



**Government of the District of Columbia
Department of Health
Board of Dietetics and Nutrition**

**899 NORTH CAPITOL ST. NE – 2ND FLR.
WASHINGTON, DC 20002**

September 20, 2016

9:30 am - 12:00 pm

MEETING AGENDA



OPEN SESSION: Call to Order

OS-0920-01	SENIOR DEPUTY DIRECTOR'S REPORT	
OS-0920-02	EXECUTIVE DIRECTOR'S REPORT	
OS-0920-03	BOARD ATTORNEY'S REPORT	
OS-0920-04	CHAIRPERSON'S REPORT	
OS-0920-05	<u>OPEN SESSION MINUTES</u> Board Action: To consider the Open Session Minutes of the December 8, 2015 meeting.	
OS-0920-06	<u>SCOPE OF PRACTICE AND LICENSURE DEFINITIONS</u> Board Action: To discuss the Board's work thus far on defining scope of practice and creating new licensure levels.	

TO BE READ BY THE CHAIRPERSON PRIOR TO THE END OF THE PUBLIC SESSION

This concludes the public open session meeting and pursuant to the DC Official Code 2-575B and for the purposes set forth therein, the Board will now move into the closed executive session portion of the meeting.



Government of the District of Columbia
Department of Health

BOARD OF DIETETICS/NUTRITION

OPEN SESSION MINUTES

899 NORTH CAPITOL ST. NE
ROOM 216
WASHINGTON, DC 20002

December 8, 2015
9:30am-10:30am



Government of the District of Columbia
Department of Health
BOARD OF DIETETICS/NUTRITION

OPEN SESSION MINUTES DECEMBER 8, 2015

ATTENDANCE:

BOARD MEMBERS:		
	MELISSA MUSIKER, CHAIRPERSON	PRESENT
	DR. JANET UNONU, MEMBER	PRESENT
STAFF:		
	ROBIN JENKINS, EXECUTIVE DIRECTOR, BOARDS OF ALLIED AND BEHAVIORAL HEALTH	PRESENT
	ERIC YEAGER, ESQ., HEALTH LICENSING SPECIALIST	PRESENT
	LEONARD HOWARD, INVESTIGATOR	PRESENT
	PANRAVEE VONGJAROENRAT, ESQ., BOARD ATTORNEY	PRESENT
VISITOR VISITOR	MS. ALYSSA SMITH MS. PATRICIA PERLITZ	PRESENT PRESENT

The open session MINUTES begin on the next page.



Government of the District of Columbia
Department of Health
BOARD OF DIETETICS/NUTRITION

OPEN SESSION MINUTES December 8, 2015

OS-1208-01	SENIOR DEPUTY DIRECTOR'S REPORT <u>Board Action:</u> There was no report.	
OS-1208-02	EXECUTIVE DIRECTOR'S REPORT <u>Board Action:</u> The Executive Director announced that Dr. Rikin Mehta is no longer with the Department of Health and that Dr. Sharon Lewis will serve as the Interim Deputy Director. The Executive Director also announced that DOH Director LaQuandra S. Nesbitt, M.D., MPH, has joined D.C. City Mayor Muriel Bowser in supporting legislation requiring that all professional health licensees complete two (2) CEUs of training directed at meeting the needs of the lesbian, gay, queer and transgender clients/patients for each license renewal. The Executive Director said that licensees will be kept informed on the progress of this legislation.	
OS-1208-03	BOARD ATTORNEY'S REPORT <u>Board Action:</u> There was no report.	
OS-1208-04	BOARD CHAIRPERSON'S REPORT <u>Board Action:</u> There was no report.	
OS-1208-05	OPEN SESSION MINUTES <u>Board Action:</u> The Open Session Minutes of the September 22, 2015 meeting were approved.	

