



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

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

December 14, 2017

9:00 am - 12:00 pm

MEETING AGENDA



OPEN SESSION: Call to Order

OS-1214-01	SENIOR DEPUTY DIRECTOR'S REPORT	
OS-1214-02	EXECUTIVE DIRECTOR'S REPORT	
OS-1214-03	BOARD ATTORNEY'S REPORT	
OS-1214-04	CHAIRPERSON'S REPORT	
OS-1214-05	<u>OPEN SESSION MINUTES</u> Board Action: To consider the Open Session Minutes of the September 14, 2017 meeting.	
OS-1214-06	<u>UPDATE ON REGULATIONS</u> Board Action: To discuss the subcommittee's recommended amendments to the Nutrition regulations.	

Upon conclusion of the open session meeting pursuant to the DC Official Code 2-575(b) and for the purposes set forth therein, the Board will move into the closed executive session portion of the meeting to consult with the Board attorney, discuss disciplinary matters and hear reports concerning violations of the law or regulations.



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

September 14, 2017
9:00am-10:30am



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

OPEN SESSION MINUTES SEPTEMBER 14, 2017

ATTENDANCE:

BOARD MEMBERS:		
	DR. ANNINA BURNS, CHAIRPERSON	PRESENT
	KIMBERLY THOMPSON, BOARD MEMBER	PRESENT
STAFF:		
	ROBIN JENKINS, EXECUTIVE DIRECTOR, BOARDS OF ALLIED AND BEHAVIORAL HEALTH	ABSENT
	ERIC YEAGER, HEALTH LICENSING SPECIALIST	PRESENT
	LEONARD HOWARD, INVESTIGATOR	PRESENT
	PANRAVEE VONGJAROENRAT, ESQ., BOARD ATTORNEY	PRESENT
VISITORS		

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 September 14, 2017

OS-0914-01	<p>SENIOR DEPUTY DIRECTOR'S REPORT <u>Board Action:</u> There was no report.</p>	
OS-0914-02	<p>EXECUTIVE DIRECTOR'S REPORT <u>Board Action:</u> There was no report.</p>	
OS-0914-03	<p>BOARD ATTORNEY'S REPORT <u>Board Action:</u> The Board Attorney announced that the amendments to the Dietetics and Nutrition regulations related to continuing education required for assisting LGBTQ clients were published on August 18, 2017.</p>	
OS-0914-04	<p>BOARD CHAIRPERSON'S REPORT <u>Board Action:</u> The Board Chair opened the meeting by welcoming Dietitian Kimberly Thompson as the Board's new Member. She said that she and the staff look forward to working together with the new Member. The Board Chair then noted that licensure renewal has just begun and continues until November 1, 2017. The Board Chair also cautioned licensees to ensure that they met the thirty (30) credit continuing education requirement because the Board would announce an audit following the 2017 renewal.</p>	
OS-0914-05	<p>OPEN SESSION MINUTES <u>Board Action:</u> The Open Session Minutes of the June 8, 2017 meeting were approved.</p>	



