

The Florida

Dietetics Nutrition Practice Council

Minutes

January 26, 2017

Telephone Conference Call

1-888-670-3525

Participant Code 7811783909 #

Stephanie Petrosky, MHA, RDN, LDN
Chair

Carol Elliott, RDN, LDN, FAND
Vice Chair

Minutes

**DEPARTMENT OF HEALTH
DIETETICS AND NUTRITION PRACTICE COUNCIL
GENERAL BUSINESS MEETING
JANUARY 26, 2017**

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.

9:30 a.m. EST

Call to order – General Business Meeting

Ms. Petrosky called the meeting to order at 10:50 a.m. Ms. Adams conducted roll call.

MEMBERS PRESENT

Stephanie Petrosky, MHA, RD/LDN,
FAND, Chair
Carol Elliott, RDN, LDN, FAND, Vice-Chair
Stephanie Norris, MS, RDN, LDN
Linda Gammon, LNC
Linda Rex

STAFF PRESENT

Diane Guillimette, Assistant Attorney General
Allen Hall, Executive Director
Katrina Adams, Regulatory Supervisor/Consultant
LaQuadra Simmons, Regulatory Specialist II

WIC OFFICE

Nancy Spyker, MS, RD, LDN

OTHER'S PRESENT

Abbey Folsom CNS, LDN
Mr. Chino Casas, Unlicensed Activity Division

ADMINISTRATIVE PROCEEDINGS

INDIVIDUAL CONSIDERATION

1. Shaun Sawko (Examination)

Mr. Sawko was not present.

Mr. Sawko applied for licensure by examination. His application was presented to the Council for review of his 900 pre professional hours. Mr. Sawko used a non-traditional pathway to obtain his hours.

Pursuant to Florida Administrative Code 64B8-42.002, Mr. Sawko meets the necessary requirements for approval to sit for the licensure exam in the state of Florida.

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Ms. Elliott made a motion to approved Mr. Sawko's application for licensure by examination to sit for the examination. Ms. Norris seconded the motion, which carried 5/0.

2. Trevor Scott Kashey (Examination)

Mr. Kashey was not present.

Mr. Kashey applied for licensure by examination. His application was presented to the Council for review of his 900 pre professional hours and his education. Mr. Kashey's 900 pre professional hours were not supervised by a dietitian/nutritionist as stated in rule 64B8-42.002 (4), but by a medical doctor.

Mr. Kashey has taken courses which meet the requirements under rule 64B8-42.002 (2). Mr. Kashey has two degrees which are both in Biochemistry and it is not clear if his preceptor has the adequate nutritional background to qualify for supervision.

Ms. Petrosky stated that Mr. Kashey meets the requirement for his education, but it is still unclear if he meets the requirements for his 900 hour supervision.

Mr. Hall presented the requirements under rule 64B8-42.002 to the Council.

Ms. Petrosky stated that there would need to be further analysis of the applicants' application.

Ms. Norris made a motion to approve a personal appearance request for the applicant in order to address the preceptors' background, experience and specialty in nutrition and to further address Mr. Kashey's application. Ms. Elliott seconded the motion, which carried 5/0.

3. Awilda Carrasquillo-Forty (Endorsement of Another State License)

Ms. Carrasquillo-Forty was not present.

Ms. Carrasquillo-Forty applied by endorsement of another state license. Her application was presented to the Council for review. Ms. Carrasquillo-Forty's Puerto Rico license is inactive. Pursuant to rule

Ms. Carrasquillo-Forty did not show proof of an active license in Puerto Rico and did not provide a clear copy of the Puerto Rico laws/rules.

According to rule 64B8-42.001 (1) (b) an applicant applying by endorsement of another state license, would need to present an active license for the state that they are endorsing.

Ms. Guillemette suggested that the Council notice of intent to deny for lack of a valid active license and clear translated laws and rules for Puerto Rico. Ms. Guillemette stated that the applicant could contest the decision of Council.

Ms. Elliott made a motion to deny Ms. Carrasquillo-Forty's application based off of the presented information. Ms. Norris seconded this motion, which carried 5/0.

4. Umbelina Neves Lourenco (Examination)

Ms. Lourenco was not present.