Distinctions Between Dietitians and Nutritionists

Maryland – differentiates between:

1. Dietetic practice
2. Medical nutrition
3. Nonmedical nutrition

Pennsylvania – no distinction - “Practice of dietetics-nutrition”

Virginia – currently differentiates between:

1. Dietetics
 2. General nonmedical nutrition information
 3. Medical nutrition therapy
- They are in the process of changing their regulation: removing the word “dietitian” and replacing it with “nutritionist”

Texas – no distinction– “Profession of Dietetics”

New York – no distinction – “Professional Dietetics and Nutrition”

Tennessee – no distinction – “Practice of Dietetics/Nutrition”

Florida – differentiates between:

1. Dietetics and nutrition practice (licensed dietitians/nutritionists)
2. Nutrition counseling (licensed nutrition counselors)

North Carolina - no distinction – “Dietetics/Nutrition”

Connecticut – no distinction – “Dietetics or Nutrition Practice”

Washington – no distinction – “Dietetics”

MARYLAND

(8) "Dietetic practice COMAR 10.56.01.02

(8) "Dietetic practice" means a practice through which the principles derived from integrating knowledge of food, biochemistry, physiology, management science, behavioral science, and social science to human nutrition are applied. Dietetic practice includes:

(a) Assessing individual and community food practices, and nutritional status for clinical, research, and program planning purposes using:

- (i) Anthropometric data,
- (ii) Biochemical data,
- (iii) Clinical data,
- (iv) Dietary data, and
- (v) Demographic data;

(b) Developing, establishing, and evaluating nutritional care plans that establish priorities, goals, and objectives for meeting nutrient needs for individuals or groups;

(c) Conducting nutrition counseling and education as a part of preventive or restorative health care throughout the life cycle;

(d) Determining, applying, and evaluating standards for food and nutrition services; and

(e) Applying scientific research to the role of food for the maintenance of health and the treatment of disease.

(13) "Medical nutrition" means nutritional advice or counsel provided to an individual by a licensee, in the licensee's professional capacity, that is designed for an individual to alleviate a specific physiological complaint, condition, or symptom.

(14) "Nonmedical nutrition" means the application of basic principles of nutrition to food selection for the purpose of maintaining health.

PENNSYLVANIA

63 P.S. § 212

(7) The "Practice of dietetics-nutrition" means the integration and application of principles derived from the sciences of food nutrition, biochemistry, physiology, management and behavior to provide for all aspects of nutrition therapy for individuals and groups, including nutrition therapy services and medical nutrition therapy, compatible with dietitian-nutritionist education and professional competence.

VIRGINIA

VA Code Ann. § 54.1-2731

"Dietetics" means the integration, application, and communication of principles derived from food, nutrition, social, business, and basic sciences to achieve and maintain optimal nutrition status of individuals through the development, provision, and management of effective food and nutrition services in a variety of settings.

"Dietitian" means an individual who has met the requirements of the Board for licensure to practice dietetics.

"General nonmedical nutrition information" means information on one or more of the following: (i) principles of good nutrition and food preparation; (ii) food to be included in the normal daily diet; (iii) the essential nutrients needed by the body; (iv) recommended amounts of the essential nutrients, based on established standards; (v) the actions of nutrients on the body; (vi) the effects of deficiencies or excesses of nutrients; or (vii) food and supplements that are good sources of essential nutrients.

"Medical nutrition therapy" means the use of specific nutrition services described in the nutrition care process for the purpose of disease management to treat or rehabilitate an illness, injury, or condition and includes (i) interpreting dietary data and determining nutrient needs relative to medically prescribed diets, including but not limited to tube feedings, specialized intravenous solutions, and specialized oral feedings; (ii) food and prescription drug interactions; and (iii) developing and managing food service operations whose chief function is nutrition care and provision of medically prescribed diets.

TEXAS

Tex. Admin. Code tit. 22, § 711.4

(a) The profession of dietetics includes six primary areas of expertise: clinical, educational, management, consultation, community and research; and includes without limitation the development, management, and provision of nutrition services, as follows:

- (1) planning, developing, controlling, and evaluating food service systems;
- (2) coordinating and integrating clinical and administrative aspects of dietetics to provide quality nutrition care;
- (3) establishing and maintaining standards of food production, service, sanitation, safety, and security;
- (4) planning, conducting, and evaluating educational programs relating to nutrition care;
- (5) developing menu patterns and evaluating them for nutritional adequacy;
- (6) planning layout designs and determining equipment requirements for food service facilities;

(7) developing specifications for the procurement of food and food service equipment and supplies;

