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BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF REGISTRATION OF
DIETITIANS AND NUTRITIONISTS

1000 Washington Street • Boston • Massachusetts • 02118

Board Meeting Minutes

June 8, 2018

1000 Washington Street

Boston, MA 02118

Room 1C

10:00 AM

Members Present:

Lisa Brown
Betty Francisco
Heather Hanley
Dominica Nichols
Erinn Pearson
Erin Reese
Irene Sedlacko

Staff Present:

Brian Bialas, Executive Director
Richard Lawless, Assoc. Executive Director
Bruce Hopper, Chief Legal Counsel
Anne Driscoll, Office of Investigations

The meeting was called to order at 10:05 a.m.

Approval of the Public Meeting Minutes from September 8, 2017

The Board reviewed the Public Meeting Minutes from September 8, 2017. A motion was made by Ms. Hanley, seconded by Dr. Brown to approve the minutes. Motion passed unanimously.

Formation of Continuing Education Audit Subcommittee

The Board decided to establish a subcommittee to address items related to the 2017 Continuing Education Audit. A motion was made by Ms. Sedlacko, seconded by Ms. Hanley to form the subcommittee. Motion passed unanimously.

Executive Director Report

Mr. Bialas reported that he was moving to a different unit in DPL, and that Mr. Lawless would be serving as the Acting Executive Director for the Board.

Mr. Lawless reported on DPL's new website and that the updated FAQ has been posted online. He also reported that online applications have significantly increased and paper applications have decreased, due to the redesign of the Board's website.

Board Counsel Report



Mr. Hopper reported on the newly completed merger of the Office of Public Safety and Inspections with DPL.

Delegations of Authority

The Board reviewed the following Delegations of Authority:

1. Delegation of Authority to allow Staff to sign OTSCs, Consent Agreements, License Surrenders, and Final Decisions

Ms. Francisco moved to approve the Delegation of Authority as written, seconded by Ms. Pearson. Following a unanimous vote, the motion passed.

2. Delegation of Authority to allow Staff to sign Summary Suspension orders where the Chair has approved such an Order because the licensee presents an immediate threat to the public safety or welfare

Ms. Sedlacko moved to approve the Delegation of Authority as written, seconded by Ms. Hanley. Following a unanimous vote, the motion passed.

3. Delegation of Authority to allow DPL Hearing Officers to hold evidentiary hearings and issue tentative decisions that will be reviewed by the Board

Ms. Hanley moved to approve the Delegation of Authority as written, seconded by Ms. Francisco. Following a unanimous vote, the motion passed.

4. Delegation of Authority to allow staff to impose a standard sanction specified by the Board (usually a revocation for licensees and highest fine permitted by law for unlicensed practice) on licensees who fail to respond to an Order to Show Cause against them or any other scheduled events

Dr. Nichols moved to approve the Delegation of Authority as written, seconded by Ms. Reese. Following a unanimous vote, the motion passed.

Review of Applications for Licensure

The Board prepared to review Applications for Licensure.

Dr. Brown moved to suspend the open meeting and enter into Executive Session pursuant to G.L. c. 31A, s. 21(a)(1) for the purpose of discussing individual character rather than competence, seconded by Ms. Hanley.

Voted unanimously by roll call vote. Members in favor: Dr. Brown, Ms. Francisco, Ms. Hanley, Dr. Nichols, Ms. Pearson, Ms. Reese and Ms. Sedlacko.

Open session resumed at 10:51 a.m.

Reinstatements

The Board reviewed the following applications for reinstatement:

1. Nicholas Altieri
Ms. Hanley moved to accept 112 CEUs for reinstatement, and to delegate authority to Dr. Brown and Ms. Sedlacko to consider further CE submissions and reinstate the applicant if appropriate, seconded by Ms. Reese. Following a unanimous vote, the motion passed.
2. Rachel Drywa
Ms. Sedlacko moved to reinstate the applicant, seconded by Ms. Reese. Following a unanimous vote, the motion passed.
3. Susan Sanford
Ms. Pearson moved to accept 160 CEUs for reinstatement, and to delegate authority to Dr. Brown and Ms. Sedlacko to consider further CE submissions and reinstate the applicant if appropriate, seconded by Ms. Sedlacko. Following a unanimous vote, the motion passed.
4. Amy Gilman
Ms. Hanley moved to reinstate the applicant, seconded by Ms. Francisco. Following a unanimous vote, the motion passed.
5. Michelle Horan
Ms. Sedlacko moved to accept 112 CEUs for reinstatement, and to delegate authority to Dr. Brown and Ms. Sedlacko to consider further CE submissions and reinstate the applicant if appropriate, seconded by Ms. Reese. Following a unanimous vote, the motion passed.
6. Colleen Timmons
Ms. Hanley moved to reinstate the applicant, seconded by Dr. Nichols. Following a unanimous vote, the motion passed.
7. Regina Schuh
Dr. Nichols moved to accept 43.5 CEUs for reinstatement, and to delegate authority to Dr. Brown and Ms. Sedlacko to consider further CE submissions and reinstate the applicant if appropriate, seconded by Ms. Hanley. Following a unanimous vote, the motion passed.
8. Julia O'Brien
Ms. Hanley moved to reinstate the applicant, seconded by Ms. Pearson. Following a unanimous vote, the motion passed.
9. Pragya Padmanabhan
Ms. Pearson moved to reinstate the applicant, seconded by Ms. Reese. Following a unanimous vote, the motion passed.
10. Kelly Mooney
Dr. Nichols moved to ratify the reinstatement of the applicant, seconded by Ms. Hanley. Following a unanimous vote, the motion passed.

