

North Dakota Board of Dietetic Practice Meeting
May 9, 2012
10:30 a.m. – 3:45 p.m.
North Dakota Beef Commission
4023 State Street
Bismarck ND

I. Call to Order

Chair, Linda Nudell called the meeting to order at 10:30 a.m. Other Board members participating in the meeting were Georgianna Walker, Kathy Larson, and Rita Ussatis. Pat Anderson, NDBODP Executive Secretary was present. Connie Hofland was present as a representative of NDDA.

II. Approve Agenda

An agenda was emailed prior to the meeting. Two additional agenda items were added to include a resolution under the financial reports and a continuing education inquiry under correspondence.

III. Approval Meeting Minutes

Minutes from the January 18, 2012 meeting were distributed prior to the meeting for review. There were no corrections or additions to the minutes.

IV. Financial Reports

Anderson provided a copy of the financial audit for FY 2010 and FY 2011 that was prepared by Overmoe and Nelson. The audit was reviewed and the board requested that Anderson contact Overmoe and Nelson to inquire about reclassification of fund balances. The Board will also include a revenue component as recommended by Overmoe and Nelson. Anderson suggested \$21,000-\$22,000 for fiscal year 2012.

Anderson presented the financial statements as follows:

- Balance statement as of April 30, 2012 with \$6088.20 in Money Market, \$7924.02 in checking and \$97,443.94 in CDs.
- Transaction detail for administrative expenditures Oct. 1, 2011 – April 30, 2012.
- Sales by customer summary report for FY 2012 and a comparison of licensees from last fiscal year for Oct. – April.
- Profit Loss Statement FY 2012.
- Budget and YTD Expenditures.
- Budget Review; no changes were made to the budget.

Anderson requested that the Board approve a resolution so that she can have access to all of our CD accounts through Gate City Bank's online banking. Larson moved that

Anderson have access to all of the CD accounts through online banking at Gate City Bank; Walker seconded the motion; the motion passed.

V. Correspondence

a. Sponsorship Requests

Sponsorship requests were reviewed from NDDA, NDNC and the Breastfeeding Coalition. The following action was taken:

Walker moved to sponsor the Breastfeeding Coalition for \$1800 and that BODP be allowed to put a brochure in their packet regarding licensure and give recognition to BODP on their conference. Ussatis seconded the motion; the motion passed.

Ussatis moved that NDNC be sponsored for \$2100; Larson seconded the motion; the motion passed.

Larson moved that NDDA be sponsored for \$4500; Walker seconded the motion. Larson amended the motion and asked that NDDA give BODP recognition in their newsletter. Walker seconded the motion; motion passed.

b. Ideas To Obtain More Timely Sponsorship Requests

Discussion was held on how to have more timely sponsorship requests. It was also discussed that the sponsorship form needs to have more information added (i.e. contact person, number of credits offered, address of where to send the sponsorship to, projection of the number of LRDs and LNs in the audience and percentage, information about how their organization will promote NDBODP if given a sponsorship). **Action:** 1) Larson will add additional information to the sponsorship application and bring to the fall meeting for the Board to review; 2) Anderson will share the current sponsorship policy with Nancy Wahl (NDDA's new convention chair), Julie Garden-Robinson (NDNC), and Kim Hinnenkamp (Breastfeeding Coalition). It was recommended to inform them that NDBODP only meets 3-4 times/year and to consider that to submit requests timely.

VI. Unfinished Business

a. Distribution of Approved Policies

Anderson distributed the following approved policies from the November 7, 2011 meeting: 1) Continuing Professional Education (CPE) Activities Audit; 2) Expired LN License; and 3) Expired LRD License.

b. Strategic Plan

The strategic plan was reviewed. It was recommended to change NDDA to NDAND pending the outcome of the membership vote. Also recommended was to remove the college programs from the communication section.

c. Communication from AAG – How Long To Keep Forms

Anderson had received an email from Edward Erickson regarding our question on how long to keep records of past licenses and current license records. Erickson advised BODP that state law prohibits the destruction or removal of state records except as provided by a records retention schedule. Erickson recommended that we keep all records of current licensees. He also recommended a retention schedule that records relating to unexpired licenses be retained for as long as the license could be renewed without being treated as an entirely new applicant but licenses that are not renewed due to disciplinary issues need to be retained for the licensee's life in case that individual attempts to renew later. Anderson also stated that previous licensee records are sometimes needed for other licensure board verifications.

The board recommended that we retain the records and go with Erickson's recommendations.

d. Online Renewal of Licenses

Walker provided an update to the board on the discussion with Agency MABU concerning online renewal of licenses. She reported that an online database of licensees would be necessary so the database could integrate with their web service. Fees would include a onetime set up fee (amount contingent on more information), a \$300 annual fee that would include web support of 5-10 hours, and a \$100 security SSL fee. There would also need to be an online payment process for transactions and determined what payment gateways the bank would accept.

Action: It was recommended that we survey the NDDA and NDNC membership through a surveymonkey to gather information interest in online renewals and if willing to pay a fee of \$5-\$10. It was also recommended that we have a question to solicit any concerns of practice violations in ND. Rita and Linda will work on preparing one survey that can be used for both NDDA and NDNC membership. The survey link should be emailed to Anderson by August 1 so it can be completed prior to the September NDBODP board meeting.

e. Board Education

It was recommended that the board request Edward Erickson to attend our September board meeting and that we have him review the complaint process and discuss potential practice issues.