(8) developing and implementing plans of nutrition care for individuals based on assessment of nutrition needs;

(9) counseling individuals, families, and groups in nutrition principles, dietary plans, and food selection and economics;

(10) communicating appropriate diet history and nutrition intervention data through medical record systems;

(11) participating with physicians and allied health personnel as the provider of nutrition care;

(12) planning, conducting or participating in, and interpreting, evaluating, and utilizing pertinent current research related to nutrition care;

(13) providing consultation and nutrition care to community groups and identifying and evaluating needs to establish priorities for community nutrition programs;

(14) publishing and evaluating technical and lay food and nutrition publications for all age, socioeconomic, and ethnic groups; and

(15) planning, conducting, and evaluating dietary studies and participating in nutrition and epidemiologic studies with a nutrition component.

(b) Provider of nutrition services. A person licensed by the board is designated as a health care provider of nutrition services.

(1) A licensed dietitian, acting within the scope of his or her license and consistent with medical direction or authorization as provided in this section, may accept, transcribe into a patient's medical record or transmit verbal or electronically-transmitted orders, including medication orders, from a physician to other authorized health care professionals relating to the implementation or provision of medical nutrition therapy and related medical protocols for an individual patient or group of patients. In a licensed health facility, the medical direction or authorization shall be provided, as appropriate, through a physician's order, or a standing medical order, or standing delegation order, or medical protocol issued in accordance with Texas Occupations Code, Chapter 157, Subchapter A, and rules adopted by the Board of Medical Examiners implementing the subchapter. In a private practice setting, the medical direction or authorization shall be provided, as appropriate, through the physician's order, standing medical order, or standing delegation order of a referring physician, in accordance with Texas Occupations Code, Chapter 157, Subchapter A, and rules adopted by the Board of Medical Examiners implementing the subchapter.

(2) A licensed dietitian, acting within the scope of his or her license and consistent with medical direction or authorization as provided in this section, may order medical laboratory tests relating to the implementation or provision of medical nutrition therapy and related medical protocols for individual patients or groups of patients. In a licensed health facility, the medical

direction or authorization shall be provided, as appropriate, through a physician's order, or a standing medical order, or standing delegation order, or medical protocol, issued in accordance with Texas Occupations Code, Chapter 157, Subchapter A, and rules adopted by the Board of Medical Examiners implementing the subchapter. In a private practice setting, the medical direction or authorization shall be provided through the physician's order, standing medical order, or a standing delegation order of the referring physician, in accordance with Texas Occupations Code, Chapter 157, Subchapter A, and rules adopted by the Board of Medical Examiners implementing the subchapter.

NEW YORK

8 NYCRR 52.25

(a) *Definitions.* As used in this section:

(1) *Professional dietetics* and *nutrition* content area shall mean courses which include, but are not limited to, the following curricular areas:

- (i) principles of nutrition in health and disease;
- (ii) human nutrition needs throughout the life span;
- (iii) assessment and evaluation of the nutritional status of individuals, families, and communities;
- (iv) nutrient composition of food;
- (v) food service management, including but not limited to such topics as human resources, planning, purchasing, preparation and service, delivery, and sanitation;
- (vi) diet modifications;
- (vii) counseling, education, and communication skills;
- (viii) interpretation of nutrition information and its application; and
- (ix) ethics and professionalism.

TENNESSEE

Tenn. Comp. R. & Regs. 0470-01-.01

(12) Dietitian and Nutritionist - A licensed health care professional practicing dietetics/nutrition. "Dietitian" or "nutritionist" may be used interchangeably

(22) Practice of Dietetics/Nutrition - The integration and application of scientific principles of food, nutrition, biochemistry, physiology, management and behavioral and social sciences in achieving and maintaining health through the life cycle and in the treatment of disease. Methods of practice include, but are not limited to, nutritional assessment, development, implementation and evaluation of nutrition care plans, nutritional counseling and education, and the development and administration of nutrition care standards and systems.

0470-1-.02 SCOPE OF PRACTICE.

- (1) Any person who possesses a valid unsuspended and unrevoked license has the right to use the title dietitian/ nutritionist, licensed dietitian, licensed nutritionist.

