

**MINUTES OF THE MEETING OF THE
BOARD OF MEDICAL NUTRITION THERAPY**

February 22, 2023

Draft
The Board has not
approved these minutes

1. ROLL CALL

The meeting of the Board of Medical Nutrition Therapy was called to order by the Chair, Crystal Zabka Belsky, Lower Level Room A, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, at 1:02 p.m. Copies of the agenda were sent to the Board members, and other interested parties in accordance with the Open Meetings Law.

Members Present:

Kristy Anderson - Member
Crystal Zabka Belsky - Chair
Frink, Shannon - Member
Dodge, Melissa - Member

Members Absent:

Cristina Fernandez, MD - Member

Others Present:

Kris Chiles, Program Manager, Licensure Unit
Carrie Oldehoeft Health Licensing Coordinator, Licensure Unit
TJ O'Neill, Assistant Attorney General
Suzanna G – DHHS Attorney, Via WebEx

2. ADOPTION OF AGENDA

MOTION: Frink moved, seconded by Anderson, to approve the agenda. A roll call vote was taken. Voting aye: Anderson, Frink, Dodge, Zabka Belsky (4). Voting nay: None (0). Absent: Fernandez (1). Motion carried.

3. APPROVAL OF MINUTES (10.15.2019)

MOTION: Anderson moved, seconded by Frink, to approve the minutes of 10.15.2019. A roll call vote was taken. Voting aye: Anderson, Frink, Dodge, Zabka Belsky (4). Voting nay: None (0). Absent: Fernandez (1). Motion carried.

1:06pm Wein – investigations entered room

4. Updates and Reports

- a. Executive Order 22-08 signed 12.21.2022
<https://govdocs.nebraska.gov/docs/pilot/pubs/eofiles/22-08.pdf>

Chiles updated the Executive Order, there is no effect on Medical Nutrition Therapy. Provisional is available when waiting on exam, once exam passed or failed the provisional ends.

- b. 2023 Legislation
 - LB 16: Occupational Board Reform, Reciprocity Pathway, and changes to the Preliminary Conviction application [Nebraska Legislature - Legislative Document](#)

Chiles updated, hearing on bill was February 9. requires occupational boards to issue certain credentials based on credentials or work experience in another jurisdiction and make a determination regarding an applicant with a criminal conviction, provide for jurisprudential examinations and appeals from denial of a license, and change requirements for membership of the State Electrical Board

If they are

- LB 572: Changes to the Medical Nutrition Therapy Practice Act [Nebraska Legislature - Legislative Document](#)

Chiles updated, Medical Nutrition Practice Act the hearing was February 3, Revised Statutes Cumulative Supplement, 2022; to provide, change, and eliminate definitions; to restate intent; to change membership on a board; to provide and change licensure requirements; to change provisions regarding scope of practice; to harmonize provisions; to repeal the original sections; and to outright repeal section 38-1804

Draft regulations updated within 1 year of passing LB572.

- Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non-Disciplinary Information, and School Report (attached to agenda)

5. INVESTIGATIVE REPORTS AND CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Dodge moved, seconded by Frink, to enter into closed session at 1:30.p.m. to hear discussions of investigative/confidential nature, and for the prevention of needless injury to the reputations of the individuals. Zabka Belsky repeated the motion purpose. A roll call vote was taken. Voting aye: Anderson, Frink, Dodge, Zabka Belsky (4). Voting nay: None (0). Absent: Fernandez (1). Motion carried.

1:44pm Suzanna exited WebEx
1:48pm Suzanna entered WebEx
1:49 pm Danielle Sund-DHHS legal entered WebEx

1:52pm Suzanna exited WebEx
1:53 pm Suzanna entered WebEx

1:53 pm Verbal agreement from all board members to enter into open session.

6. REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION

There were no applications for review.

1:53pm O'Neill exited room
1:53pm Wien exited room

7. Annual Business

- a. Approval of Method of Noticing Meeting Agendas (Neb.Rev.Stat. 84-1407-1414)
Chiles reviewed meeting notices currently we post on the Licensure website, Bulletin board in Licensure unit and on an requested listed.

MOTION: Frink moved, seconded by Dodge; to continue meeting notices as in previous manor. A roll call vote was taken. Voting aye: Anderson, Frink, Dodge, Zabka Belsky (4). Voting nay: None (0). Absent: Fernandez (1). Motion carried.

1:57 pm O'Neil entered room

- b. Board Member Per Diems & Compensation Recommendations (Neb.Rev.Stat. §38-171)

Chiles went over Per Diem options as listed on agenda:

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| 1. \$50 For 1 day of preparation for each meeting (investigations/applications). |
| 2. \$50 Attending the Board meeting (in person or by conference call). |
| 3. \$50 Each day of travel where overnight arrangements have been made (board meeting or national meeting). |
| 4. \$50 Each day the member is representing the board at a national meeting of state licensing boards. |
| 5. \$50 Regulation Hearing, Legislative Hearing, or other board related meetings when representing the Board (prior board approval required). |

MOTION: Anderson moved, seconded by Frink, to approve Per Diem as noted above. A roll call vote was taken. Voting aye: Anderson, Frink, Dodge, Zabka Belsky (4). Voting nay: None (0). Absent: Fernandez (1). Motion carried.

- c. Board Goals for 2023 (Review By-Laws and Conviction Guidelines, Other?)
The board will work on by-laws and Convictions Reviews and Transparency with State Associations.

State Association meeting is April 22. Nebraska Academy of Nutrition and Dietetics. Crystal will represent board and present at conference about what the Board is up to.

MOTION: Dodge moved, seconded by Frink, to approve Crystal representing board at the Annual conference. A roll call vote was taken. Voting aye: Anderson, Frink, Dodge, Zabka Belsky (4). Voting nay: None (0). Absent: Fernandez (1). Motion carried.

- d. Elections and Appointments
- Election of Officers and Appointment of Investigative Consultants; Assign new member mentor

MOTION: Frink moved, seconded by Dodge to approve officers as:

- Crystal Zabka Belsky - Chair
- Kristy Anderson - Vice-chair
- Shannon Frink – Secretary

A roll call vote was taken. Voting aye: Anderson, Frink, Dodge, Zabka Belsky (4). Voting nay: None (0). Absent: Fernandez (1). Motion carried.

MOTION: Frink moved, seconded by Dodge to approve officers as:

- Crystal Zabka Belsky – Investigative Consultant

A roll call vote was taken. Voting aye: Anderson, Frink, Dodge, Zabka Belsky (4). Voting nay: None (0). Absent: Fernandez (1). Motion carried.

Shannon Frink will be the board Mentor for new members

LB 390, defined what a resident meant-went to public hearing and is ready for the Attorney General review

10. ADJOURNMENT

Zabka Belsky declared the meeting adjourned at 2:30 p.m.

Respectfully Submitted,

Shannon Frink, Secretary
Board of Medical Nutrition Therapy

Summarized by: Carrie Oldehoeft, Health Licensing Coordinator – Licensure Unit