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Ms. Lourenco applied by examination. Her application was presented to the Council for review of her education and 900 pre professional hours which were both completed in Brazil.

Ms. Lourenco did not provide verification of her supervisors' license. Ms. Lourenco did not meet the 900 hour requirement.

Ms. Elliott questioned Ms. Lourenco's experience and preceptor experience in dietetics/nutrition.

Ms. Petrosky suggested that Ms. Lourenco be present for questioning about her hours and her personal experience.

Ms. Elliott made a motion to address the supervised hours of experience for Ms. Lourenco and to place applicant on the February agenda. Ms. Gammon seconded the motion, which carried 5/0.

5. Maria Malaret (Endorsement of Another State License)

Ms. Malaret was not present.

Ms. Malaret applied by endorsement of another state license. Her application was presented to the Council for review of her Puerto Rico license and Puerto Rico laws and rules.

Ms. Norris made a motion to approve Ms. Malaret's application by endorsement of another state license because the standards in which Ms. Malaret was certified as a licensed nutritionist in Puerto Rico, were substantially equivalent to those in Florida. Ms. Elliott seconded the motion, which carried 5/0.

APPLICANT RATIFICATION LISTS

6. List of Applicants Approved to Sit for the Examination

Following the discussion, the Council took the following action.

Ms. Elliott made a motion to ratify the list of individuals approved to sit for the examination beginning with Clorinda Urbina and ending with Nancy Rodriguez Suarez. Ms. Gammon seconded the motion, which carried 5/0. The full list of examination candidates are appended to these minutes.

7. List of Applicants Approved for Temporary Permits

Following the discussion, the Council took the following action.

Ms. Gammon made a motion to ratify the list of the individual approved for a temporary permit beginning and ending with Kristen Kuhns. Ms. Norris seconded the motion, which carried 5/0. The full list of the temporary permit candidate is appended to these minutes.

8. List of Licensees Certified for Licensure by Endorsement of Registered Dietitian Status

Following the discussion, the Council took the following action.

Ms. Norris made a motion to approve the list of individuals licensed by endorsement based on their Registered Dietitian status with CDR, beginning with Ileana Alexander and ending with Daphne

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Luellyn Applebee. Ms. Gammon seconded the motion, which carried 5/0. The full list of licensees are appended to these minutes.

RULES REVIEW AND/OR DEVELOPMENT

9. Reduction in Lines of Regulation Discussion

Ms. Guillemette stated that the Governors' office wanted the Dietetics rules to be looked over for possible reduction. Ms. Guillemette stated to the Council that if they had any ideas on how to reduce further, to please present them at the next Council meeting.

10. Rule 64B8-44.003 Disciplinary Guidelines

Ms. Guillemette stated that rule 64B8-44.003 went before the Council previously and was voted on to add a line for an additional violation. Ms. Guillemette stated that the rule is scheduled to go before the Board of Medicine in February.

RULES STATUS REPORT

11. Assistant Attorney General, Dianne Guillemette

- Rule 64B8-42.001, F.A.C., Licensure by Endorsement
- Rule 64B8-42.002, F.A.C., Licensure by Examination
- Rule 64B8-42.003, F.A.C., Disciplinary Guidelines
- Rule 64B8-42.005, F.A.C., Additional Education Requirements for Initial Licensure
- Rule 64B8-44.002, F.A.C., Fraudulent, False, Deceptive, or Misleading Advertising
- Rule 64B8-44.003, F.A.C., Disciplinary Guidelines
- Rule 64B8-44.004, F.A.C., Documentation
- Rule 64B8-44.006, F.A.C., HIV/AIDS: Knowledge of Antibody Status; Action to be taken
- Rule 64B8-44.007, F.A.C., Standards of Practice
- Rule 64B8-44.008, F.A.C., Performance of Delegated Tasks by Non-Licensed Personnel
- Rule 64B8-44.009, F.A.C., Unauthorized Treatments

Ms. Guillemette provided the Council with an update on the development of each rule. This was an Informational item.

REPORTS, IF ANY

12. Council Chair, Stephanie Petrosky

There were no reports.

