



Board of Licensed Dietitians

October 13, 2023 at 9:00 AM

7 Eagle Square, Concord NH 03301

Attendance

Members Present:

Abby Savard (AS), Chair

Courtney Costello (CC)

Lisa Prospert (LP)

Members Absent:

Ashley Mayo (AM)

Dena Shields (DS)

Staff Present:

Jeanne Webber, Board Administrator; Rahkiya Medley, Esq., Board Counsel; Jessica

Kallipolites, Esq., Director of Enforcement; Jennifer Goldblatt, LSR

I. Call to Order

Meeting was called to order at 9:04 a.m., with a quorum of the Board present.

II. Approval of Public Minutes

A. August 18, 2023

Motion:

Upon a motion by AS, with a second by CC, the Board voted to approve the August 18, 2023 minutes as stated; motion passed.

III. Public Appearances

A. Mary Behnke – provided the Board with an overview of the New Hampshire Professionals Health Program.

B. Jessica Kallipolites, Director of Enforcement – provided general information regarding the new process for reviewing complaints.

IV. OPLC Board Administration Updates

A. Dietitian Licensure Compact – Placeholder, no updates at this time

B. Press Releases - Informational

New process - Media will be notified of all emergency suspensions, suspensions, or revocations of licensure via a press release.

C. Administrative Law Training - Informational

Refresher available in the resources folder

V. Old Business

A. CDR Registration Number

The Board voted to add the CDR registration number to applications (initial, renewal). IT will add it as part of a future system update. The Board is also requesting that the CDR number is added to reinstatement and temporary license applications. To remain on agenda until implemented.

B. Definition - Discussion Tabled to the December 8, 2023 meeting

To discuss clarifying the definition of "Federal and State funded public programs" in the administrative rules

VI. New Business

A. Licensing discussion - Reinstatement process. There have been some instances of licensees with expired licenses submitting initial applications in place of reinstatement applications. The Board discussed options to prohibit this, and Board Administration will work with licensing to create a process to accurately determine and enforce the appropriate application is submitted.

B. Temporary licenses – The Board is concerned that temporary licenses are being issued to applicants who are not registered dietitians through the Commission on Dietetic Registration (CDR) and would not qualify for licensure in New Hampshire. The Board requested that Board Administration create a spreadsheet to monitor these temporary licensees and CDR registration status.

VII. Rules Review and Other Legislative Topics

A. Legislation Updates - Board Counsel

1. HB 594

Relative to the licensure of out-of-state applicants to boards or commissions organized under the office of professional licensure and certification

2. HB 308

Relative to a quorum for meetings open to the public to include remote presence.

3. HB 321

Relative to minutes from nonpublic sessions under the right to know law.

B. Rules Review

1. Rules Hearing - Diet 200 Rules of Practice and Procedure

The Board of Licensed Dietitians held a public rules hearing regarding Diet 200 beginning at 9:32 am and ending at 9:51 am. There were no public present, and no one provided oral testimony at the hearing.

VIII. Non-Public Session

Motion to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

At 10:21 a.m., pursuant to RSA 91-A:3:2, 91-A:5, and upon motion by AS, with a second by LP, the Board voted unanimously via roll call vote to conduct a non-public session because public disclosure may render a proposed action ineffective or adversely affect the reputation of a person other than a Board member.

IX. Resume Public Session

At 10:59 a.m., upon a motion by AS, with a second by LP, the Board voted to go out of non-public session and resume the public session.

A. Seal Minutes from Non-Public Session

At 10:59 a.m., upon motion by AS, with a second by LP, the Board unanimously via roll call vote to withhold and seal the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A: 3 III, because divulgence of the information likely would affect adversely the reputation of a person other than a Board member or render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present

X. Adjournment

At 11:03 a.m., upon motion by AS, with a second by LP, the Board voted unanimously via roll call vote to adjourn the meeting.

Next Meeting: Friday, December 8, 2023 at 9:00 AM