

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
NUTRITION**

CHAPTER 45 NUTRITION

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4500 GENERAL PROVISIONS

- 4500.1 This chapter shall apply to applicants for and holders of a license to practice nutrition.
- 4500.2 Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 44 (Dietetics) of this title shall supplement this chapter.

4501 TERM OF LICENSE

- 4501.1 Subject to § 4501.2, a license issued pursuant to this chapter shall expire at 12:00 midnight on November 1st of each odd-numbered year.
- 4501.2 If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the license, or other date established by the Director.

4502 EDUCATIONAL AND TRAINING REQUIREMENTS

- 4502.1 Except as otherwise provided in this subtitle, an applicant shall furnish proof satisfactory to the Board, in accordance with § 701(c) of the Act, D.C. Official Code § 3-1207.01(c) (2001), of one of the following:
- (a) That the applicant holds a baccalaureate or higher degree, with a major in human nutrition, foods and nutrition, dietetics, or food systems management;
 - (b) That the applicant holds a baccalaureate or higher degree with a major in a course of study found by the Board to be equivalent to one of the courses of study listed in paragraph (a) of this subsection; or

(c) That the applicant has completed other training, approved by the Board, which is substantially equivalent to the requirements of paragraphs (a) and (b) of this subsection.

- 4502.2 Degrees required in §§ 4502.1(a) and (b) shall have been received from an academic institution that was approved by the appropriate accrediting body recognized by the Council on Postsecondary Accreditation or the United States Department of Education at the time the degree was conferred.
- 4502.3 An applicant shall submit a certified transcript of the applicant's educational record(s) and an official certificate of graduation to the Board with the completed application.
- 4502.4 Except as provided in §§ 4502.6, 4502.7, 4502.8, and 4502.9, an applicant shall furnish proof satisfactory to the Board that the applicant has completed preprofessional experience which meets the following requirements:
- (a) The experience was obtained in a dietetic or nutrition program approved by the Board;
 - (b) The program was under the direction of a registered dietitian or nutritionist licensed or authorized to practice dietetics or nutrition in the United States;
 - (c) The experience consisted of a minimum of nine hundred (900) hours completed over a period of not less than twenty-two (22) weeks and not more than forty-five (45) weeks;
 - (d) At least one (1) hour per week of experience was under the immediate supervision of a registered dietitian or nutritionist and the remaining experience was under the general supervision of a registered dietitian or nutritionist; and
 - (e) The applicant's performance was rated as at least satisfactory.
- 4502.5 An applicant under this section shall demonstrate the experience listed under § 4502.4 by submitting with the application a statement from each supervisor during the required period of supervision, on the prescribed form, which sets forth the following:
- (a) Locations and time periods of the training;
 - (b) Hours of supervised practice;
 - (c) Nature of practice;

(d) Performance rating; and

(e) The supervisor's license number, if any, and jurisdiction in which authorized to practice.

4502.6 An applicant who passes the examination sponsored by the Commission on Dietetic Registration of the American Dietetic Association (CDRADA) and who submits proof of current certification as a registered dietitian by the CDRADA shall be deemed to have met the educational and experience requirements of this section.

4502.7 An applicant who has received a master's or doctoral degree in nutrition from a university that was accredited by the ADA's Commission on Accreditation for Dietetics Education at the time the applicant graduated, shall be deemed to have met the pre-professional experience requirements of this section.

4502.8 An applicant who has been actively engaged in the practice of nutrition for not less than two (2) of the five (5) years immediately preceding the date of application and who meets the requirements of § 4502.1 of this chapter, shall be deemed to have met the pre-professional experience requirements of this section.

4502.9 An applicant who has been certified by the Certified Board for Nutrition Specialists as a Certified Nutrition Specialist (CNS), shall be deemed to have met the pre-professional experience requirements of this section.

4502.10 The Board may require that an applicant submit evidence that documents the nature of the course work completed.

4502.11 For purposes of this section, a quarter hour of academic credit shall equal two-thirds (2/3) of a semester hour.

4503 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

4503.1 The Board may grant a license to practice nutrition to an applicant who has completed an educational program in a foreign country, which program is not accredited pursuant to this section, if the applicant does as follows:

(a) Meets all requirements of this chapter except for § 4502.1; and

(b) Demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this subtitle and the Act in ensuring that the applicant is qualified to practice nutrition by submitting the documentation required by § 4502.6 or § 4503.2 of this chapter.