Application Evaluations

The Board reviewed the following applications for licensure:

1. Erica Colby
Ms. Reese moved to approve the applicant's work experience, seconded by Ms. Francisco. Following a unanimous vote, the motion passed.
2. Phoebe Cryan
Ms. Pearson moved to approve the applicant's work experience, seconded by Ms. Hanley. Following a unanimous vote, the motion passed. Dr. Nichols was recused from the discussion.
3. Edwige Joseph
Ms. Sedlacko moved to approve the applicant's work experience, seconded by Ms. Pearson. Following a unanimous vote, the motion passed. Dr. Nichols was recused from the discussion.
4. Quentin Nichols
Ms. Hanley moved to delegate authority to Dr. Brown and Ms. Sedlacko to consider further information on the applicant's work experience, and to approve the applicant if appropriate, seconded by Ms. Reese. Following a unanimous vote, the motion passed.
5. Andrea Feeney
Ms. Sedlacko moved to deny the application for licensure due to not meeting the educational requirements, seconded by Ms. Reese. Following a unanimous vote, the motion passed.
6. Jenny Nguyen
Dr. Nichols moved to approve the applicant's work experience, seconded by Ms. Hanley. Following a unanimous vote, the motion passed.
7. Sneh Jasingh
Ms. Reese moved to request additional information on the applicant's work experience for the Board's review at a future meeting, seconded by Ms. Hanley. Following a unanimous vote, the motion passed.
8. Meghann Jurkowski
Ms. Hanley moved to approve the applicant's work experience, seconded by Ms. Sedlacko. Following a unanimous vote, the motion passed.

Continuing Education Requirement Waiver Requests

The Board reviewed the following requests for continuing education requirement waivers:

1. Jillian Fandrich
Ms. Reese moved to ratify a 6-month continuing education extension, seconded by Dr. Nichols. Following a unanimous vote, the motion passed.

Ms. Francisco moved to suspend the open meeting and enter into Executive Session at 12:57 p.m. pursuant to G.L. c. 31A, s. 21(a)(1) for the purpose of discussing individual character rather than competence, seconded by Ms. Reese.

Voted unanimously by roll call vote. Members in favor: Dr. Brown, Ms. Francisco, Ms. Hanley, Dr. Nichols, Ms. Pearson, Ms. Reese and Ms. Sedlacko.

Open session resumed at 1:11 p.m.

Correspondence

The Board reviewed the following correspondence:

1. Email from Jean Lussier from Steward Health Care Network on administering insulin upon the order of an authorized prescribing practitioner, and inserting, starting and removing a continuous glucose monitor sensor.

The Board gave direction to staff to respond that neither procedure is within the scope of practice for a Licensed Dietitian.

2. Email from Brian Robinson from Harvard Pilgrim Healthcare about ordering clinical laboratory tests.

The Board gave direction to staff to respond that Dietitians can recommend but not order clinical laboratory tests.

Board Calendar

The Board discussed the schedule from upcoming meetings and agreed to continue scheduling quarterly meetings on Fridays.

Other Topics From the Floor

The Board discussed how to handle pending applications between Board meetings.

Cases [Closed session pursuant to G.L. c. 112, § 65C]

Ms. Hanley moved to exit open session and enter investigative conference to consider open cases, seconded by Ms. Francisco. Motion passed unanimously.

The Board entered closed session at 1:35 p.m.

During the closed session, the Board voted to take the following actions:

2017-001415-IT-ENF	Dismissed
2017-001408-IT-ENF	Dismissed
2017-001407-IT-ENF	Dismissed
2017-000897-IT-ENF	Dismissed
2017-001046-IT-ENF	Dismissed

The Board returned to open session at 1:58 p.m.

Adjournment

A motion was made by Ms. Hanley, seconded by Ms. Sedlacko, to adjourn the meeting. Motion passed unanimously.

The meeting adjourned at 1:58 p.m.

Documents Used During the Meeting:

Agenda

Draft Minutes of September 8, 2017 Open Meeting

Email from Jean Lussier

Email from Brian Robinson

The above Minutes were approved at the open meeting held on September 7, 2018.

A handwritten signature in black ink, appearing to read 'Richard Lawless', written over a horizontal line.

Richard Lawless
Acting Executive Director