FLORIDA

West's F.S.A. § 468.503
468.503. Definitions

(3) "Dietetics" means the integration and application of the principles derived from the sciences of nutrition, biochemistry, food, physiology, and management and from the behavioral and social sciences to achieve and maintain a person's health throughout the person's life. It is an integral part of preventive, diagnostic, curative, and restorative health care of individuals, groups, or both.

(4) "Dietetics and nutrition practice" shall include assessing nutrition needs and status using appropriate data; recommending appropriate dietary regimens, nutrition support, and nutrient intake; improving health status through nutrition research, counseling, and education; and developing, implementing, and managing nutrition care systems, which includes, but is not limited to, evaluating, modifying, and maintaining appropriate standards of high quality in food and nutrition care services.

(5) "Dietetic technician" means a person who assists in the provision of dietetic and nutrition services under the supervision of a qualified professional.

(6) "Licensed dietitian/nutritionist" means a person licensed pursuant to s. 468.509.

(7) "Licensed nutrition counselor" means a person licensed pursuant to s. 468.51.

(9) "Nutrition counseling" means advising and assisting individuals or groups on appropriate nutrition intake by integrating information from the nutrition assessment.

Rule 64B8-43.002, F.A.C.

Fla. Admin. Code r. 64B8-43.002

64B8-43.002. Nutrition Counseling.

(1) "Nutrition counseling" means advising and assisting individuals or groups on appropriate nutrition intake by integrating information from the nutrition assessment and individualized lifestyle.

- (2) Prior to providing nutrition counseling to an individual, the licensee shall conduct a comprehensive nutrition assessment of the health and nutrition status of the patient, which shall include but not be limited to the identification of food intake, medication, drug or supplement usage, personal health practices, and personal and family health or medical conditions.
- (3) The licensee shall develop and implement an individualized nutrition counseling plan for each patient based on the nutrition assessment of the patient's health, nutrition status, and individualized lifestyle.
- (4) The licensee shall periodically reassess the patient's health and nutrition status and adjust the nutrition counseling plan as indicated.
- (5) The licensee shall not render advice, counseling or recommendations to a patient which is not documented, or which is not consistent with the nutrition assessment or the nutrition counseling plan.
- (6) Nutrition counseling does not include diagnosis, treatment, operation, or prescription for any human disease, pain, injury, deformity, or other physical or mental condition.

NORTH CAROLINA
21 NCAC 17.0101

As used in this Chapter, the following terms and phrases, which have not already been defined in the Practice Act, G.S. 90-350 through 90-369, have the meanings specified:

N.C.G.S.A. § 90-352

As used in this Article, unless the context otherwise requires, the term:

- (2) "Dietetics/nutrition" means the integration and application of principles derived from the science of nutrition, biochemistry, physiology, food, and management and from behavioral and social sciences to achieve and maintain a healthy status. The primary function of dietetic/nutrition practice is the provision of nutrition care services.
- (3) "Licensed dietitian/nutritionist" means an individual licensed in good standing to practice dietetics/nutrition.

CONNECTICUT
C.G.S.A. § 20-206m

(5) “Dietetics or nutrition practice” means the integration and application of the principles derived from the sciences of nutrition, biochemistry, food, physiology, and behavioral and social sciences to provide nutrition services that include: (A) Nutrition assessment; (B) the establishment of priorities, goals, and objectives that meet nutrition needs; (C) the provision of nutrition counseling in health and disease; (D) the development, implementation and management of nutrition care plans; and (E) the evaluation and maintenance of appropriate standards of quality in food and nutrition. The term “dietetics or nutrition practice” does not include the administration of nutrition by any route other than oral administration and does not include the issuance of orders for laboratory or other diagnostic tests or orders intended to be implemented by any person licensed pursuant to chapter 378.

WASHINGTON
West's RCWA 18.138.010

(1) “Dietetics” is the integration and application of scientific principles of food, nutrition, biochemistry, physiology, management, and behavioral and social sciences in counseling people to achieve and maintain health. Unique functions of dietetics include, but are not limited to:

(a) Assessing individual and community food practices and nutritional status using anthropometric, biochemical, clinical, dietary, and demographic data for clinical, research, and program planning purposes;

(b) Establishing priorities, goals, and objectives that meet nutritional needs and are consistent with available resources and constraints;

(c) Providing nutrition counseling and education as components of preventive, curative, and restorative health care;

(d) Developing, implementing, managing, and evaluating nutrition care systems; and

(e) Evaluating, making changes in, and maintaining appropriate standards of quality in food and nutrition care services.

