

South Carolina Department of Labor, Licensing and Regulation (SCLLR)
South Carolina Panel for Dietetics
Meeting Minutes
January 22, 2010

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

PANEL MEMBERS PRESENT:

Rona B. Ewart, MEd, RD, Chair
Nancy R. Taylor, MS, RD, Vice Chair
Phyllis A. Allen, MPH, RD
G. Robert Bowers, RD, MBA
Mary Etta Moorachian, PhD, RD, CCP, CFCS
Karen G. Schwartz, MS, RD

LLR STAFF PRESENT:

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

ALSO PRESENT:

Derek Martin, Dietetic Intern

Public notice of this meeting was properly posted at the South Carolina Panel for Dietetics 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 10:15 a.m. by Panel Chair, Rona Ewart.

APPROVAL OF AGENDA: The agenda for the January 22, 2010 Regular Board Meeting was presented for review and approval. A **motion** was made by Mr. Bowers to accept the order of the Agenda. The motion was seconded by Ms. Moorachian and passed. Ms. Schwartz requested a discussion item be placed on the agenda pertaining to the dissemination of e-learning and how it should be handled and/or recognized from state-to-state.

APPROVAL OF BOARD MEETING MINUTES: A **motion** was made by Ms. Taylor to accept the May 29, 2009 minutes as written. The motion was seconded by Mr. Bowers and passed

REPORTS / INFORMATION

Administrative Report: Ms. Combs reported there are 764 currently licensed dietitians in South Carolina. There are forty-one lapsed licenses; they were not renewed by the renewal period ending 5/31/2009; Ms. Combs provided a list of names of those with a lapsed license.

Continuing Education Audit Report: A continuing education audit was conducted after the 8/31/09 Commission of Dietetic Registration (CDR) renewal due date; the audit revealed one active licensee with a lapsed CDR. Ms. Combs had contacted the licensee and discovered the person had retired from practice. Ms. Combs was asked to write a letter to the licensee with the lapsed CDR; a current Registration is required in order to maintain a South Carolina license.

Complaint Status Report: There are no pending or active complaints to report.

LLR Office of Licensure and Compliance (OLC) Update – OLC is preparing to process initial license applications in the near future; they currently handle the renewal process for the Panel.

LLR Office of Board Services (OBS) - Effective January 4, 2010, OBS was created to provide the day-to-day services to the all licensing boards and commissions. All LLR administrators and assistants are part of OBS.

Travel Reimbursement Update: Effective January 1, 2010, the South Carolina Office of Comptroller General notified agency finance directors that the standard business mileage rate established by the Internal Revenue Service has been decreased from 50.5 cents to 50 cents per mile.

Letters of Request for Panel Appointments: Ms. Combs reported that she has spoken with Lori King with the Governor's Office and the letter of recommendation for a panel appointment has been received from the Hospital Association; not from the Dietetic Association. A request for the recommendation letter will be made.

2010 Statement of Economic Interests: The 2010 Statement of Economic Interests form is due to the State Ethics Commission by April 15, 2010. Late filing and failure to file will result in penalties starting at \$100 if the form is not received within five days of the deadline.

UNFINISHED BUSINESS

Unlicensed Registered Dietitians: At the May 29, 2009 meeting the Panel discussed the need to address individuals who are unlicensed Registered Dietitians residing in South Carolina. Ms. Combs contacted CDR for a list of SC RDs and was notified that a copy of a letter intended for the mailing must be submitted for their review before such a listing would be released. Ms. Combs was asked to comply with the request made by CDR to obtain the listing.

Mr. Spoon advised that nothing prevents the agency from being proactive in getting the word out that licensure is required as stated in the Practice Act and Regulations; some dietitians may be unaware of the law versus ignoring the law.

Licensure Notification / Reminder Letter to Health Related Organizations: Ms. Combs reported that letters were sent in September 2009 to the School Nutrition Association, the Association of Nursing Homes, Head Start Association, and the Hospital Association stating that effective July 1, 2008, pursuant to the S.C. Dietetics Licensure Act, those engaging in activity in

South Carolina that may constitute the practice of dietetics must be currently licensed by the Department of Labor, Licensing, and Regulation Panel for Dietetics. The letters stipulated that it is unlawful for a person not licensed in South Carolina to hold himself or herself out as a Dietitian, Licensed Dietitian, or to otherwise engage in the practice of dietetics without a state license, unless exempt from licensure, and dietitians practicing the profession without a license can be subject to monetary penalties and an Order to Cease and Desist. Discussion followed. **Motion:** Ms. Moorachian made a motion to follow-up on the 41 lapsed licenses and send letters to those who are not licensed after comparison to the CDR list. The motion received a second. The motion carried. **Motion:** Ms. Schwartz made a motion to also send a letter directed to Todd Bedenbaugh at the S.C. Department of Education stipulating that Registered Dietitians in South Carolina engaged in dietetic practice under the definitions of the South Carolina Dietetic Practice Act must be licensed. The motion received a second and passed.

DISCUSSION: CDR examination eligibility is no longer accepted as a valid prerequisite category for licensure; all applicants must already be Registered Dietitians. It was previously accepted to accommodate new graduates waiting to sit for the national examination that was administered only twice a year; the examination is now available year round.

NEW BUSINESS

Revised American Dietetic Association / Commission on Dietetic Registration Code of Ethics: A revised copy of the Code of Ethics for the Profession of Dietetics and Process for Consideration of Ethics Issues, which was approved on June 2, 2009 by the ADA Board of Directors, House of Delegates, and the Commission on Dietetic Registration, was provided. **Motion:** A motion was made that the S.C. Panel for Dietetics adopt the revised Code of Ethics from the American Dietetic Association / Commission on Dietetic Registration. The motion received a second and carried.

DISCUSSION: Nutritional counseling is being done increasingly via electronic devices. Mr. Spoon advised the general rule is the state in which the customer/client/patient resides takes precedence, i.e., the professional is to be licensed in the same state the customer/client/patient is located. Discussion followed. This topic will be placed on the agenda for the next meeting.

ANNOUNCEMENTS

The next scheduled Panel Meeting is June 11, 2010, 10:00 a.m., Kingstree Building, Room 204, Columbia, South Carolina.

There being no further business or announcements, Ms. Ewart adjourned the meeting at 11:40 a.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.*