4503.2 An applicant under this section shall submit with the application a certification from one of the following that the applicant's foreign education is equivalent to the applicable requirements of the Act and this chapter:

- (a) A private education evaluation service approved by the Board; or
- (b) A college or university approved by an accrediting body recognized by the Council on Postsecondary Accreditation or the Secretary of the United States Department of Education.

4503.3 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit a translation signed by the translator attesting to its accuracy.

4504 SUPERVISED PRACTICE BY STUDENTS AND GRADUATES

4504.1 The following unlicensed persons may practice nutrition under supervision;

- (a) A student fulfilling educational requirements in a program that meets the requirements of §§ 4502.1 and 4502.2; and
- (b) A graduate enrolled in a postgraduate training program recognized by the Board.

4504.2 Only a supervisor shall be authorized to supervise the practice of a student or graduate.

4504.3 A student or graduate may practice nutrition only in accordance with the Act and this title.

4504.4 A student or graduate who practices pursuant to this section shall practice only at a hospital, nursing home, health facility, health education center, business, or other health care facility considered appropriate for the practice of nutrition.

4504.5 A student or graduate under this section shall not assume administrative or technical responsibility for the operation of a program of dietetics, clinical service, or unit.

4504.6 All supervised practice shall take place under general or immediate supervision.

4504.7 A student or graduate shall identify himself or herself as such before practicing under supervision.

4504.8 A supervisor shall be fully responsible for all practice by a student or graduate during the period of supervision and shall be subject to disciplinary action for any

violation of the Act or this subtitle by the student or graduate.

- 4504.9 A student or graduate shall not receive compensation of any kind directly or indirectly from a patient, except for a salary based on hours worked under supervision.
- 4504.10 A graduate eligible to practice under § 4504.1(b) may practice for no more than twelve (12) months or for the duration of the graduate's postgraduate training program.
- 4504.11 A student or graduate shall be subject to all of the applicable provisions of the Act and this chapter. In accordance with Chapter 41 of this title, the Board may deny an application for a license by, or may take disciplinary action against, a student or graduate who is found to have violated the Act or this chapter.
- 4504.12 As used in this section, the following definitions shall apply:
- (a) "General supervision" means supervision in which the supervisor is available on the premises or within vocal communication either directly or by a communication device at the time the student or graduate is practicing;
 - (b) "Immediate supervision" means supervision in which the supervisor is with the student or graduate and is either discussing or observing the student's or graduate's practice; and
 - (c) "Supervisor" means a registered nutritionist or dietitian licensed under the Act who is responsible for the supervision of a student or graduate.

4505 CDR EXAM

- 4505.1 Except as provided in 4505.2 of this chapter, all applicants for licensure in the District of Columbia shall receive a passing score on the national registration examination for dietitians offered by the Commission on Dietetic Registration ("CDR Exam").
- 4505.2 The following shall not be required to complete the CDR exam:
- (a) An applicant for licensure by endorsement;
 - (b) An applicant who is currently certified as a registered dietitian by the Commission on Dietetic Registration of the American Dietetic Association (CDRADA); or
 - (c) An applicant who is currently certified by the Certified Board for Nutrition Specialists as a Certified Nutrition Specialist (CNS).

- 4505.4 An applicant who fails the CDR exam on three (3) consecutive attempts may not retake the examination for one (1) year. Thereafter, the applicant may not retake the examination for one (1) year after each failure.
- 4505.5 An applicant who fails the CDR exam three (3) times is not eligible for licensure in the District unless the applicant successfully completes a course or courses in each area of weakness as determined by the CDRADA's analysis of the previous examination before the applicant may reapply for examination.
- 4505.6 To be eligible to take the CDR exam, an applicant shall submit proof satisfactory to the Board that he or she has met the educational and preprofessional experience training requirements of the Act.