Government of the District of Columbia
Department of Health

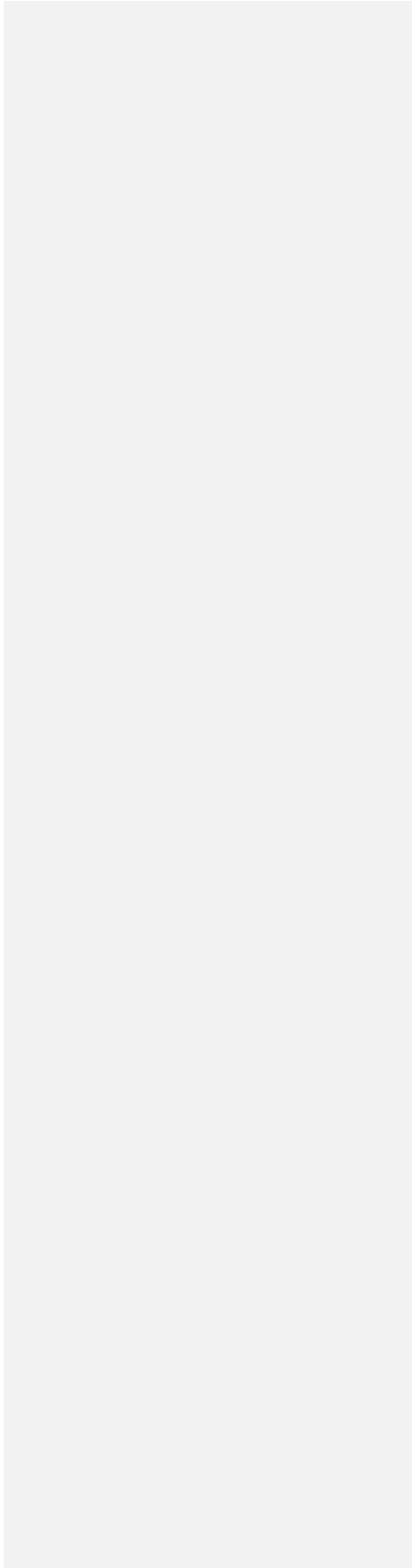
BOARD OF DIETETICS/NUTRITION

OS-0914-06	<p><u>UPDATE ON REGULATIONS</u></p> <p>Board Action: The Board Chair noted that the subcommittee has begun work on updating the regulations. Members of the public are encouraged to attend the regularly scheduled Board meetings if they wish to submit issues or topics as proposed amendments to the regulations, the Board Chair said.</p> <p>The Open Session was adjourned.</p> <p>The next meeting is scheduled for March 8, 2018.</p>	
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**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
NUTRITION**

December 2011



CHAPTER 45 NUTRITION

Secs.

4500	General Provision
4501	Term of License
4502	Educational and Training Requirements
4503	Applicants Educated in Foreign Countries
4504	Supervised Practice by Students and Graduates
4505	CDR Exam
4506	Continuing Education Requirements
4507	Approved Continuing Education Programs and Activities
4508	Continuing Education Credits
4599	Definitions

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 QUALIFICATION FOR LICENSURE

4502.1 Except as otherwise provided in this ~~subchapter~~ chapter, an applicant ~~shall furnish proof satisfactory to the Board, in accordance with § 701(e) of the Act, D.C. Official Code § 3-1207.01(e) (2001), of one of~~ seeking to qualify for a license to practice nutrition shall possess the following:

- (a) ~~That the applicant holds a~~ 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 and~~
- (d) ~~At least nine hundred (900) hours of supervised practice experience meeting the requirements of § XXXX; and~~
- (e) ~~Passage of one of the following examinations:~~
 - (1) ~~Certification Examination for Nutrition Specialists offered by the Board for Certification of Nutrition Specialists (BCNS);~~
 - (2) ~~Registration Examination for Dietitians offered by the Commission on Dietetic Registration (CDR); or~~
 - (3) ~~Certification Examination for a Diplomate of the American Clinical Board of Nutrition (DACBN);-~~

Comment [PV1]: I think this is a bit too broad. Are we talking about training or education?

4502.2 ~~A D~~degrees required in §§ 4502.1(a) ~~and or~~ (b) shall have been ~~received-obtained~~ from an academic institution that was approved by the appropriate accrediting body recognized by the Council ~~on Postsecondary for Higher Education~~ 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, a ~~supervised practice experience required in § 4502.1(d) shall~~ an applicant shall furnish proof satisfactory to the Board that the applicant has completed preprofessional experience which meets the following requirements:

- (a) ~~The applicant practiced dietetic or nutrition for at least nine hundred (900) hours under the supervision of a supervisor approved in accordance with § XXXX; 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;~~

- (e) ~~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~~ forty (40) hours of experience was under the immediate supervision of ~~a registered dietitian or nutritionist~~ the approved supervisor and the remaining experience was under the general supervision of ~~a registered dietitian or nutritionist~~ the supervisor; 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 possesses a current certification as a Registered Dietitian (RD) from the passes the examination sponsored by the Commission on Dietetic Registration of the American Dietetic Association (CDRADA) (CDR) 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 § 4502.1.

