



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 796: Modernize Dietetics/Nutrition Practice Act

2015-2016 General Assembly

Committee:	House Health	Date:	April 28, 2015
Introduced by:	Rep. B. Brown	Prepared by:	Amy Jo Johnson Committee Counsel
Analysis of:	PCS to First Edition H796-CSTK-47		

SUMMARY: *The PCS to House Bill 796 makes amendments to the Dietetics/Nutrition Practice Act which regulates licensed dietitian/nutritionists. The PCS adds a new licensure for nutritionists, sets out new Board membership requirements, new education requirements for licensure and makes conforming changes.*

BILL ANALYSIS:

Article 25 of Chapter 90 of the General Statutes is the Dietetics/Nutrition Practice Act. The PCS to House Bill 796 would make a variety of changes to update terms used under this Act. The PCS to House Bill 796 would create two pathways to licensure under Article 25 by retaining the current licensure for dietitian/nutritionists and adding licensure for nutritionists.

Section 3 of the bill changes the Board membership, effective July 1, 2015. The Board would then consist of the following seven members:

- Three members would be licensed dietitians/nutritionists.
- Two members would be licensed nutritionists.
- One member would be a licensed physician licensed.
- One member would represent the public at large.

Appointments are made by the appointing authority outlined in **Section 4** of the bill. **Section 5** of the bill directs that no rulemaking may take place until the two licensed nutritionists are appointed to the Board.

Section 7 of the bill outlines the licensing requirements for both a licensed dietitian/nutritionist and a licensed nutritionist. The bill specifies that all persons licensed, or who have submitted an application for licensure, as a dietitian/nutritionist prior to July 1, 2015, would remain licensed, eligible for reactivation, or eligible for licensure under the requirements in place at the time of licensure or application, so long as the applicant or licensee remains in good standing and maintains an active or inactive license.

The PCS to House Bill 796 would allow for the use of the titles Registered Dietitian, Certified Nutrition Specialist, and Diplomate, American Clinical Board of Nutrition when an individual obtains registration or certification with these national organizations.

House Bill 796 adds additional persons and practices not affected by Article 25 to include individuals providing nutrition services without remuneration to family members and individuals providing nutrition information, guidance, encouragement, recommendations, or weight control services who do not hold themselves out as licensed by Article 25 and who do not provide medical nutrition therapy.

O. Walker Reagan
Director



Research Division
(919) 733-2578

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The PCS also adds a new section to Article 25 dealing with the ordering of therapeutic diets. Under the PCS to House Bill 528, enteral and parenteral nutrition therapy would consist of enteral feedings or specialized intravenous solutions and can only be ordered by an individual licensed under Article 25 who meets one of the following criteria:

- The individual is a Registered Dietitian Nutritionist registered with the Commission on Dietetic Registration.
- The individual is a Certified Nutrition Support Clinician certified by the National Board of Nutrition Support Certification.
- The individual meets the requirements set forth in the rules of the Board.

The PCS to House Bill 528 would specify that nothing in Article 25 shall be construed to limit the ability of any other licensed health care provider in this State to order therapeutic diets, so long as the ordering of therapeutic diets falls within the scope of the license held by the health care provider.

EFFECTIVE DATE: Section 12 becomes effective October 1, 2015, and applies to acts committed on or after that date. The remainder of this act becomes effective July 1, 2015.