13. Executive Director, Allen Hall

Report topics:

- Expenditures by Function

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This was an informational item.

- Cash Balance Report

This was an informational item.

NEW BUSINESS

14. Unlicensed Activity Presentation

Mr. Casas stated that *Florida statute 456.065* which governs the unlicensed activity program, makes it illegal to practice as a healthcare professional unlicensed which is a third degree felony in the state of Florida. Mr. Casas stated that ULA division continues to do outreach and educate via speaking engagements and presentations while also promoting the ULA via conventions and conferences. Mr. Casas stated that the ULA is complaint driven and very proactive.

Mr. Casas encouraged the Council to submit any and all complaints to the ULA division. Mr. Casas stated that in February 2015 the ULA division went from having only 12 investigators to 19 investigators which are housed in 11 field offices throughout the state of Florida.

Mr. Casas stated that each quarter the Division on Medical Quality Assurance sends out a quarterly report which entails everything that took place within the quarter. The items featured in the quarterly report, are related to unlicensed activity outreach, law enforcement partnerships and any recent arrests. Mr. Casas stated that all of this information can be Googled.

Mr. Casas stated that there is a dedicated hotline for unlicensed activity complaints and proceeded to provide the contact information for anyone wanting to report unlicensed activity or to verify licensure. Mr. Casas stated that complaints can be done anonymously.

Mr. Casas stated that for the past three years the numbers have doubled for citations given for unlicensed activity. For the department 21013-2014 fiscal year, 231 citations were issued, the following year 398 citations and the last fiscal year was 628 citations were given. Mr. Casas stated that Dietetics and Nutrition citations went from six citations in the 2013-2014 fiscal year, 11 citations the year after and the last fiscal year 31 citations were given for a total of 48 cease and decess cases.

Mr. Casas stated that he would be available to speak at the meeting for the Dietetics and Nutrition Professional Association in July and provided his contact information.

15. Delegation of Authority

**DELEGATION OF DUTIES
DIETETICS AND NUTRITION PRACTICE COUNCIL**

Situation	Full Council Retains Authority	Delegate Authority to Chair	Delegate Authority to Committee or Committee Liaison	Delegate Authority to Executive Director, Regulatory Supervisor or Council Staff	Delegate Authority to Council Attorney
<p>1. Authority to approve applicants for licensure that meet statutory and rule requirements. Staff authorized to issue the license as soon as the applicant meets all criteria for licensure. Ratified at the next Council meeting.</p>				<p align="center">XX –Council Staff</p>	
<p>2. Authority to approve examination applicants that completed ACEND accredited education and internship. Ratified at the next Council meeting.</p>				<p align="center">XX –Council Staff</p>	

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Situation	Full Council Retains Authority	Delegate Authority to Chair	Delegate Authority to Committee or Committee Liaison	Delegate Authority to Executive Director, Regulatory Supervisor or Council Staff	Delegate Authority to Council Attorney
3. Authority to apply the Conviction Record Guidelines, approved by the Council, when reviewing applicant criminal history.				XX – Council Staff	
4. Authority to review applications, referred by staff, to determine if review by full Council is required.		XX			
5. Authority to require a personal appearance as defined in 456.013(3)(c), F.S.		XX		XX – Council Staff when indicated by the Conviction Record Guidelines or when Council review of other credentials is necessary to determine if the requirements for licensure	

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Situation	Full Council Retains Authority	Delegate Authority to Chair	Delegate Authority to Committee or Committee Liaison	Delegate Authority to Executive Director, Regulatory Supervisor or Council Staff	Delegate Authority to Council Attorney
				have been met.	
6. Authority to determine whether a temporary permit may be granted for applicants requiring full Council review.		XX			
7. Authority to request a personal appearance, when necessary, to toll the 15-day time period in which a licensure application must be granted or denied, once the final results of an investigation or prosecution are received, as described in s. 456.013(3)(a), F.S.		XX			
8. Authority to grant continuances.		XX			