4502.X An applicant who possesses a current certification as a Certified Nutrition Specialist (CNS) from the Board for Certification of Nutrition Specialists (BCNS) shall be deemed to have met the requirements of § 4502.1.

4502.X An applicant who possesses a current certification as a Diplomate of American Clinical Board of Nutrition (DACBN) from the American Clinical Board of Nutrition (ACBN) shall be deemed to have met the requirements of § 4502.1. ~~this section.~~

4502.7 An applicant who has received a master's or doctoral degree in dietetics or nutrition from a university that was accredited by the Accreditation Council for Education in Nutrition and Dietetics ~~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~~ § 4502.4.

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.

Comment [PV2]: Is this still needed?

~~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

Comment [PV3]: Please note that CDR will stop accepting applicants educated overseas in 2019.

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 if:~~

- (a) ~~Meets all requirements of this chapter except for § 4502.1~~The applicant holds a [bachelor or master's?] degree that is determined by the Board to be equivalent to a regionally accredited U.S. institution; 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~~The applicant meets the requirements of § 4502.1(d) and (e).

Comment [PV4]: This is from BCNS website. PLEASE NOTE – BCNS accepts only masters up. No bachelor's.

~~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 APPROVED SUPERVISOR'S QUALIFICATIONS

4504.1 Except as provided in § 4504.2, a supervisor who may be approved to supervise an applicant's supervised practice experience shall possess at least one of the following certifications:

- (a) Certified Nutrition Specialist (CNS) from the Board for Certification of Nutrition Specialists (BCNS);
- (b) Registered Dietitian (RD) from the Commission for Dietetic Registration (CDR); or
- (c) Diplomate of the American Clinical Board for Nutrition (DACBN) from the American Clinical Board for Nutrition (ACBN).

4504.2 A supervisor not meeting the requirement of § 4504.1 may supervise an applicant's supervised practice experience if:

- (a) The intending supervisor holds a master's degree in science or a doctoral degree in nutrition, medicine, or a related field;
- (b) The Board has reviewed and determined to be satisfactory the following:
 - (1) That the intending supervisor possesses sufficient qualifications and ability to provide the applicant with a supervised practice experience in nutrition equivalent to the standards set for the supervised practice experience required by the Board for Certification of Nutrition Specialists (BCNS) for Certified Nutrition Specialists (CNS); and
 - (2) That the intending supervisor understands and accepts the responsibility to provide the applicant with a supervised practice experience equivalent to the CNS standards; and
- (c) The supervised practice experience shall not begin until the Board has approved the supervisor.

45054 SUPERVISED PRACTICE BY STUDENTS AND GRADUATES AUTHORIZED PRACTICE WITHOUT A LICENSE

- 45054.1 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 from a nutrition program enrolled in a postgraduate training program recognized by the Board; or
 - (c) A graduate from a nutrition program accruing supervised practice experience required in § 4502.1(d);-
- 45054.2 ~~Only a supervisor shall be authorized to supervise the practice of a student or graduate. A supervisor authorized to supervise the practice of persons enumerated in § 4505.1 shall meet the requirements of § 4504.~~
- 45054.3 ~~A student or graduate may practice nutrition only in accordance with the Act and this title. A person authorized to practice under this section shall practice only in accordance with this section.~~
- 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.~~
- 45054.5 ~~A student or graduate under this section~~ person authorized to practice 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.~~
- 45054.7 ~~A student or graduate~~ person authorized to practice under this section shall identify himself or herself as a person practicing under supervision ~~such before practicing under supervision.~~
- 45054.8 A supervisor shall be fully responsible for all practice by ~~a student or graduate~~ the supervisee 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~~ supervisee.
- 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.

Comment [PV5]: KEEP?

