

STATE OF SOUTH CAROLINA
DEPARTMENT OF LABOR, LICENSING AND REGULATION
BEFORE THE PANEL FOR DIETETICS

IN THE MATTER OF)
)
BOARD DISCUSSIONS)
)
) TRANSCRIPT OF DISCUSSIONS
) VIA TELEPHONE CONFERENCE CALL
)
)
)

Given before Tina F. Behles, Nationally Certified Court Reporter and Notary Public in and for the State of South Carolina, commencing on Monday, November 28, 2011, at 11:35 a.m. at the offices of the South Carolina Department of Labor, Licensing and Regulation, 110 Centerview Drive, Columbia, South Carolina.

Reported by:
Tina F. Behles, CVR

CAPITAL CITY REPORTING, L.L.C.
Depositions - Hearings - Sworn Statements - Mediation
Nationally Certified Reporters Throughout S.C.

P.O. Box 2281 - Lexington, South Carolina 29071
803.413.2258 - 803.996.0364 fax
E-mail: depo@capitalcityreporting.com
Website: www.capitalcityreporting.com

A P P E A R A N C E S

Board Members:

- Via Conference Call: Rona Ewart, RD, LD
Nancy Taylor, RD, LD
Phyllis Allen, RD, LD
Karen G. Schwartz, RD, LD

For the State: N/A

For the Respondent: N/A

Advising the Board: Sheridan Spoon, Esquire (LLR)
SC Department of Labor, Licensing &
Regulation/Office of General Counsel
110 Centerview Drive
P.O. Box 11329
Columbia, SC 29211-1329

Also present: Angela Combs, Administrator
Jennifer Cooper, LLR Staff

Reported by: Tina F. Behles, CVR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

(On record at 11:35 a.m.)

MS. EWART: All right, so can we call this meeting to order.

MS. COMBS: Yes.

MS. EWART: And I guess we need to do roll call by phone? I'm here.

MS. ALLEN: Phyllis Allen is here.

MS. SCHWARTZ: Karen Schwartz is here.

MS. TAYLOR: Nancy Taylor is here.

MS. EWART: And we don't have anybody else, so that's a quorum.

MS. COMBS: Yes, we've got a quorum.

MR. SPOON: Four for four, okay, great.

MS. EWART: All right. So first item is approval of the agenda. Did everybody get the agenda?

UNIDENTIFIED SPEAKERS: Yes.

MS. EWART: All right. And do we have a motion to approve the agenda?

MS. ALLEN: This is Phyllis Allen. I move that we accept the agenda.

MS. EWART: All right. Second?

MS. SCHWARTZ: This is Karen. I second it.

MS. EWART: Thank you. All in favor?

BOARD MEMBERS: Aye.

1 MS. EWART: Great. We have no unfinished business.
2 Our new business is in reference to the LLR
3 Omnibus Cleanup to regulations. It's specific -
4 - the definition found in Section 4-20-5. And
5 did everybody get a copy of changes to the
6 regulations? Whoops, it's 4-50 I think. 4 --
7 we've got several definitions here. Angie, you
8 want to clarify what we're actually ---

9 MS. COMBS: Yes. It's the -- referencing the section
10 that has definitions, but really the only change
11 is where it does reference the section number.
12 So it -- I'll let Sheridan explain.

13 MR. SPOON: Yeah. Y'all got a copy of the, I guess
14 the notice of drafting. There's just -- there's
15 one change. It's in your regulations. It's
16 Regulation 40-1 and it says, Definitions found
17 in Section 40-20-5. Well, the definitions are
18 not in that section of your practice act.
19 They're actually in Section 20 of your practice
20 act, so that's the change. It's really --
21 probably falls more in the category of a
22 grammatical or typographical error more than
23 anything else. And I think that was the only
24 change to the regs in terms of cleaning them up.
25 So it was not a substantive change.

1 MS. EWART: All right. Does anybody have any
2 discussion about this? Any concerns? (No
3 response). Anybody want to make a motion that
4 we accept these changes to our regulations?

5 MS. SCHWARTZ: This is Karen ---

6 MS. TAYLOR: Go ahead, Karen.

7 MS. SCHWARTZ: I move that we make the recommended
8 changes as stated.

9 MS. EWART: And second?

10 MS. TAYLOR: This is Nancy. I second that.

11 MS. EWART: All right. All in favor of these changes
12 to our regulation?

13 BOARD MEMBERS: Aye.

14 MS. EWART: All right.

15 MR. SPOON: And thank you for that. I know it doesn't
16 seem like much, but at the same time this is --
17 has to be changed in the regulation. And that's
18 something that does require, you know, does
19 require one, one of the boards to sign off on
20 regardless of how small the change would be so
21 that y'all are aware of it. And I appreciate
22 you doing that.