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Situation	Full Council Retains Authority	Delegate Authority to Chair	Delegate Authority to Committee or Committee Liaison	Delegate Authority to Executive Director, Regulatory Supervisor or Council Staff	Delegate Authority to Council Attorney
9. Authority to approve/reject supervision monitors or continuing education courses required by a Final Order.		XX			
10. Authority to approve reports required by Final Orders when the Order does not specify the report must be reviewed by the full Council.		XX			
11. Authority to require a PRN evaluation.	XX				
12. Authority to sign any and all Council Orders/Notices related to licensure or any function of the Council.				XX – Executive Director	
13. Authority to accept service on behalf of the Council (not individual Council Members).				XX – Executive Director	

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Situation	Full Council Retains Authority	Delegate Authority to Chair	Delegate Authority to Committee or Committee Liaison	Delegate Authority to Executive Director, Regulatory Supervisor or Council Staff	Delegate Authority to Council Attorney
14. Authority to accept voluntary relinquishments when no discipline is pending.				XX – Regulatory Supervisor	
15. Authority to grant an exemption from disqualification when the criminal history disclosed in the background screening report has been previously reported by the licensee and cleared prior to licensure, or, when a level 1 exemption was previously granted. Does not apply when additional criminal charges are present on the report. Ratified at the next Council meeting.				XX – Regulatory Supervisor	
16. Authority to review and refer legally sufficient petitions for					XX

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Situation	Full Council Retains Authority	Delegate Authority to Chair	Delegate Authority to Committee or Committee Liaison	Delegate Authority to Executive Director, Regulatory Supervisor or Council Staff	Delegate Authority to Council Attorney
<p>hearing to the Division of Administrative Hearings. Authority to notify petitioners of legally insufficient hearing petitions and their right to cure deficiencies.</p>					
<p>17. Authority to review and refer legally sufficient petitions for declaratory statements to the Board. Authority to notify petitioners of the need to submit any required additional information prior to consideration by the Board.</p>					XX
<p>18. Authority to review and refer legally sufficient petitions for variances or waivers to the Board. Authority</p>					XX

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Situation	Full Council Retains Authority	Delegate Authority to Chair	Delegate Authority to Committee or Committee Liaison	Delegate Authority to Executive Director, Regulatory Supervisor or Council Staff	Delegate Authority to Council Attorney
to notify petitioners of legally insufficient petitions.					
19. Authority to make technical changes to proposed rules and respond to JAPC comments, without prior Council review. Substantive changes will be brought to the Council before changes are made.					XX
20. Authority to notice rules for development.					XX

Signature of Current Dietetic and Nutrition Practice Council Chair
26, 2017.

Approved by the Council on January

Ms. Norris made a motion to approve the Delegation of Authority as presented. Ms. Elliott seconded the motion which carried 5/0. Remains operative until modified by the Council.

16. Election of Officers

Chair- Stephanie Petrosky

Vice Chair- Carol Elliott

Budget Liaison- Stephanie Petrosky

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Unlicensed Activity Liaison- Linda Rex

Legislative Liaison- Linda Gammon

Healthiest Weight Liaison- Stephanie Norris

Ms. Petrosky made a motion to approve the Council member list. Ms. Elliott seconded the motion which carried 5/0.

17. 2017 Conviction Record Guidelines for Licensure & Exemption Applicants

Ms. Norris made a motion to approve the Conviction Record Guidelines as presented. Ms. Gammon seconded the motion which carried 5/0.

18. Fee Change Recommendations

This item will be discussed at our April 2017 Council meeting.

OLD BUSINESS

19. Dietetics and Nutrition Practice Council Minutes

- October 21, 2016 General Business Meeting

Ms. Gammon made a motion to approve the October 21, 2016 General Business Meeting Minutes. Ms. Norris seconded the motion which carried 5/0.

OTHER BUSINESS AND INFORMATION

20. Anti-Trust

This was an informational item.

21. Board of Medicine Minutes

This was an informational item.

22. Lezlie Armstrong L.D.N, Voluntary Relinquish License

This was an informational item.

Meeting adjourned at 12:17 p.m.