4506 CONTINUING EDUCATION REQUIREMENTS

- 4506.1 Subject to § 4506.2, this section shall apply to applicants for the renewal, reactivation, or reinstatement of a license for a term expiring April 30, 1991, and for subsequent terms.
- 4506.2 This section does not apply to applicants for an initial license by examination, reciprocity, or endorsement, nor does it apply to applicants for the first renewal of a license granted by examination.
- 4506.3 A continuing education credit shall be valid only if it is relevant to the field of Nutrition, Food Systems Management/Food service and is part of a program or activity approved by a nationally credentialed group and is accompanied by a signed certificate from the program director or accredited university/department.
- 4506.4 Repealed
- 4506.5 To qualify for a license, a person in inactive status within the meaning of § 511 of the Act, D.C. Official Code § 3-1205.11(2001) who submits an application to reactivate a license shall submit proof of having completed fifteen (15) hours of approved continuing education credit for each license year after December 1, 2000 that the applicant was in inactive status, up to a maximum of five (5) years, with at least thirty (30) of those hours having been completed in the two (2) years immediately preceding the date of applying for reactivation.
- 4506.6 To qualify for a license, an applicant for reinstatement of a license shall submit proof of having completed fifteen (15) hours of approved continuing education credit for each year after December 1, 2000 that the applicant was not licensed, up to a maximum of five (5) years, with at least thirty (30) of those hours having been completed in the two (2) years immediately preceding the date of applying for reinstatement.

- 4506.7 To qualify for renewal of a license to practice nutrition in the District an applicant shall:
- (a) Have completed thirty (30) hours of approved continuing education credits (“CEUs”) during the two (2) year period preceding the date the license expires in accordance with this section;
 - (b) Attest to completion of the required continuing education credits on the renewal application form; and
 - (c) Be subject to a random audit for compliance with the continuing education requirement.
- 4506.8 Except as provided in § 4506.9, an applicant under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:
- (a) The name and address of the sponsor of the program;
 - (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
 - (c) The dates on which the applicant attended the program;
 - (d) The hours of credit claimed; and
 - (e) Verification by the sponsor of completion, by signature or stamp.
- 4506.9 Applicants for renewal of a license shall only be required to prove completion of the required continuing education credits by submitting proof pursuant to § 4506.8 if requested to do so as part of the random audit, or if otherwise requested to do so by the Board.
- 4506.10 The Board shall conduct a random audit of continuing education credits at the completion of each renewal period.
- 4506.11 An applicant who falsely certifies completion of continuing education credits shall be subject to disciplinary action.
- 4506.12 An applicant for renewal of a license who fails to renew the license by the date the license expires may renew the license for up to sixty (60) days after the date of expiration by completing the application, submitting the required supporting documents, and paying the required late fee. Upon renewal, the licensee shall be deemed to have possessed a valid license during the period between the expiration of the license and the renewal thereof.

- 4506.13 If an applicant for renewal of a license fails to renew the license and pay the late fee within the sixty (60) days after the expiration of the license, the expired license shall be deemed to have lapsed on the date of expiration and the applicant shall thereafter be required to apply for reinstatement of an expired license and meet all requirements and fees for reinstatement.
- 4506.14 If an applicant's license lapses, the applicant shall be subject to disciplinary action, including denial of a license, if the applicant practices as a nutritionist after the date the license lapses.
- 4506.15 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew the license after expiration, if the applicant's failure to renew was for good cause. As used in this section "good cause" includes the following:
- (a) Serious and protracted illness of the applicant; and
 - (b) The death or serious and protracted illness of a member of the applicant's immediate family.

4507 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

- 4507.1 The Board may, in its discretion, approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the practice of nutrition and that meet the other requirements of this section.
- 4507.2 The Board may approve the following types of continuing education programs, if the programs meet the requirements of § 4507.3:
- (a) An undergraduate or graduate course given at an accredited college or university;
 - (b) A seminar related to the discipline of human nutrition;
 - (c) A training or technical assistance workshop in nutrition or a nutrition related field;
 - (d) An educational program given at a conference specifically related to the discipline of nutrition; and
 - (e) Nutrition related presentations or poster board sessions in professional meetings.
- 4507.3 To qualify for approval by the Board, a continuing education program shall meet the following requirements:

- (a) Be current and relevant to the practice of nutrition and dietetics in its subject matter;
- (b) Be developed and taught by individuals with appropriate qualifications and credentials; and
- (c) Be administered or approved by one of the following:
 - (1) A national, state, or local dietetics organization recognized by the Board;
 - (2) A health care facility accredited by the Joint Commission for the Accreditation of Hospitals; or
 - (3) A college or university approved by an accrediting body recognized by the Council on Postsecondary Accreditation or the Secretary of the United States Department of Education.