VII. New Business

a. Board Minutes on Website

Larson moved to put board minutes on the BODP website; Walker seconded the motion; the motion passed. Only approved minutes will be placed onto the site and it was recommended that we start with minutes this year. Anderson will follow through to have the January 18, 2012 minutes posted to our website.

b. Recommendations from Kay Mavko Concerning NDBODP

Action:

- 1) Hofland will contact AND and get a copy of the model licensure act for the BODP.
- 2) Board members and Anderson are to email to Walker any comments from the meeting with Mavko on recommended changes to our rules, law, or other. Walker will compile the list and get it back to us for follow up at the September meeting. The Board will review and discuss what should be recommended for change at our September meeting. Hofland's comments are to be included also.

c. AAG Response to Law and Rule Changes with ADA Name Change

Ussatis moved to have the technical corrections to BODP's rules and statutes to update BODP's address and to change the name of ADA to AND (Academy of Nutrition and Dietetics). Walker seconded the motion. Ussatis amended the motion to add and subsequent changes after AND. Walker seconded the motion; the motion passed. Anderson will contact Erickson regarding the Board's action. Anderson will also ask Erickson if the code of ethics can be updated to the current one as part of a technical change or does this require a substance change.

Anderson is to search for previous emails from Erickson regarding his recommendation for wording concerning AND and subsequent name changes.

Addendum: The recommended terminology from Erickson in his Oct. 6, 2011 email was to replace the present name with the new name, followed by "or any successor organization" so that any further name changes do not require an additional bill.

d. Disciplinary Action For Unlicensed Care

Erickson had sent an email on April 20, 2012 wondering if the board wants to pursue or inquire about disciplinary action for possible unlicensed practice when working for IHS. Erickson had stated in his email that we can only require a dietitian to be licensed if federal laws permit states to regulate. Anderson was asked to follow up with Erickson and ask him to research the issue and let us know.

e. Licensure Application with Misdemeanor (DUI)

Recently the Board had an application for licensure and the applicant included a letter explaining a record of a misdemeanor due to a DUI. No action was taken by the board and it was discussed that this shouldn't impede being granted a license.

f. Executive Secretary Phone Reimbursement

During the flood last summer in Minot Anderson had phone calls routed to her cell phone since the landline in her home became unusable. Upon moving from the Minot area the business phone line was discontinued (~\$32/month) and Anderson has been listing her cell phone number as the BODP contact number. Anderson proposed to continue with this arrangement and asked if the Board would reimburse her \$15/month for use of her personal cell phone. Larson moved that BODP reimburse

Anderson \$15/month for use of her cell phone for BODP business as long as this is convenient; Walker seconded the motion; the motion passed. Larson moved that the pay be retroactive to January, 2012; Walker seconded the motion; the motion passed.

g. Executive Secretary Contract

The Executive Secretary contract effective April 21, 2011 was brought forth for discussion for changes. The Board reviewed the contract and made the following changes

To Page 1:

- change the agreement date to April 21, 2012
- Under independent contractor – change the dates to April 21, 2012 through September 30, 2013.
- Under Salary – Walker moved to change the salary to \$850/month for the term of this agreement April 21, 2012 through September 30, 2013. It was also recommended to add in this section that additional job duties and/or special projects would be considered for additional compensation upon approval of the board.

To Page 2:

- Under expense account add to a phone line for NDBODP to be reimbursed at \$15/month
- Under expense account eliminate a post office box for NDBODP
- Under expense account change stationery to copies

Anderson will make the changes to the contract and email to Nudell for signature. Anderson thanked the board for the changes and expressed her appreciation in working for the board.

h. NDDA *Dietetic Update* Articles

May 2012 – Ussatis will write a short article on the consequences of not being licensed.

August 2012 – Licensure is serious; lapsed licenses; looking at online services for licensure (Walker).

November 2012 – Survey results regarding online services.

It was requested that NDDA information also be placed in the NDNC newsletter. Anderson was requested to provide the information to NDNC.

i. Term Expiration – Georgianna Walker 8/31/2012

Anderson was requested to contact Nicole at the governor's office to request reappointment of Walker for another 3 year term.

j. Renewal Letters and Applications for LRDs and LNs

Anderson provided a draft of renewal letters and applications for LRDs and LNs. The board had no recommendations for changes to the letter to LRDs and LNs. It was

recommended on the renewal application for LRDs under no. 9, that a. and b. be reversed in order. On the LN application it was requested that under no. 8, that a. and b. be reversed in order.

k. Audit Plans

Anderson informed the board that it would be time to gather audit information for licensees and that she will follow the board policy for selection of auditees. Ussatis informed the board that she will be at the end of her five year cycle this month and will be in the audit sample.

VIII. Next Meeting

A face-to-face Board meeting date was established for Thursday, September 13, 2012. Suggestions for a meeting place included the Beef Commission or the extension office in Bismarck. The start time will be 9 a.m. and Erickson will be asked to attend. Anderson was requested to determine if Erickson could attend at 9 a.m.

The meeting was adjourned at 3:45 p.m.

Respectfully Submitted,

Pat Anderson
NDBODP Executive Secretary