23 MS. EWART: Anything for you, Sheridan.

24 MR. SPOON: Same here.

25 MS. EWART: All righty. Our next meeting is scheduled

1 for February 10th at ten o'clock in the morning.
2 And I hope that everybody has good holidays in
3 between now and then. And I'd like to have a
4 motion that we adjourn this lovely meeting.

5 MR. SPOON: You can't adjourn yet. I've got one more
6 thing for your information. It's not for
7 action, but just to make sure that you did
8 receive also by email a copy of the proposed
9 changes to the Engine Bill.

10 UNIDENTIFIED SPEAKERS: Yes.

11 MR. SPOON: And that is, like I said, for your
12 information. If you have any questions about it
13 going forward, I'll be happy to try to answer
14 those. And, also, the -- this is sort of an
15 agency-level change that's being submitted.
16 Proposed changes to the Engine. If you have any
17 questions about it for me or also up to the
18 director level -- her door is open for you to
19 ask her any questions that you might have about
20 these changes to Title 40.

21 MS. EWART: Thank you very much. Just another quick
22 question is, when is the ethics thing due to be
23 turned in? Is it like March or?

24 MS. COMBS: It's usually April 15th.

25 MS. EWART: Oh, same as taxes, okay.

1 MS. COMBS: Right. And, also, we do need to -- just
2 in case there is a regulation hearing, if
3 someone has any questions or concerns about what
4 you all are doing, what you voted on today,
5 which I can't imagine that there would be. But
6 we do need to set up a hearing date just in
7 case. And Jennifer, she's with us. She works
8 with Sheridan. And she will explain -- give you
9 a couple dates and you can just pick a date, but
10 I really don't think it's gonna be needed. But
11 it's only if the public has an issue and wanted
12 to make comments on what you all just did.
13 Okay, Jennifer, I'll let you explain the dates
14 or give them the dates on that.

15 MS. COOPER: Okay. Any time between January 24th or
16 January 30th, if we can just have a quick reg
17 hearing. It would be here in Columbia. In all
18 likelihood, this would be canceled. People have
19 up until January 23rd to comment. And they
20 would send their comments to the board either
21 orally or in writing. And if there are no
22 comments made, then the hearing would be
23 canceled. But we have to set a date for a
24 regulation hearing as a formality.

25 MS. EWART: Is Friday morning the best date for

1 everybody?

2 (Off the record discussion of dates and times).

3 MS. EWART: Friday's the 27th.

4 (Off the record discussion continues).

5 MS. COOPER: We'll go with 11:30.

6 MS. EWART: When would we be notified if the hearing
7 was going to be held?

8 MS. COOPER: If it was canceled, you'll be notified at
9 the 23rd.

10 MS. COMBS: Yeah, the public has what, up until the
11 23rd to comment?

12 MS. COOPER: Up until the 23rd at five o'clock.

13 MS. COMBS: Okay. The public can contact me up until
14 the 23rd. So soon as that -- we'll pass that,
15 then I'll let you know that it hopefully will be
16 canceled.

17 MS. EWART: Okay, so we can expect to be notified on
18 the 24th?

19 MS. COMBS: Sure. Yes.

20 MS. EWART: Okay.

21 MS. COMBS: Of course, if I hear anything before that
22 -- if we have a public comment, I'll let you
23 know. But they do have, you know, up until
24 then.

25 MS. EWART: All right.

1 (Off the record comments).

2 MS. EWART: All right. Is there anything else we need
3 to discuss then?

4 MS. COMBS: No, that's all.

5 MS. EWART: All right. Now can we have a motion to
6 adjourn?

7 MS. SCHWARTZ: This is Karen. I so move.

8 MS. ALLEN: I second. This is Phyllis.

9 MS. EWART: Thank you. All right, everybody, have a
10 good holiday.

11 MS. COMBS: You too.

12 (Whereupon, at 11:46 a.m., the proceeding
13 in the above-entitled matter was
14 concluded.)

15

16

17

18

19

20

21

22

23

24

25

STATE OF SOUTH CAROLINA)	
)	CERTIFICATE
COUNTY OF LEXINGTON)	

Be it known that I, Tina F. Behles, Nationally Certified Court Reporter and Notary Public in and for the State of South Carolina, took the foregoing discussion session via telephone conference call and commencing on Monday, November 28, 2011 at the offices of the South Carolina Department of Labor, Licensing and Regulation, 110 Centerview Drive, Columbia, South Carolina;

That the foregoing 9 pages constitute a true and accurate transcription of the proceedings and all testimony given at that time to the best of my skill and ability;

I further certify that I am not counsel or kin to any of the parties to this cause of action, nor am I interested in any manner of its outcome.

In witness whereof, I have hereunto set my hand and seal this 10th day of December 2011.

Tina F. Behles, CVR
 Notary Public for South Carolina
 My commission expires January 13, 2020

This transcript may contain quoted material. Such material is reproduced as read or quoted by the speaker.