(2) “General nutrition services” means the counseling and/or educating of groups or individuals in the selection of food to meet normal nutritional needs for health maintenance, which includes, but is not restricted to:

(a) Assessing the nutritional needs of individuals and groups by planning, organizing, coordinating, and evaluating the nutrition components of community health care services;

(b) Supervising, administering, or teaching normal nutrition in colleges, universities, clinics, group care homes, nursing homes, hospitals, private industry, and group meetings.

HB 345 Dietitians; requires Board of Medicine to promulgate regulations for licensure.**John M. O'Bannon, III** | [all patrons](#) ... [notes](#) | [add to my profiles](#)*Summary as introduced:*

Licensure of dietitians. Requires the Board of Medicine to promulgate regulations for the licensure of dietitians in the Commonwealth; provides that it shall be unlawful for any person to practice as or hold himself out to be a dietitian or to use in conjunction with his name the letters or words "dietitian," "L.D.," or "Licensed Dietitian" without a license issued by the Board of Medicine beginning July 1, 2013; and establishes the Advisory Board for Dietitians to advise the Board of Medicine regarding the regulation of dietitians in the Commonwealth.

*Full text:*01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12100588D [pdf](#) | [impact statement](#)*Amendments:*

House committee amendments

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12100588D

01/10/12 House: Referred to Committee on Health, Welfare and Institutions

01/20/12 House: Assigned HWI sub: #2

01/31/12 House: Subcommittee recommends continuing to 2013 by voice vote

02/02/12 House: Committee amendments

02/02/12 House: Continued to 2013 with amendment(s) in Health, Welfare and Institutions by voice vote

11/29/12 House: Left in Health, Welfare and Institutions

2013 SESSION
12100588D

HOUSE BILL NO. 345

Offered January 11, 2012

Prefiled January 10, 2012

A BILL to amend and reenact § 54.1-2731 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 54.1-2956.12 through 54.1-2956.18, relating to licensure of dietitians.

Patrons-- O'Bannon, Filler-Corn, Hugo, Kory and Landes

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2731 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 54.1-2956.12 through 54.1-2956.18 as follows:

CHAPTER 27.1.
~~DIETITIANS AND NUTRITIONISTS.~~

§ 54.1-2731. Prohibited terms; penalty.

A. No person shall hold himself out to be or advertise or permit to be advertised that such person is a ~~dietitian~~ or nutritionist unless such person:

1. Has (i) received a baccalaureate or higher degree in nutritional sciences, community nutrition, public health nutrition, food and nutrition, dietetics or human nutrition from a regionally accredited college or university *in the United States* and (ii) satisfactorily completed a program of supervised clinical experience approved by the Commission on Dietetic Registration of the ~~American Dietetic Association~~ *Academy of Nutrition and Dietetics, or a successor organization thereof;*
2. Has active registration through the Commission on Dietetic Registration of the American Dietetic Association;
3. Has an active certificate of the Certification Board for Nutrition Specialists by the Board of Nutrition Specialists;
4. Has an active accreditation by the Diplomats or Fellows of the American Board of Nutrition;
5. Has a current license or certificate as a ~~dietitian~~ or nutritionist issued by another state; or
6. Has the minimum requisite education, training and experience determined by the Board of Health Professions appropriate for such person to hold himself out to be, or advertise or allow himself to be advertised as, a ~~dietitian~~ or nutritionist.

The restrictions of this section apply to the use of the terms "~~dietitian~~" and term "nutritionist" as used alone or in any combination with the terms "licensed," "certified," or "registered," as those terms also imply a minimum level of education, training and competence.

B. Any person who willfully violates the provisions of this section shall be guilty of a Class 3 misdemeanor.

§ 54.1-2956.12. *Dietitians; practice of dietetics; definitions.*

"Dietetics" means the integration, application, and communication of principles derived from food, nutrition, social, business, and basic sciences to achieve and maintain optimal nutrition status of individuals through the development, provision, and management of effective food and nutrition services in a variety of settings.