~~4505.4.11~~ A ~~student or graduate~~ person authorized to practice under this section 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 and may be subject to disciplinary action including the denial of a license if the person 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, but does not apply to applicants for an initial license or for the first renewal of a license.~~

~~4506.2 This section does not apply to applicants for an initial license; nor does it apply to applicants for the first renewal of a license.~~

4506.3 A continuing education credit shall be valid only if it meets the requirements of § 4507 and is approved by the Board.

4506.4 To qualify for the renewal of a license, an applicant shall have completed thirty (30) hours of approved continuing education credit during the two (2)-year period preceding the date the license expires. Beginning with the November 1, 2017 – October 31, 2019 licensure term, two (2) of the required thirty (30) hours shall be LGBTQ continuing education.

4506.5 To qualify for the reactivation of a license, a person in inactive status within the meaning of § 511 of the Act(D.C. Official Code § 3-1205.11(2016 Repl.)) 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 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 the reinstatement of a license, an applicant shall submit proof of having completed fifteen (15) hours of approved continuing education credit for each year 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 submission of the reinstatement application.

~~4506.7 An applicant may prove completion of the required continuing education by establishing to the Board's satisfaction that the applicant did complete the continuing education program or activity and that the program or activity meets the relevant requirements of § 4507. Except as provided in § 4506.8, 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.~~

4506.8 ~~Applicants for renewal of a license shall only be required to prove completion of the required continuing education credits by submitting proof pursuant to § 4506.7 if requested to do so as part of the random audit, or if otherwise requested to do so by the Board.~~

4506.9 In lieu of requiring proof of completion of the required continuing education with a renewal application, the Board rely on a renewal applicant's attestation to his or her compliance and may periodically conduct a random audit of its active licensees to determine continuing education compliance. Any licensee selected for the audit shall submit proof of his or her continuing education compliance to the Board within thirty (30) days of receiving notification of the audit. Failure to timely respond to the audit notice may subject the licensee to disciplinary action by the Board.

4507 **APPROVED CONTINUING EDUCATION PROGRAMS AND/OR ACTIVITIES**

4507.1 The Board may, in its discretion, approve a continuing education programs ~~and or~~ activities that meets the following requirements:

- (a) The subject matter is current and relevant to the practice of dietetics or nutrition;
- (b) It has been developed and administered or taught by individuals with appropriate qualifications and credentials;
- (c) It contributes to the growth of an applicant in professional competence in the practice of nutrition; and
- (d) ~~that~~ It meets the other applicable requirements of this section.

4507.2 The Board may approve the following types of continuing education programs or activities; ~~if the programs meet the requirements of § 4507.3;~~

- (a) ~~An undergraduate or graduate course given at an accredited college or~~

~~university~~ Participating as a learner in a professional and structured education activity such as, but not limited to:

- (1) An undergraduate or graduate course related to the discipline of human nutrition offered at an accredited college or university; or
- (2) A class, workshop, seminar, or teaching activity offered by one or more of the providers enumerated in § 4507.3;

- (b) Teaching a nutrition course at an accredited college or university;
- (c) Serving as an instructor or presenter at a professional education program at a professional conference, workshop, or in-service training;
- (d) Authoring or co-authoring an original published professional or peer-reviewed book or article or review article in the field of nutrition;
- (e) Serving as an editor or co-editor of a professional nutrition journal, advanced professional book or textbook in the field of nutrition; or
- (f) Participating as a researcher in a published research project.
- ~~(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 Programs or activities sponsored, offered, or approved by the following organizations shall be approved for continuing education credits:

- (a) Board for Certification of Nutrition Specialists (BCNS);
- (b) Commission on Dietetic Registration;
- (c) A health care facility accredited by the Joint Commission for the Accreditation of hospitals;
- (d) 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; or

Comment [PV6]: This may be redundant. Should be weighed against "accredited" used above.

~~(c) A national, state, or local dietetic, nutrition, public health, medical, or educational organization approved or recognized by the Board;~~

~~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~~person seeking continuing education credits 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~~person 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.

