

DEPARTMENT OF HEALTH

NOTICE OF PROPOSED RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth under § 302(14) of the District of Columbia Health Occupations Revision Act of 1985 ("Act"), effective March 15, 1986, (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of his intent to adopt the following amendments to Chapter 45 of the District of Columbia Municipal Regulations (DCMR) in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. The purpose of these proposed rulemaking is to implement regulations setting for the procedures by which applicants may apply for licensure by endorsement, clarify the methods by which an applicant may meet the pre-professional experience requirements, and bring the regulations in line with the current standards in the practice of nutrition.

Chapter 45 (Nutrition) of Title 17 (Business, Occupations & Professions)(May 1990) is amended as follows:

Section 4502.7 is amended to read as follows:

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.

Section 4502.8 is amended to read as follows:

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.

Section 4205.9 is amended to read as follows:

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.

Section 4502.10 is amended to read as follows:

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

(g) Community nutrition.

Section 4505.3 is amended to read as follows:

4505.3 The Board shall administer the District examination for nutritionists at least four (4) times a year.

Section 4505.6 is amended to read as follows:

4505.6 To be eligible to take the District examination, 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.

Section 4505.7 is repealed.

Section 4505.8 is repealed.

Section 4505.9 is repealed.

Section 4506.3 is amended to read as follows:

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.

Section 4506.5 is amended to read as follows:

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.

Section 4506.6 is amended to read as follows:

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.

Section 4507.2 is amended to read as follows:

- 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.

Section 4507.3 is amended to read as follows:

- 4507.3 To qualify for approval by the Board, a continuing education program shall meet the following requirements:
- (a) Be current and relevant 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.

A new section 4509 is added to read as follows:

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.

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the D.C. Register, to the Department of Health, Office of the General Counsel, 825 North Capitol Street, N.E., 4th Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 9:00 a.m. and 5:00 p.m. at the address listed above.