

The Florida

**Dietetics Nutrition Practice Council**

**Draft Minutes**

**July 24, 2015**

Telephone Conference Call

1-888-670-3525

Participant Code 7811783909 #

**Peggy Cooper, MS, RD, LDN**

Chair

**Jackie Shank, MS, RD, LDN**

Vice Chair

# Minutes

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**DEPARTMENT OF HEALTH  
DIETETICS AND NUTRITION PRACTICE COUNCIL  
GENERAL BUSINESS MEETING  
JULY 24, 2015  
AGENDA**

**9:30 a.m. EST**

**Call to order – General Business Meeting**

Ms. Cooper called the meeting to order at 9:31 a.m. Ms. Adams conducted roll call.

**MEMBERS PRESENT**

Peggy Cooper, MS, RD, LDN, Chair  
Jackie Shank, MS, RD, LDN, Vice-Chair  
Sheah Rarback, MS, RD, LDN  
Linda Gammon, LNC  
Linda Rex

**STAFF PRESENT**

Diane Guillemette, Assistant Attorney General  
Allen Hall, Executive Director  
Katrina Adams, Regulatory Supervisor/Consultant

**WIC OFFICE**

Nancy Spyker, MS, RD, LDN

**OTHERS**

Christine Stapell, MS, RD, LDN  
Freddie Kaye, LDN  
Judy Stone, MS, CNS  
Dana Reed, MS, CNS, CDN

**ADMINISTRATIVE PROCEEDINGS**

**INDIVIDUAL CONSIDERATION**

**TAB 1 Sarah Bingham (Examination with Waiver)**

Ms. Bingham was present

Ms. Bingham applied for licensure by examination with waiver. Her application was presented to the Council for review.

Ms. Cooper moved to approve Ms. Bingham's application for licensure by examination with waiver. However, the license contingency is that Ms. Bingham must complete a 2 hour course on ethics within the next 6 months. Ms. Shank seconded the motion which carried 5/0.

**TAB 2 Donna Lee Adimando (Endorsement of Another State License)**

Ms. Adimando was not present.

Ms. Adimando applied for licensure by endorsement of another state license. Her application was presented to the Council for review.

Ms. Cooper moved to deny Ms. Adimando's application for licensure by endorsement of another state license on the basis that New York licensure is not substantially equivalent to nor more

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stringent to Florida Statute 468.513(2). The New York regulations did not require Ms. Adimando to pass the registered dietitian examination. Ms. Shank seconded the motion which carried 5/0.

## APPLICANT RATIFICATION LIST

### TAB 3 List of Licensees Certified for Licensure by Endorsement of Registered Dietitian Status

Ms. Cooper moved to ratify the list of individuals approved to sit for the examination, beginning with Matilda Johnson and ending with Kirti Jain. Ms. Shank seconded the motion, which carried 5/0. The full list of examination candidates are appended to these minutes.

## RULES REVIEW AND/OR DEVELOPMENT

### TAB 4 Rule 64B8-42.002, F.A.C., Licensure by Examination

Following discussion, the Council took the following action.

Ms. Cooper moved open the rule 64B8-42.002 for development. Ms. Rarback seconded the motion, which carried 5/0.

(a) A minimum of 200 hours in Clinical Nutrition that provides competency in the following areas: (generally acquired in a hospital or other acute care setting). Examples of clinical nutrition practical experience are generally acquired in a hospital or other acute or chronic care setting, are as follows:

1. Assessment of nutritional status for both complex and uncomplicated medical conditions,
2. Design and implementation of nutrition care plans,
3. Application of medical nutrition therapy for treatment of disease and trauma,
4. Selection, implementation and evaluation of nutritional support, such as medical food enteral and parenteral nutrition regimens,
5. Counseling and nutrition education of patients on dietary modifications, including techniques that demonstrate integration of theoretical training, psychological and behavioral aspects of interpersonal relationships, documentation of appropriate interventions, and proper decision-making,
6. Performance of basic physical assessments, and
7. Quality assurance.
8. Menu planning for target populations to meet nutritional guidelines and special dietary needs.
9. Development or modification of recipes or formulas,
10. Food safety and sanitation.

(b) A minimum of 200 hours in Community Nutrition that provides competency in the following areas: (generally acquired within a community or public health program or HMO). Examples of Community Nutrition practical experience are generally acquired within a community or public health program or HMO, as follows:

1. Screening/assessment of nutritional status of the population or community group, including counseling techniques that demonstrate integration of theoretical training, psychological and behavioral aspects of interpersonal relationships, documentation of appropriate interventions, and proper decision-making.
2. Provision of nutritional care for people of diverse cultures and religions across the lifespan,

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3. Development, evaluation or implementation of community – based health promotion program(s),

4. Nutrition surveillance and monitoring of the population or community group,

5. General health assessment, e.g. blood pressure and vital signs,

6. Development and review of educational materials for the target population, and

7. Development of food and nutrition policy for the population or community group.

~~(c) A minimum of 200 hours in Food Service Systems Management (generally acquired in an institutional or commercial setting). Examples of Food Service Systems Management practical experience are as follows:~~

~~1. Menu planning for target populations to meet nutritional guidelines and special dietary needs,~~

~~2. Development or modification of recipes or formulas,~~

~~3. Purchasing, production and delivery of food in the institutional or commercial setting,~~

~~4. Food safety and sanitation,~~

~~5. Budgeting,~~

~~6. Performance improvement and quality control; customer satisfaction,~~

~~7. Marketing,~~

~~8. Selection, operation and care of equipment; design and re-design of work units, and~~

~~9. Employee training and supervision; human resource functions.~~

Ms. Cooper moved that the changes to rule 64B8-42.002 would not have an adverse impact to small business. Ms. Shank seconded the motion, which carried 5/0.