Comment [PV7]: IS THIS TRUE? WE DON'T GIVE
½ OR ¼ CREDITS?

4509 LICENSURE BY ENDORSEMENT PROFESSIONAL STANDARDS

- 4509.1 A nutritionist shall conduct him- or herself with honesty, integrity and fairness.
- 4509.2 A nutritionist shall support and promote high standard of professional practice, embody high ethical standards and adhere to all applicable local, state, and federal laws and regulations in the choices he or she makes.
- 4509.3 A nutritionist shall not misrepresent or fail to prevent misrepresentation of his or her professional qualifications or credentials.
- 4509.4 A nutritionist shall not permit the use of his or her name for the purpose of certifying that nutrition services have been rendered unless the nutritionist has provided or supervised the provision of those services.
- 4509.5 A nutritionist shall maintain knowledge and skills required for professional competence and shall provide services or care within their own scope of practice and competence.
- 4509.6 A nutritionist shall respect the rights of patients or clients to self-determination and make his or her best good faith efforts to provide unbiased information and facilitate understanding to enable the patient or client to make informed choices in regard to all recommended plans of care or assessment.
- 4509.7 A nutritionist shall not promote or endorse products in a manner that is false or misleading and shall disclose to a patient, client, or a person under the nutritionist's supervision any personal gain or profit from any item, procedure, or profit used with or promoted to a patient or client. A personal gain or profit subject to disclosure under this subsection does not include compensation received as a consultant or employee, a research grant or corporate sponsorship program, a gift of nominal value, or attendance at educational programs.
- 4509.8 A nutritionist shall not aid or abet the practice or misrepresentation of an unlicensed person.

~~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~~ SCOPE OF PRACTICE

4510.1 A nutritionist licensed or authorized to practice under this chapter may provide general nutrition services or medical nutrition therapy.

4510.2 Medical nutrition therapy includes:

- (a) Completion of individualized nutritional assessment, evaluation, or diagnosis for a patient or client, using anthropometric, biochemical, nutrition physical or clinical examination, genomics, nutritional genomics, or demographic data;
- (b) Creation of patient or client-specific treatment plan or protocol;
- (c) Creation of therapeutic diet orders or therapeutic menus; or
- (d) Monitoring and evaluating an patient’s or client’s progress based on the treatment plan or therapeutic diet orders.

4510.3 A nutritionist may order and assess laboratory tests related to dietetics or nutrition care including, but not limited to, standard lab testing, in-office testing, functional testings, or nutrigenomics.

- (c) 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.

4510.4 A nutritionist may provide dietetic or nutrition services in both initial and follow-up sessions using secure telecommunication technology such as telephone or internet.

4510.5 It shall not constitute the practice of dietetic or nutrition for a person to provide general nutrition services through the following activities, provided that such activities do not constitute medical nutrition:

- (a) Counseling individuals or groups in the selection of food to meet normal nutrition needs;
- (b) Assessing nutritional needs of individuals or groups by planning, organizing, coordinating, or evaluating the nutritional components of community health services; or
- (c) Providing food or nutrition information to promote general wellness.

Comment [PV8]: This is not a good idea. There should be some further scope such as whether this applies to patients/clients in DC and whether the practitioner is located in DC or elsewhere.

Comment [PV9]: I’m not sure if “assessing” is the right term here. This whole piece came from the research scope.

4599 DEFINITIONS

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

Act – the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99, D.C. Official Code §§ 3-1201 *et seq.* (2016 Repl.)).

~~**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~~ available to supervise or give guidance or feedback to the supervisee by any telecommunication means or device.

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 or authorized to practice nutrition under the Act and this chapter.

LGBTQ continuing education – continuing education focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”) meeting the requirements of § 510(b)(5) of the Act (D.C. Official Code § 3-1205.10 (b)(5) (2016 Repl.)).

Medical nutrition therapy means the use of specific nutrition services to treat, or rehabilitate an illness, injury, or condition. Medical nutrition therapy includes nutrition assessment, intervention, education, and counseling.

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