"Dietitian" means an individual who has met the requirements of the Board for licensure to practice dietetics.

"General nonmedical nutrition information" means information on one or more of the following: (i) principles of good nutrition and food preparation; (ii) food to be included in the normal daily diet; (iii) the essential nutrients needed by the body; (iv) recommended amounts of the essential nutrients, based on established standards; (v) the actions of nutrients on the body;

(vi) the effects of deficiencies or excesses of nutrients; or (vii) food and supplements that are good sources of essential nutrients.

"Medical nutrition therapy" means the use of specific nutrition services described in the nutrition care process for the purpose of disease management to treat or rehabilitate an illness, injury, or condition and includes (i) interpreting dietary data and determining nutrient needs relative to medically prescribed diets, including but not limited to tube feedings, specialized intravenous solutions, and specialized oral feedings; (ii) food and prescription drug interactions; and (iii) developing and managing food service operations whose chief function is nutrition care and provision of medically prescribed diets.

"Medically prescribed diet" means a diet prescribed when specific food or nutrient levels need to be monitored or altered, or both, as a component of a treatment program for an individual whose health status is impaired or at risk due to disease, injury, or surgery.

"Nutrition care process" means the systematic problem solving method used to critically think about and make decisions regarding the provision of medical nutrition therapy or to address nutrition-related problems. Nutrition care process includes: (i) the systematic process of obtaining, verifying, and interpreting biochemical, anthropometric, physical, and dietary data in order to determine nutrient needs and appropriate intake including enteral and parenteral nutrition; (ii) identifying and labeling nutrition problems that a dietitian is responsible for treating independently; (iii) purposefully planned actions intended to positively change a nutrition-related behavior, risk factor, environmental condition, or aspect of health status for an individual, the individual's family, caregivers, target groups, or the community at large; and (iv) identifying patient or client outcomes relevant to the nutrition diagnosis and intervention plans and goals, and comparing those outcomes with a previous status, intervention goals, or a reference standard to determine the progress made in achieving desired outcomes of nutrition care for the purpose of determining whether planned interventions should be continued or revised.

§ 54.1-2956.13. Powers of the Board.

The Board shall take such actions as may be necessary to ensure the competence and integrity of any person who claims to be a dietitian or who holds himself out to the public as a dietitian or who engages in the practice of dietetics, the nutrition care process, and medical nutrition therapy, and to that end it may license as dietitians any practitioner who has met the qualifications established in regulations by the Board.

§ 54.1-2956.14. Unlawful to practice dietetics without license; unlawful designation as dietitian.

It shall be unlawful for any person not holding a current and valid license from the Board (i) to practice as or hold himself out as a dietitian; (ii) to use in conjunction with his name the letters or words "dietitian," "L.D.," or "Licensed Dietitian"; or (iii) to otherwise by letters, words, representations, or insignias assert or imply that he is licensed to practice dietetics. It shall be unlawful for any person not holding a current and valid license as a dietitian to engage in the nutrition care process or medical nutrition therapy, except when otherwise permitted by this chapter.

A person registered with the Commission on Dietetic Registration, or a successor organization thereof, the credentialing body for the Academy of Nutrition and Dietetics, may use the letters or words "R.D." or "Registered Dietitian" in conjunction with his name. However, such persons are not exempt from the requirement for licensure and shall not engage in the practice of dietetics within the Commonwealth without a current and valid license issued by the Board.

§ 54.1-2956.15. Requirements for licensure as a dietitian; provisional license.

A. The Board shall promulgate regulations establishing requirements for licensure as a dietitian that shall include, but not be limited to, the following:

1. Receipt of at least a bachelor's degree in human nutrition, nutrition education, foods and nutrition, food systems management, dietetics, or public health nutrition or in a related field from a regionally accredited college or university in the United States that meets the requirements of the Commission on Dietetic Registration, or a successor organization thereof;
2. Successful completion of at least 1200 hours of supervised experience approved by the Commission on Dietetic Registration, or a successor organization thereof;
3. Passage of the examination for registration administered by and current registration with the Commission on Dietetic Registration, or a successor organization thereof; and

4. Documentation that the applicant for licensure has not had his license or certificate as a dietitian suspended or revoked and is not the subject of any disciplinary proceedings in another jurisdiction.

