



**Board Meeting Minutes – 1.26.2021**  
**ZOOM Meeting**  
**10 a.m. (CST)**

**Mission Statement:** To protect the public and ensure compliance with the ND Century Code Chapter 43-44.

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Present – Board Members: Linda Schloer, Brooke Fredrickson, Wendy Mankie, Shaundra Ziemann-Bolinske (joined at 10:18 a.m.) and Nancy Overson

Also present was Pat Anderson, NDBODP Executive Secretary

Guests: Amanda Ihmels, Pepin Tuma, Sandra Horob (joined after roll call)

**I. Call to Order**

Chair, Brooke Fredrickson called the meeting to order at 10:07 a.m.

**II. Procedure for Guests**

Brooke Fredrickson welcomed any guests and informed them to not speak unless called upon.

**III. Approval of 11.30.2020 Board Meeting Minutes**

Linda Schloer moved to approve the minutes as written; Nancy Overson seconded the motion. Passed.

**IV. Legislative Planning**

a. Amendments to SB 2187

SB 2187 was heard at the Senate Human Services Committee Meeting on 01.25.2021 and the Traci Hobson, CNS government relations, testified in support of SB 2187 but proposed two amendments to the bill. The Senate Human Services Committee has asked that the NDBODP review the amendments and provide our recommendations.

The first amendment is in Section 43-44-01, item 25. A strikeout in some of the language and an addition in the definition was provided.

"Qualified supervisor" means:

a. ...

(3) A health care provider licensed ~~in the United States, including a licensed or certified dietitian nutritionist or licensed nutritionist, whose scope of practice includes the provision of~~ **or otherwise authorized by any U.S. state or territory to provide** nutrition care services for the purpose of treating or managing a disease or medical condition.

Ms. Hobson had requested the change as not all states license naturopaths. I.e. Minnesota registers naturopathic doctors.

Pepin Tuma stated that he didn't have any problem with the proposed legislation and the Academy is accepting this language in laws going forward.

Concern was raised about, what does, authorized mean. Who is authorizing? It was discussed that language should include, authorized by the laws of a state. Linda Schloer made a motion to propose to the Senate Human Services Committee an amendment:

~~A health care provider licensed in the United States, including a licensed or certified dietitian nutritionist or licensed nutritionist, whose scope of practice includes the provision of or otherwise authorized under the laws of by any U.S. state or territory to provide~~ nutrition care services for the purpose of to treating or managing a disease or medical condition.

Nancy Overson seconded the motion. Yeas: Schloer, Fredrickson, Ziemann-Bolinske, Overson and Mankie. Motion passed.

The second amendment proposed at the Senate Human Services Committee by Ms. Hobson is in Section 43-44-01 under qualified supervisor, line 18: Ms. Hobson proposed adding, a masters degree. If supervising the provision of nutrition care services that do not constitute medical nutrition therapy, an individual who either meets the requirements of paragraph 1 of subdivision a or an individual with at least three years of clinical nutrition experience who holds a masters or doctoral degree with a major course of study in dietetics, human nutrition, foods and nutrition, community nutrition, public health nutrition, naturopathic medicine, nutrition education, nutrition, nutrition science, clinical nutrition, applied clinical nutrition, nutrition counseling, nutrition and functional medicine, nutritional biochemistry, nutrition and integrative health, or an equivalent course of study as approved by the board.

It was discussed that the addition of a master's degree was appropriate. Linda Schloer moved to add, masters or, as proposed in the second amendment. Nancy Overson seconded the motion. Yeas: Schloer, Fredrickson, Ziemann-Bolinske, Overson and Mankie. Motion passed.

b. HB 1472

**SECTION 1.** Chapter 43-65 of the North Dakota Century Code is created and enacted as follows:

**43 - 65 - 01. Provision of complementary and alternative care.**

Notwithstanding any other provision of law, an individual who provides complementary or alternative care in accordance with this chapter, but who is not licensed, certified, or registered by this state as a health care professional or practitioner, is not in violation of a law for unlicensed practice or provision of services unless the individual engages in any prohibited acts under section 43 - 65 - 02 or fails to fulfill the duties set forth in section 43 - 65 - 03 .

Pat Anderson had contacted Allyson Hicks regarding this bill, and she indicated that the language is problematic in that it doesn't define complementary and alternative care. It was discussed that this bill would allow unlicensed individuals to provide medical nutrition therapy. The North Dakota Academy of Nutrition and Dietetics plans to oppose this bill; does the NDBODP also desire to oppose the bill? Shaundra Ziemann-Bolinski moved that NDBODP write a brief letter of opposition to HB 1472. Linda Schloer seconded the motion. Yeas: Schloer, Fredrickson, Ziemann-Bolinske, and Mankie. Absent: Overson. Motion passed. Brooke Fredrickson and Pat Anderson were delegated this task on behalf of the board.

Shaundra Ziemann-Bolinski asked if we could potentially do some planning for board meetings around legislative hearings. It was discussed that this is not always known when the hearing will be for SB 2187 until just a few days before. February 26 is the crossover date. It was recommended that we set up a meeting right after the committee hearing.

**V. Adjourn**

Linda Schloer moved to adjourn the meeting; Wendy Mankie seconded the motion. The meeting was adjourned at 11:25 a.m.

**Respectfully Submitted,**

A handwritten signature in cursive script that reads "Pat Anderson". The signature is written in black ink and is positioned above the typed name.

**Pat Anderson, NDBODP Executive Secretary**