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Licenses Certification For Licensure by Endorsement Of Registered Dietitian Status January 26, 2017

	License	Number	Licensee Name	Date Issued
1	ND	7998	Alexander, Ileana	10/04/201
2	ND	7999	Smith, Shannon Alexandria	10/04/201
3	ND	8000	Plescia, Lisa Maura	10/04/201
4	ND	8001	O'Neill, Candace Marie	10/04/201
5	ND	8002	Cervero, Jeff	10/04/201
6	ND	8003	Moorer, Brenna	10/06/201
7	ND	8004	Jewell, Rachel Elizabeth	10/07/201
8	ND	8005	Wiseman, Alexandra Amera	10/10/201
9	ND	8006	Joyce, Bonnie R	10/10/201
10	ND	8007	Signore, Janine	10/11/201
11	ND	8008	Eames, Monica	10/12/201
12	ND	8009	Cleckler, Jordan	10/12/201
13	ND	8011	Kelly, Sheena Marie	10/17/201
14	ND	8012	Christensen, Michelle	10/17/201
15	ND	8013	Velez, Juliann Bianca	10/18/201
16	ND	8014	Ainsworth, Jennifer	10/18/201
17	ND	8015	Gant, Aimee Charlesworth	10/19/201
18	ND	8016	Pitera, Robyn Kristin	10/19/201
19	ND	8017	Aguirre, Valerie	10/19/201
20	ND	8018	Sanchez, April Christina Rd	10/20/201
21	ND	8019	Silver, Barbara Lenore	10/20/201
22	ND	8020	Kellogg, Patricia Allison	10/20/201
23	ND	8021	Yap, Le Lee	10/21/201
24	ND	8022	Hibbitt, Catherine Frances	10/21/201
25	ND	8023	Richardson, Austin	10/21/201
26	ND	8024	Wesley, Wendy	10/25/201
27	ND	8025	Cabrera, Mona Sabha	10/25/201
28	ND	8026	Nambiar, Sruthi	10/25/201
29	ND	8027	Guy, Anya Shea	10/25/201
30	ND	8028	Vold, Shana	10/25/201
31	ND	8029	Miller, Jessica Anne	10/26/201
32	ND	8030	Hillis, Jennifer	10/26/201
33	ND	8031	Ross, Winter	10/26/201
34	ND	8032	Dixon, Meghan Cantlon	10/27/201
35	ND	8033	Blakney, Brittney	10/31/201
36	ND	8034	Zamajtuk, Lara M	10/31/201
37	ND	8035	Velez, Janice Amalyn	10/31/201

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38	ND	8037	Renshaw, Kay Helen	11/01/201
39	ND	8038	Alonso, Michele	11/01/201
40	ND	8039	Allen, Katherine Qualey	11/02/201