Ms. Shank moved that the changes to rule 64B8-42.002 would not be likely to directly or Indirectly increase regulatory cost to any entity (including government) in excess of \$200,000.00 In the aggregate in Florida within 1 year after the implementation of the rule. Ms. Cooper seconded the motion, which carried 5/0.

Ms. Rarback moved that the language be recommend to the Board of Medicine to be notices. Ms. Cooper seconded the motion, which carried 5/0.

Ms. Guillemette will present the language to the Board of Medicine.

## **TAB 5          Rule 64B8-44.004, F.A.C., Documentation**

Following discussion, the Council took the following action.

Ms. Cooper moved open the rule 64B8-44.004 for development to incorporate House Bill 951. Ms. Rarback seconded the motion, which carried 5/0.

(2) Prior to implementing a dietary or nutrition plan for a condition, the licensee must inquire whether the patient is under the active care of a licensed medical doctor, osteopathic physician, or chiropractic physician for that condition, and secure a written or oral dietary or nutrition order of the referring physician, or the licensee must have been granted nutrition ordering privileges by the medical staff of a licensed care facility. The licensee shall not accept a referral from a chiropractic physician for any disease or condition set forth in Rule 64B2-17.002, F.A.C. If prior authorization is not practicable, the licensee may use professional discretion in providing nutrition services until authorization is obtained from the physician. The requirements of this subsection must be fully and completely documented in the patient's record.

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Ms. Cooper moved that the propose language to rule 64B8-44.004 would not have an adverse impact to small business. Ms. Shank seconded the motion which carried 5/0.

Ms. Shank moved that the changes to rule 64B8-44.004 would not be likely to directly or indirectly increase regulatory cost to any entity (including government) in excess of \$200,000.00 in the aggregate in Florida within 1 year after the implementation of the rules. Ms. Cooper seconded the motion, which carried 5/0.

Ms. Cooper moved that the language be recommend to the Board of Medicine to be notices. Ms. Shank seconded the motion, which carried 5/0.

**TAB 6            Rule 64B8-45.002, F.A.C., Continuing Education Approval**  
    • **Joint Administrative Procedures Committee Letter (JACP)**

Following discussion, the Council took the following action.

Ms. Shank made a suggestion to no longer pursue the rule change regarding awarding continuing education for visiting exhibits halls. Ms. Gammon agreed that it would get cumbersome to approve one continuing education credit.

Ms. Cooper made a motion to send a letter to JAPC to continue to respond as usual with the continuing education rule. Ms. Shank seconded the motion, which carried 5/0.

Ms. Cooper moved that the changes to rule 64B8-45.002 would not have an adverse impact to small business. Ms. Rarback seconded the motion, which carried 5/0.

Ms. Cooper moved that the proposed language to rule 64B8-45.002 would not be likely to directly or indirectly increase regulatory cost to any entity (including government) in excess of \$200,000.00 In the aggregate in Florida within 1 year after the implementation of the rules. Ms. Rarback seconded the motion, which carried 5/0.

Ms. Cooper moved that the language be recommend to the Board of Medicine to be notices. Ms. Rarback seconded the motion, which carried 5/0.

：“(d) A licensee who successfully completes a dietetic-related advanced certification exam offered or approved by the Commission on Dietetic Registration shall receive 28 hours of continuing education credit in the biennium in which the certification was awarded.”

The council moved to not continue with the proposed language for subsection (c).

## **RULES STATUS REPORT**

**TAB 7            Diane Guillemette, Assistant Attorney General**

- 64B8-42.001, F.A.C., Licensure by Endorsement
- 64B8-42.002, F.A.C., Licensure by Examination
- 64B8-45.002, F.A.C., Continuing Education Approval

Ms. Cooper made a motion to have Ms. Guillemette respond to the JAPC letter as discussed. Ms. Gammon seconded the motion, which carried 5/0.

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## REPORTS

### **TAB 8          Peggy Cooper, Council Chair**

There were no reports.

### **TAB 9          Allen Hall, Executive Director Report topics:**

#### **Expenditures by Function**

This is an informational item.

#### **Cash Balance Report**

This is an informational item.

## NEW BUSINESS

### **TAB 10         Strategic Planning Activities**

This is an informational item.

### **TAB 11         2016 Meeting Dates**

Friday, January 22, 2016 Date not accepted  
Friday, April 15, 2016 Conference Call  
Friday, July 8, 2016 Conference Call  
Friday, October 21, 2016 Conference Call

The council agreed all on the meeting dates for 2016 except January 22, 2016. Staff will work on a meeting date for January 2016.

## OLD BUSINESS

### **TAB 12         April 24, 2015 Dietetics and Nutrition Practice Council General Business Meeting Minutes**

Ms. Cooper moved to approve the minutes with changes to page 3 by removing the phrase "because some conferences are glutted". Ms. Rarback seconded the motion, which carried 5/0.

### **TAB 13         May 8, 2015 Dietetics and Nutrition Practice Council General Business Meeting Minutes**

Ms. Cooper moved to approve the minutes with changes to the spelling of "Staples" to "Stapell" on pages 1 and 4 of the minutes. Ms. Rarback seconded the motion, which carried 5/0.

## OTHER BUSINESS AND INFORMATION

### **TAB 14         Board of Medicine June 4, 2015 Rules/Legislative Committee Meeting**

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This is an informational item.

**TAB 15      Board of Medicine Final Order to Revoke License for Health Care Fraud**

- Schella Logan Hope, L.D.N. – Revoked

This is an informational item.

**Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the council's website.**