Home Association, the School Nutrition Association, and Head Start notifying these specific entities that effective July 1, 2008, pursuant to the South Carolina Dietetics Licensure Act, those engaging in activity in South Carolina that constitute the practice of dietetics as defined by South Carolina Law must be licensed by the Department of Labor, Licensing and Regulation Panel for Dietetics. Ms. Schwartz was asked to research information concerning the Home Health Association.

Mr. Spoon arrived at 10:45 a.m.

With the enforcement of fines becoming effective July 1, 2009, Mr. Spoon reiterated that someone practicing dietetics without a state license, unless exempt from licensure, is subject to monetary penalties and an Order to Cease and Desist.

Review Complaint Process: Ms. Combs gave a brief synopsis of the complaint process whereby all complaints are referred to the Office of Investigations and Enforcement where the complaint is investigated, brought before an Investigative Review Committee (IRC) for a recommendation on how to proceed and, ultimately, voted upon by the Panel to approve or disapprove the IRC recommendation.

Mr. Spoon stated that if an investigation results in the discovery of unlicensed practice a Cease and Desist Order will be issued. Violated Cease and Desist Orders will be referred to the Administrative Law Court (ALC) to issue an injunction. Mr. Spoon cautioned Panel members from speaking directly with a complainant; that would result in their recusal from participating in a formal complaint hearing.

Review Licensure Requirements: Ms. Combs reviewed with the Panel that all applicants applying for licensure are required to have a current registration with the Commission on Dietetic Registration (CDR) or apply for licensure by examination. A copy of the CDR issued card is considered sufficient proof of CDR Registration. The Panel concurred.

Licensure Renewal 2009 / Continuing Education Audit: A Licensed Dietitian is required by Law to renew his/her license at the appropriate time and to comply with the continuing education requirement. The Panel concurred that having a current registration with the Commission on Dietetic Registration (CDR) would suffice as complying with having obtained continuing education for the purpose of license renewal; the Panel also agreed upon a ten percent (10%) figure for the random audit of continuing education to be conducted after August 31, 2009.

Motion: Ms. Schwartz made a motion to accept a current Commission on Dietetic Registration card for the purpose of continuing education audit verification, which is verifiable at the CDR Web site www.cdrnet.org. Ms. Moorachian seconded the motion. The motion carried.

License Renewal Fee – Inquiry: Ms. Combs reported the \$175 initial application and licensing fee had been broken down on the application as a \$75 one-time application fee and a \$100 licensing fee which has caused some licensees to question the upcoming license renewal fee of \$100 due by May 31, 2009. The \$100 licensing fee paid by applicants licensed in 2007 and 2008 keeps a license current until May 31, 2009. Ms. Combs reported that licenses issued in 2009 and 2010 will have a 5/31/2011 expiration date.

The Panel requested that Ms. Combs write a letter in response to the specific inquiry expressing appreciation for her thoughts and suggestions.

Panel Member Appointments: The currently serving Panel members have the term expiration date of May 30, 2009. All members are willing to serve a second term. Ms. Combs stated the S.C. Panel for Dietetics Practice Act requires that one Panel member must be recommended by the South Carolina Hospital Association and five members must be recommended by the South Carolina Dietetic Association. Ms. Combs will contact both Associations notifying them of this requirement and request the recommendations be submitted to Ms. Lorrie King with Boards and Commissions, Office of the Governor. Ms. Combs reported the public member vacancy has not been filled to date.

Election of Panel Officers / IRC Professional Member: Ms. Combs announced that it is time to elect Panel officers and an Investigative Review Committee (IRC) professional member(s).

Motion: Ms. Moorachian made a motion to nominate Rona Ewart as Panel Chair. The motion received a second. The motion carried.

Motion: Ms. Schwartz made a motion to nominate Nancy Taylor as Vice Chair. The motion received a second. The motion carried.

Motion: Ms. Moorachian made a motion to consider Ms. Donna Quirk and Ms. Susan Frost as possible IRC candidates. The motion received a second. The motion carried. Ms. Combs will contact the recommended candidates.

The Panel thanked Ms. Allen for her hard work, guidance, and making a major commitment in accepting the first Chair position on the South Carolina Panel for Dietetics. Ms. Allen expressed her appreciation to the Panel for allowing her to serve in this position.

Announcements:

The next regularly scheduled General Panel Meeting is scheduled for May 29, 2009, 10:00 a.m., Kingstree Building, Room 115, Columbia, South Carolina.

There being no further business or announcements, Ms. Ewart adjourned the meeting at 12:05 p.m.

*Meeting recorded and minutes transcribed by Janice D. Meetze, Administrative Assistant.
Minutes reviewed and edited by Angie M. Combs, Administrator.
Minutes presented to the Board for final approval.*