

South Carolina Department of Labor, Licensing and Regulation (SCLLR)
South Carolina Panel for Dietetics Meeting Minutes
April 12, 2016 at 10:00 A.M.
Synergy Business Park, Kingstree Building, Room 204
Columbia, South Carolina 29210

Public notice of this meeting was properly posted at the South Carolina Panel for Dietetics, Synergy Business Park, Kingstree Building 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:

Karen G. Schwartz, MS, RD, Chair
Rebecca G. Wrenn, RD, Vice Chair
Ann F. Childers, RD
Kay J. MacInnis, RD
Judy H. Thomas, RD
Edna Rice Cox, RD
Michael C. Greene, Esquire

SCLLR STAFF PRESENT:

Holly Beeson, Esquire, Communications & Government Affairs
Donnell Jennings, Esquire, Office of Advice Counsel
April Koon, Administrator
Missy D. Jones, Administrative Assistant
For IRC Report:
Althea B. Myers, Chief Investigator, Office of Investigations and Enforcement
Prentiss Shealey, Attorney, Office of Disciplinary Counsel

IN ATTENDANCE:

Tina F. Behles, Certified Court Reporter, Capital City Reporting, LLC
Katherine Shavo, RD, South Carolina Academy for Nutrition and Dietetics

CALL TO ORDER / ATTENDANCE: The meeting was called to order at 10:02 a.m. by Panel Chair Karen Schwartz.

APPROVAL OF AGENDA: A **motion** was made by Mr. Green to accept the April 12, 2016 Agenda. The motion was seconded by Ms. Rice and carried unanimously.

APPROVAL/DISAPPROVAL OF ABSENT PANEL MEMBER(S): No motion was made since all Panel Members were present.

WELCOME NEW PANEL ADMINISTRATOR: Introduction of April Koon. A **motion** was made by Ms. Wrenn and seconded by Mr. Green to authorize the Chair of the Panel to work with Administrator to come up with a delegation of authority matrix that can be presented at the next meeting. Motion carried unanimously.

APPROVAL OF MINUTES: A **motion** was made by Ms. Thomas to accept the September 18, 2015 minutes as written. The motion was seconded by Mr. Green and carried unanimously.

OFFICE OF INVESTIGATIONS & ENFORCEMENT (OIE) STATISTICAL REPORT: Althea Myers, Chief of Investigations and Enforcement, provided the OIE Statistical Report and a Training Report that listed training the OIE investigators have attended. The Panel accepted this as information.

INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT: Chief Myers provided the IRC Report to the Panel. There were no cases to be presented to the Panel.

OFFICE OF INVESTIGATIONS & ENFORCEMENT AND OFFICE OF DISCIPLINARY COUNSEL ORIENTATION: Chief Myers gave brief overview of how complaints are handled by the Office of Investigations and Enforcement. Ms. Shealey, Counsel for the Office of Disciplinary Counsel, gave a brief overview of how cases from the IRC are handled. Ms. Shealy noted that there were no disciplinary cases in ODC at this time.

LEGISLATIVE UPDATE: Ms. Beeson gave a brief summary of the legislative update on Regulation 40-8 for changing the CE to conform to the Commission on Dietetic Registration requirements. The changes have not yet been scheduled for a subcommittee hearing on the House or Senate side. It has 120 days to be taken up by the House and Senate. If it is not taken up by the House or Senate, it will go into effect on May 13, 2016. A **motion** was made by Ms. Wrenn for Ms. Beeson to work with staff to send an E-Blast to all licensees regarding the change in the Regulations. The motion was seconded by Mr. Greene and carried unanimously.

Ms. Beeson departed meeting.

Mr. Jennings, the Panel's Advice Counsel, gave a brief summary on the proposed revision to DHEC Regulations, S.C. Code of Regulations R. 61-16§ 1505. A **motion** was made by Ms. Rice to approved R. 61-16§ as amended and authorize it to be submitted to DHEC and for Mr. Jennings to work with Ms. Childers as the point of contact on those changes. The motion was seconded by Ms. Wrenn and carried unanimously.

APPLICATION HEARING – LICENSURE APPLICATION – JUAN REYNOSO: Mr. Reynoso's application was before the Panel as he indicated that he was a Qualified Alien or non-immigrant under the Federal Immigration and Nationality Act and is lawfully present in the United States. Because of this answer, staff submitted his application to LLR's Immigrant Worker Compliance Department. According to the *Systematic Alien Verification of Entitlement* or SAVE Report, Mr. Reynoso is a *Deferred Action for Childhood Arrivals* or DACA qualifier. He cannot be considered for the state benefit of professional or occupational licensure according to an opinion by the South Carolina State Attorney General. Mr. Reynoso withdrew his application.

Executive Session (10:26 to 10:49 a.m.) A **motion** was made by Mr. Greene to go into Executive Session to receive legal advice. The motion was seconded by Ms. Thomas and carried unanimously. A **motion** was made by Ms. Rice to come out of Executive Session. The motion was seconded by Ms. Thomas and carried unanimously.

REPORTS / INFORMATION

Administrative Information - Information was provided by Mrs. Koon concerning the following topics:

- a. Licensee Total Report – there are 1078 currently licensed dietitians; 874 are in state and 204 are out of state.
- b. Financial Report – provided as information.

UNFINISHED BUSINESS

CONTINUING EDUCATION (CE) REQUIREMENTS FOR LICENSE RENEWAL LANGUAGE – TALKING POINTS – MS. RICE: Ms. Rice gave a summary of the proposed change for professional Continuing Education (CEU) requirements under Regulation 40-8 (B) which currently states that all licensees must demonstrate compliance with the continuing education requirements consistent with the Commission on Dietetic Registration. Ms. Rice proposes that the Panel make a change to be in alignment with the Commission on Dietetic Registration which requires 75 hours of CEU's every five years. A **motion** was made by Ms. Childers for Mr. Jennings to work with Ms. Rice to draft language amending Regulation 40-8 and present changes at the next scheduled meeting. The motion was seconded by Mr. Greene and carried unanimously.

NEW BUSINESS

ELECTION MEDIA DESIGNEE: A **motion** was made by Ms. Childers to nominate the Chair as the Panel's Media Designee. The motion was seconded by Ms. MacInnis and carried unanimously.

ELECTION OF OFFICER FOR PANEL OFFICERS: A **motion** was made by Ms. Thomas to nominate Ms. Wrenn for Chair. Ms. Wrenn respectfully declined the nomination. A **motion** was made by Ms. MacInnis to nominate Ms. Schwartz for Chair. The motion was seconded by Ms. Wrenn and carried unanimously. A **motion** was made by Ms. Childers to nominate Ms. Wrenn as Vice Chair. The motion was seconded by Ms. Rice and carried unanimously.

ACCEPTANCE OF ELECTRONIC TRANSCRIPTS: A **motion** was made by Ms. Wrenn to accept electronic transcripts. The motion was seconded by Ms. Rice and carried unanimously.

PUBLIC COMMENTS

There were no public comments made.

ANNOUNCEMENTS

Upcoming Meeting Date – September 20, 2016.

ADJOURNMENT

A **motion** was made by Ms. Rice to adjourn the meeting. The motion was seconded by Ms. Wrenn and carried unanimously. There being no further business, Ms. Schwartz adjourned the meeting at 11:49 a.m.

These minutes are a record of the official actions taken by the Panel and a summary of the meeting provided by April Koon, Administrator. Minutes are presented to the Panel for final approval.