4507.4 The Board may issue and update a list of approved continuing education programs.

4507.5 An applicant shall have the burden of verifying whether a program is approved by the Board pursuant to this section prior to attending the program. The applicant shall also have the burden of verifying the number of continuing education credits the Board will accept for a program under this section.

4507.6 The Board may approve the following continuing education activities by an applicant:

- (a) Serving as an instructor or speaker at a conference, a seminar, workshop, or in-service training;
- (b) Publishing a book or a chapter in a book, or publishing a book review, article, abstract, or paper in a professional journal or bulletin; or
- (c) Participating in research as a principal investigator or research assistant.

4508 CONTINUING EDUCATION CREDITS

4508.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour, which shall equal one (1) continuing education unit (CEU).

4508.2 For approved undergraduate or graduate course, each semester hour of credit shall constitute fifteen (15) hours of continuing education credit, and each quarter

hour of credit shall constitute ten (10) hours of continuing education credit.

- 4508.3 The Board may grant credit to an applicant who serves as an instructor or speaker at an approved program for both preparation and presentation time, subject to the restrictions under §§ 4508.4 through 4508.7.
- 4508.4 The maximum amount of credit which may be granted for preparation time shall be twice the amount of the associated presentation time.
- 4508.5 The maximum amount of credit which may be granted pursuant to § 4508.3 shall be fifty percent (50%) of an applicant's continuing education requirement.
- 4508.6 If an applicant has previously received credit in connection with a particular presentation, the Board shall not grant credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject.
- 4508.7 The presentation shall be completed during the period for which credit is claimed.
- 4508.8 The Board may grant an applicant who is an author or editor of a published book fifteen (15) continuing education credits, if the book has been published or accepted for publication during the period for which credit is claimed, and the applicant submits proof of this fact with the application.
- 4508.9 The Board may grant an applicant who is an author of a published original paper six (6) continuing education credits, subject to the same restrictions set forth for books in § 4508.8.
- 4508.10 The Board may grant an applicant who is the sole author of a published book review, article, or abstract, six (6) continuing education credits, subject to the same restrictions set forth for books in § 4508.8.
- 4508.11 The Board may grant an applicant who is able to demonstrate participation in research, either as a principal investigator or as a research assistant, six (6) continuing education credits.
- 4508.12 The Board may grant an applicant who is a co-author of a published book review, article, abstract, or original paper two (2) continuing education credits, subject to the same restrictions set forth for books in § 4508.9. A maximum of four (4) continuing education credits per year may be granted to this section.

4509 LICENSURE BY ENDORSEMENT

- 4509.1 An applicant, holding an active license, in good standing, to practice nutrition in another state, shall in addition to meeting all the requirements of this chapter:

- (a) Submit a copy of his or her current license with the application; and
- (b) Obtain verification from each state in which the applicant holds or has ever held a professional health occupation license, that the license is current and in good standing, or if the license is no longer active, that it was in good standing immediately prior to its expiration. The licensure verification form must be sent directly to the Board, by the verifying Board.

4510 USE OF TITLE REGISTERED DIETITIAN

4510.1 An individual licensed under the Act to practice nutrition in the District of Columbia shall not use the title dietitian or registered dietitian unless the individual is licensed under the Act to practice dietetics in the District of Columbia.

4599 DEFINITIONS

4599.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed:

Applicant – a person applying for a license to practice nutrition under this chapter.

Board – the Board of Dietetics and Nutrition, established by § 202 of the Act, D.C. Official Code § 3-1202.02 (2001).

CDRADA – the Commission on Dietetic Registration of the American Dietetic Association.

Dietitian – a person licensed to practice dietetics under the Act. Licensure to practice dietetics pursuant to this chapter shall also entitle the licensee to use the title of nutritionist.

General Supervision – supervision in which the supervisor is within the same facility as the supervisee and immediately available upon request or is not within the same facility but immediately available by telephone.

Immediate Supervision – supervision in which the supervisor is physically with the supervisee and either discusses or observes the supervisee's practice.

Nutritionist – a person licensed to practice nutrition under the Act.

4599.2 The definitions in § 4099 of Chapter 40 of this title are incorporated by reference into and are applicable to this title.