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

Statutory Authority: 40-20-50

Document Number: 4327

Proposed in State Register Volume and Issue: 36/12

House Committee: Labor, Commerce and Industry Committee

Senate Committee: Labor, Commerce and Industry Committee

120 Day Review Expiration Date for Automatic Approval: 05/30/2013

Final in State Register Volume and Issue: 37/6

Status: Final

Subject: Code of Ethics, Interpretation of Standards, and Reporting of Disciplinary Actions

History: 4327

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

- 12/28/2012 Proposed Reg Published in SR

- 01/30/2013 Received by Lt. Gov & Speaker 05/30/2013

H 01/30/2013 Referred to Committee

S 01/30/2013 Referred to Committee

S 03/19/2013 Resolution Introduced to Approve 541

- 05/30/2013 Approved by: Expiration Date

- 06/28/2013 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4327

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**PANEL FOR DIETETICS**

CHAPTER 40

Statutory Authority: 1976 Code Section 40-20-50

40-11. Code of Ethics

40-15. Interpretation of Standards

40-17. Reporting of Disciplinary Actions

**Synopsis:**

 In conformance with current legislation, Regulations 40-11 and 40-15 must be amended and Regulation 40-17 must be added regarding the reporting of disciplinary actions.

 The Notice of Drafting was published in the *State Register* on November 23, 2012.

**Instructions:**

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

**Text:**

40-11. Code of Ethics.

Licensed professionals in the field of dietetics, must maintain high standards of integrity and professional conduct, accept responsibility for their actions, continually seek to enhance their professional capabilities, practice with fairness and honesty, and encourage others to act in a professional manner consistent with the licensure standards and responsibilities set forth in these Rules, The Academy of Nutrition and Dietetics/Commission on Dietetic Registration, and as may be adopted from time to time:

(1) The licensed dietitian conducts himself/herself with honesty, integrity, and fairness.

(2) The licensed dietitian practices dietetics based on scientific principles and current information.

(3) The licensed dietitian presents substantiated information and interprets controversial information without personal bias, recognizing that legitimate differences of opinion exist.

(4) The licensed dietitian assumes responsibility and accountability for personal competence in practice, continually striving to increase professional knowledge and skills and to apply them in practice.

 (5) The licensed dietitian recognizes and exercises professional judgment within the limits of his/her qualifications and collaborates with others, seeks counsel, or makes referrals as appropriate.

 (6) The licensed dietitian provides sufficient information to enable clients and others to make their own informed decisions.

 (7) The licensed dietitian protects confidential information and makes full disclosure about any limitations on his/her ability to guarantee full confidentiality.

 (8) The licensed dietitian provides professional services with objectivity and with respect for the unique needs and values of individuals.

 (9) The licensed dietitian provides professional services in a manner that is sensitive to cultural differences and does not discriminateagainst others on the basis of race, ethnicity,creed, religion, disability,sex, age, sexual orientation, or national origin.

 (10) The licensed dietitian does not engage in sexual harassment in connection with professional practice.

 (11) The licensed dietitian provides objective evaluations of performance for employees and coworkers, candidates for employment, students, professional association memberships, awards, or scholarships.

 (12) The licensed dietitian makes all reasonable effort to avoid bias in any kind of professional evaluation of others.

 (13) The licensed dietitian is alert to situations that might cause a conflict of interest or have the appearance of a conflict.

 (14) The licensed dietitian provides full disclosure when a real or potential conflict of interest arises.

 (15) The licensed dietitian who wishes to inform the public and colleagues of his/her services does so by using factual information. The licensed dietitian does not advertise in a false or misleading manner.

 (16) The licensed dietitian promotes or endorses products in a manner that is neither false nor misleading. The licensed dietitian permits the use of his/her name for the purpose of certifying that dietetics services have been rendered only if he/she has provided or supervised the provision of those services.

 (17) The licensed dietitian withdraws from professional practice under the following circumstances:

 (a) The licensed dietitian has engaged in any substance abuse that could affect his/her practice;

 (b) The licensed dietitian has been adjudged by a court to be mentally incompetent;

 (c) The licensed dietitian has an emotional or mental disability that affects his/her practice in a manner that could harm the client or others.

 (18) The licensed dietitian complies with all applicable laws and regulations concerning the profession and is subject to disciplinary action under the following circumstances:

 (a) The licensed dietitian has been convicted of a crime under the laws of the United States which is a felony or a misdemeanor, an essential element of which is dishonesty, and which is related to the practice of the profession.

 (b) The licensed dietitian has been disciplined by a state, and at least one of the grounds for the discipline is the same or substantially equivalent to these principles.

 (c) The licensed dietitian has committed an act of misfeasance or malfeasance which is directly related to the practice of the profession as determined by a court of competent jurisdiction, a licensing board, or an agency of a governmental body.

(19) The licensed dietitian shall report to the appropriate authorities any incident of which he/she has personal knowledge, of unethical dietetic practice by any individual or organization.

40-15. Interpretation of Standards.

 The standards in this chapter and regulations are interpreted in a manner consistent with The Standards of Professional Responsibility and the Standards of Practice adopted by the Academy of Nutrition and Dietetics Commission on Dietetic Registration.

40-17. Reporting of Disciplinary Actions.

The South Carolina Panel on Dietetics may report disciplinary actions to the Academy of Nutrition and Dietetics Commission on Dietetic Registration.

**Fiscal Impact Statement:**

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

**Statement of Rationale:**

 These regulations are updated in conformance with current legislation.