B. The Board may issue a provisional license to practice under the supervision of a licensed dietitian for up to one year upon the filing of an application and submission of evidence of successful completion of the educational and pre-professional practice requirements to sit for the registration examination.

C. The Board may license any person who, prior to July 1, 2012, met the requirements to practice as a registered dietitian.

§ 54.1-2956.16. Exceptions to requirements for licensure as a dietitian.

The licensure requirements for dietitians established pursuant to this chapter shall not apply to and a license as a dietitian shall not be required for:

1. Any student performing activities related to an accredited educational program under the supervision of a licensed dietitian or any person completing the supervised practice required for licensure;
2. A registered dietetic technician working under the supervision and direction of a licensed dietitian;
3. A government employee or a person under contract to the government acting within the scope of such employment or contract;
4. Any health professional licensed or certified under this title engaged in the profession for which he is licensed;
5. A certified teacher employed by or under contract to any public or private elementary or secondary school or institution of higher learning;
6. Any person with management responsibility for food service department policies, procedures, or outcomes in any food service department in any program or facility licensed by the Commonwealth;
7. A dietitian who is serving in the armed forces or the public health service of the United States or is employed by the U.S. Department of Veterans Affairs and who engages in the practice of dietetics provided such practice is related to such service or employment;
8. Any person or retailer who does not hold himself out to be a dietitian who furnishes general, nonmedical nutrition information on food, food materials, or dietary supplements or on the marketing of food, food materials, or dietary supplements; and
9. A person providing weight control services through a program that has been reviewed and approved by and when consultation is available from a licensed dietitian, a dietitian licensed in another state that has licensure requirements at least as stringent as the requirements for licensure pursuant to this chapter, a dietitian registered by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics, or a successor organization thereof, or a physician licensed in the Commonwealth. Program changes may not be initiated without prior approval of the program approver.

§ 54.1-2956.17. Requirements for medical nutritional therapy and medical laboratory tests.

The Board shall promulgate such regulations as may be necessary to allow a licensed dietitian to (i) provide medical nutritional therapy for individuals or groups of patients in licensed institutional facilities as authorized by referral, institutional privileges, or protocols or in private office settings; (ii) accept or transmit verbal orders or electronically transmitted orders from a referring prescriber; and (iii) order medical laboratory tests related to nutritional therapeutic treatments when authorized to do so by referral, institutional privileges, or protocols.

§ 54.1-2956.18. Advisory Board on Dietitians; membership; qualifications.

The Advisory Board on Dietitians (Advisory Board) shall assist the Board of Medicine in carrying out the provisions of this chapter regarding the qualifications, examination, licensure, and regulation of dietitians.

The Advisory Board shall consist of five members to be appointed by the Governor for four-year terms as follows: three members who shall be dietitians who have practiced their profession in the Commonwealth for not less than three years prior

to their appointments; one member who shall be a physician; and one member who shall be a citizen member appointed from the Commonwealth at large. Vacancies occurring other than by expiration of terms shall be filled for the unexpired term. No person shall be eligible to serve on the Advisory Board for more than two successive terms.

Nominations for the professional members of the Advisory Board may be chosen by the Governor from a list of at least three names for each vacancy submitted by the Virginia Dietetic Association. The Governor may notify the Virginia Dietetic Association of any professional vacancy other than by expiration of a term and nominations may be submitted by the Virginia Dietetic Association. The Governor shall not be bound to make any appointment from among such nominees.

Members of the Advisory Board shall receive compensation for their services and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825.

The Department of Health Professions shall provide staff support to the Advisory Board. All agencies of the Commonwealth shall provide assistance to the Advisory Board upon request.

2. That the provisions of this act shall become effective on July 1, 2013.

3. That the Board of Medicine shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

4. That the initial terms for the members appointed to the Advisory Board on Dietitians pursuant to § 54.1-2956.18 of this act shall be staggered as follows: two members shall be appointed for a one-year term, one member shall be appointed for a two-year term, one member shall be appointed for a three-year term, and one member shall be appointed for a four-year term.