

**SOUTH CAROLINA PANEL FOR DIETETICS
PANEL MEETING MINUTES
September 28, 2022 at 10:00 A.M.
Room 204 – Kingstreet Building
110 Centerview Dr., Columbia, SC 29210**

Public Notice of this meeting was properly posted at the Dietetic Panel’s Office, Synergy Business Park, Kingstreet Building, and on the Panel website and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

PANEL MEMBERS PRESENT:

Elizabeth Weikle, RD Chairperson
Valerie Meador, RD Vice Chairperson
Robert Duffel-Hoffman

SCLLR STAFF PRESENT:

Kyle Tennis, Esq., Office of Advice Counsel
Meredith Buttler, Administrator
Jacquelyn White, Program Coordinator
Amanda Branham, Office of Investigations and Enforcement
Byron Ray, Office of Investigations and Enforcement
Alexis Bell, Esq., Office of Disciplinary Counsel

PRESENT:

Robin Reibold, Court Reporter
Rowan Goodrich, SCAND
Jeremy Ponds, SCAND

CALLED TO ORDER: Chairperson Weikle called the meeting to order at 10:03 a.m.

APPROVAL OF AGENDA

Motion: To approve the agenda.
Meador/Duffel-Hoffman/Approved.

INTRODUCTION OF PANEL MEMBERS

Panel members introduced themselves.

APPROVAL OF EXCUSED ABSENCES

Motion: To excuse Rebecca Wrenn, RD.
Duffel-Hoffman/Meador/Approved.

APPROVAL OF PANEL MEETING MINUTES

Motion: To approve May 23, 2022 Panel Meeting minutes.
Meador/Duffel-Hoffman/Approved.

STAFF REPORT

Administrator's Report

Ms. Buttler reported to date, the Panel has 1,588 active licenses, 14 pending and 79 licenses have been issued since May 2022.

The current balance as of August 31, 2022 is \$296,858.44.

Office of Investigations and Enforcement Report

Ms. Branham reported for the period of March 18, 2022 to September 20, 2022, there weren't any complaints received, no cases opened, two (2) cases were closed and there aren't any active investigations.

Ms. Branham presented the IRC recommendations, there weren't any cases for dismissal, no cases for letter of caution and no cases for formal complaint.

Office of Disciplinary Counsel Report

Ms. Bell reported as of September 27, 2022, there are no open cases, no pending hearings and agreements, no pending closure, no closed cases and no appeals.

OLD BUSINESS

a. Regulatory Review and Amendment of Regulations

Mr. Tennis provided the Panel a copy of the final draft of the proposed amended regulations. Additional edits to the regulations, including the removal of Regulations 40-5.6 and 40-16 as well as amending 40-9 to include a reference to Chapter 10, were discussed.

Motion: To accept the amendments to the proposed regulations and move forward with the regulation promulgation process with the proposed draft regulations as amended.

Meador/Duffel-Hoffman/Approved.

NEW BUSINESS

a. CDR Exam Agreement: Utilization of CDR Exam for S.C. Code Ann. § 40-20-60(2).

In furtherance of providing a pathway for licensure pursuant to S.C. Code Ann. § 40-20-60(2), Mr. Tennis provided that Panel staff had been in contact with CDR and CDR does allow the use of the CDR exam for the limited purpose of state licensure only, subject to agreement between LLR and CDR.

Motion: To accept the CDR exam for state licensure purposes only and move forward with the process so the exam can be used in furtherance of S.C. Code Ann. § 40-20-60(2)'s licensure pathway.

Meador/Duffel-Hoffman/Approved.

b. Review and Discussion: Dietitian and Nutritionist Title Distinctions

Mr. Tennis reported at the last meeting, a question was asked about the differences between the terms "dietitian" and nutritionist." Mr. Tennis reported that advice counsel's law clerk had performed a 50-state survey on the topic to see how other states treat these terms. The research indicated that most states licensed either dietitians or nutritionists and that depending on the state's specific licensing law, either "dietitian" or

“nutritionist” was a protected title that required licensure in order for individuals to identify themselves by the applicable term in the particular state.

PUBLIC COMMENTS

Mr. Ponds recommended the practice of lab ordering privileges be included in the dietician’s scope of practice as it is within the national scope of practice. Mr. Ponds discussing expanded the scope of practice by added the ability to order labs in the definition of “nutrition care services” so the South Carolina statutes align with the national scope of practice.

Motion: To enter executive session for legal advice.
Duffel-Hoffman/Meador/Approved.

Motion: To return to public session.
Duffel-Hoffman/Meador/Approved.

Ms. Weikle stated there will be more research and comparison to the North Carolina and national scopes of practice by the March 8, 2023 meeting. There may be a special-called meeting since the panel only meets twice a year.

ANNOUNCEMENTS

Mr. Duffel-Hoffman asked about provisional licenses. There are a lot of new graduates and they cannot work until they are licensed. There may be months before they can take the exam. It was stated there would have to be a statutory change to allow for provisional licensing in South Carolina. This will be discussed at the next meeting.

The next Panel meeting is March 8, 2023.

ADJOURNMENT

Motion: To adjourn.
Meador/Duffel-Hoffman/Approved.

The meeting was adjourned at 11:15 am.