Agency Name: Panel for Dietetics - Labor, Licensing and Regulation

Statutory Authority: 40-20-50

Document Number: 4237

Proposed in State Register Volume and Issue: 35/12

120 Day Review Expiration Date for Automatic Approval: 05/08/2013

House Committee: Medical, Military, Public and Municipal Affairs Committee

Senate Committee: Medical Affairs Committee

Final in State Register Volume and Issue: 37/5

Status: Final

Subject: Definitions

History: 4237

By Date Action Description Jt. Res. No. Expiration Date

- 12/23/2011 Proposed Reg Published in SR

- 02/06/2012 Received by Lt. Gov & Speaker 06/05/2012

H 02/07/2012 Referred to Committee

S 02/07/2012 Referred to Committee

S 03/01/2012 Committee Requested Withdrawal

 120 Day Period Tolled

- 03/07/2012 Withdrawn and Resubmitted 01/11/2013

S 03/14/2012 Resolution Introduced to Approve 1336

S 03/20/2012 Resolution Introduced to Approve 1352

H 03/21/2012 Resolution Introduced to Approve 5059

- 06/08/2012 Withdrawn due to end of two-year session

- 01/08/2013 Resubmitted with no substantive changes

 - Received by Lt. Gov & Speaker 05/08/2013

H 02/20/2013 Resolution Introduced to Approve 3574

S 02/26/2013 Resolution Introduced to Approve 429

- 05/08/2013 Approved by: Expiration Date

- 05/24/2013 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4237

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**PANEL FOR DIETETICS**

CHAPTER 40

Statutory Authority: 1976 Code Section 40-20-50

40-1. Definitions.

**Synopsis:**

 To satisfy the requirements of licensure for dietitians, Regulation 40-1 is updated in conformance with the current Dietetics Practice Act.

 The Notice of Drafting was published in the *State Register* on November 25, 2011.

**Instructions:**

The following section of Chapter 40 is modified as provided below. All other items and sections remain unchanged.

**Text:**

40-1. Definitions.

Definitions found in Section 40-20-20, et seq., apply to this chapter.

(A) “Applicant” means any person who has made application for licensure in this state to engage in the practice of dietetics. Applicants may include those exempt from the licensing requirements pursuant to Section 40-20-110.

(B) “Continuing education" means an organized educational program designed to expand a licensee's knowledge base beyond the basic entry-level educational requirements for the practice of dietetics. Course content must relate to the practice of dietetics whether the subject is research, treatment, documentation, education, or management.

(C) For purposes of continuing education as defined in this chapter, "One Continuing Professional Education (CPE) hour" is sixty (60) minutes of instruction or organized learning for all purposes including continuing competency.

(D) “Nutritional assessment” means the integrative evaluation of nutritionally relevant data to develop an individualized nutritional care plan. These data may include:

(1) Nutrient intake;

(2) Anthropometric measurements;

(3) Biochemical values;

(4) Physical and metabolic parameters;

(5) Socio-economic factors;

(6) Current medical diagnosis and medications; and

(7) Pathophysiological processes.

The mere collection of these data for use in assessment is not nutritional assessment and does not require a dietitian licensed under this section.

(E) “Nutritional counseling” means the advising of individuals or groups regarding nutritional intake by integrating information from the nutritional assessment with information on food and other sources of nutrients and meal preparation consistent with cultural background and socioeconomic status. The distribution by an individual of written information prepared by a licensee is not nutritional counseling, and any person distributing the written information need not be licensed under this section.

(F) “Nutritional education” means a planned program based on learning objectives with expected outcomes designed to modify nutrition-related behaviors. This does not prohibit an individual from providing general non-medical nutrition information if the person does not violate this section.

(G) “Nutritional care standards” means policies and procedures pertaining to the provision of nutritional care in institutional and community settings.

(H) “Nutritional care” means the application of the science of nutrition in the health and disease of people.

(I) “Commission” means “The Commission on Dietetic Registration” of the Academy of Nutrition and Dietetics.

(J) “The Academy” means “The Academy of Nutrition and Dietetics.”

(K) “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.

(L) “Council on postsecondary accreditation” is synonymous with “Commission on recognition of post-secondary accreditation.”

(M) For purposes of this section, the terms “Nutritionist”, “Nutrition counselor” and like terms may indicate the person is practicing dietetics.

(N) “General nutrition information” means information on the following:

(1) Principles of good nutrition and food preparation;

(2) Food to be included in the normal daily diet;

(3) The essential nutrients needed by the body;

(4) Recommended amounts of the essential nutrients;

(5) The actions of nutrients on the body;

(6) The effects of deficiencies or excesses of nutrients; or

(7) Food and supplements that are good sources of essential nutrients.

**Fiscal Impact Statement:**

 There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Rationale:**

 This regulation is updated in conformance with the current Dietetics Practice Act.