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41	ND	8040	Sanchez, Iliana Ardila	11/02/201
42	ND	8041	Cordell, Zachary	11/02/201
43	ND	8042	Price, Stephanie	11/02/201
44	ND	8043	Robles, Francine	11/02/201
45	ND	8044	Weiss, Sarah K	11/02/201
46	ND	8045	Hackley, Christie	11/03/201
47	ND	8046	Rosell Zamora, Odisleisi	11/03/201
48	ND	8047	Folsom, Abbey Noelle	11/03/201
49	ND	8048	Norris, Chandler Johnson	11/04/201
50	ND	8049	Hogan, Colleen Adair	11/04/201
51	ND	8051	Johnson, Joanna	11/07/201
52	ND	8052	Yang, Lili	11/07/201
53	ND	8053	Williams, Jamie Williams	11/07/201
54	ND	8054	Guzman-Martinez, Denisse Jannette	11/07/201 6
55	ND	8055	Loriquet, Brittany	
56	ND	8056	Rohrer, Nicolyn Joy	11/07/201
57	ND	8057	Duhon, Robin Lynne	11/07/201
58	ND	8058	Cruz-Jute, Sandra Iris	11/07/201
59	ND	8059	Goldstein, Elizabeth	11/07/201
60	ND	8060	Bechtel, Doris Forbes	11/08/201
61	ND	8061	Baranowski, Tammy Marie	11/09/201
62	ND	8062	Julca, Andy Cecilia	11/09/201
63	ND	8063	Knight, Beatrice	11/14/201
64	ND	8064	Deleon, Danielle Marie	11/14/201
65	ND	8065	Hart, Courtney Cochran	11/14/201
66	ND	8066	Elenbaas, Stacy Talamini R D	11/15/201
67	ND	8067	Henderson, Jessica Kim	11/17/201
68	ND	8068	Vallely, Gail A	11/18/201
69	ND	8069	Mermelstein, Shari P	11/21/201
70	ND	8070	Randolph, Nicole	11/22/201
71	ND	8071	Betancourt De Leon, Cristina	11/22/201
72	ND	8072	Rosiecki, Juliana Lynn	11/22/201
73	ND	8073	Chiang, Chien-Ming	11/22/201
74	ND	8074	Danford, Joan Gilchrist	11/22/201
75	ND	8075	Mccahan, Stacia Lauren	11/28/201
76	ND	8077	Holcomb, Teresa Ann	11/28/201
77	ND	8078	Hartley, Stacey	11/29/201
78	ND	8079	Chau, Anh N	12/01/201
79	ND	8080	Alvarez, Nayadi Caridad	12/01/201
80	ND	8081	Adams, Melissa Jae	12/05/201
81	ND	8082	Wilhite, Jennifer	12/05/201
82	ND	8083	Munson, Brooke	12/07/201
83	ND	8084	Collazo, Michelle Marie	12/07/201
84	ND	8085	Baker, Rachelle	12/08/201
85	ND	8086	Marin, Arlen Vanessa	12/12/201
86	ND	8087	Becker, Madisyn	12/12/201
87	ND	8091	Dixon, Meghan	12/14/201
88	ND	8092	Falk, Sara Ashley	12/15/201
89	ND	8093	Ayala, Marianne Ferguson	12/16/201

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90	ND	8094	Sheridan, Michael Edward	12/20/201
91	ND	8095	Atterberry, Daulton	12/20/201
92	ND	8096	Zatlow, Reed	12/22/201
93	ND	8097	Scheckner, Allison	12/22/201
94	ND	8098	Alter, Meital Tania	12/22/201
95	ND	8099	Peddada, Madhavi L	12/22/201
96	ND	8100	Mckemie, Rebecca Jane	12/23/201
97	ND	8101	Lepore, Sara Elizabeth	12/23/201
98	ND	8102	Patel, Krupa	12/27/201
99	ND	8103	Fernandez, Carmen Felicia	12/29/201
100	ND	8104	Gonzalez, Liliana	12/29/201
101	ND	8105	Sylvester, Jessica Hochstadt	01/03/201
102	ND	8106	Fisher, Joel E	01/03/201
103	ND	8107	Gilmore, Gency O Mrs	01/04/201
104	ND	8108	Londono, Alejandra	01/04/201
105	ND	8109	Piurowski, Elizabeth Caitlin	01/04/201
106	ND	8110	Rudisill, Melinda Vinson	01/05/201
107	ND	8111	Chaska, Karen	01/06/201
108	ND	8112	Espinoza, Stephanie Jane	01/06/201
109	ND	8113	Chadwell, Devyn Kayla	01/09/201
110	ND	8114	Musick, Amanda Lynn	01/10/201
111	ND	8115	Freno, Kelly Anne	01/10/201
112	ND	8116	Anderson, Kelitha	01/10/201
113	ND	8117	Spires, Lee Anne	01/12/201
114	ND	8118	Longabardi, Brian	01/12/201
115	ND	8119	Applebee, Daphne Luellyn	01/12/201

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**Ratification List
ACEND Applicants to sit
For the Registration
Examination for Dietitians
January 26, 2017**

	NAME	SCHOOL	GRAD DATE
1.	Clorinda Urbina	Florida International University	08/13/2011
2.	Yamuna Brahakmanage	Wayamba University of Sri Lanka	07/20/2007
3.	Erica Soucier	University of Miami	05/06/2015
4.	Nancy Rodriguez Suarez	National University of Colombia	12/15/1988

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**Ratification List
ACEND Applicants to Receive
Temporary Permit and to sit
For the Registration
Examination for Dietitians
January 26, 2017**

	NAME	SCHOOL	GRAD DATE
1.	Kristen Kuhns	Kent State University	May 5, 2013