
 Academy of Nutrition and Dietetics

Learning to Love Licensure




WVAND
West Virginia Academy of Nutrition and Dietetics

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Objectives

1. Review our current licensure law/history
2. Learn how to report a practitioner who might be in violation of our licensure
3. Learn how advocate for legislation supporting RDs and DTRs in our work


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Why Should Licensure be a Priority?

Because – Our Current Environment Demands It!

- Other health professionals are seeking advancement
- Health Care Reform may include provisions for services for licensed health professionals
- A strong scope of practice is essential in current competitive environment

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Why RDs Need to Take Professional Responsibility


"Scope creep" expanded to current licensed states

Other health groups are vocal

Health Reform

State budgets are limited


Scope of practice is threatened

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West Virginia Licensure Pursuit

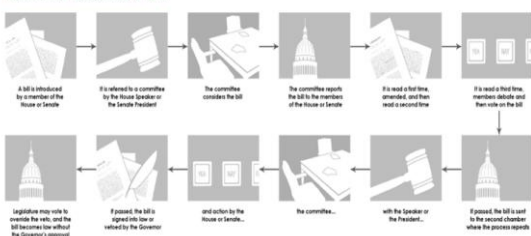
- Started in 1983, with much opposition
 - "Getting involved in politics"
 - "We're RDs, why do we need licensure?"
- Protect the public from unqualified practitioners, who could do potential harm
- We would not be able to legitimately discredit an unqualified person practicing in the scope of the dietitian without it

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West Virginia Licensure - The History

How a bill becomes a law



The flowchart consists of 10 steps in a circular path:

1. A bill is introduced by a member of the House or Senate
2. If it is referred to a committee by the House Speaker or the Senate President
3. The committee considers the bill
4. The committee reports the bill to the members of the House or Senate
5. It is read a first time, amended, and then read a second time
6. It is read a third time, members debate and then vote on the bill
7. If passed, the bill is sent to the second chamber where the process repeats
8. If passed, the bill is sent to the Governor
9. If signed, the bill becomes law without the Governor's approval
10. If vetoed, the bill is returned to the House or Senate

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West Virginia Licensure – The History

1983
Licensure process began

1987
The bill almost made it to the final vote

1992
The bill passed both chambers but governor did not sign it

1996
Governor signed the bill and WV dietitians obtained licensure!

2001
Bill slated for sunset but renewed in the Interim Session that summer

2006/2009
Auditor slated bill for review and was kept

2012/13
Bill introduced with updated language but has not made it past committee

The West Virginia Dietetics Licensure Law

West Virginia Code, Chapter 30 Professions and Occupations, Article 35 Board of Dietitians:

- 30-35-1 Unlawful to practice dietetics without a license
- 30-35-1 You may not use any title, sign, card, etc, which indicates licensure unless licensure obtained; requirements/provisions do not apply to cooks in public/private institutions
- 30-35-1 Does not affect those who furnish nutrition information on food, food materials or dietary supplements or who engage in explanation to customers about food, food materials or dietary supplements in connection with marketing and distribution of those products, and who do not use the title "dietician" or "licensed dietician"
- 30-35-2 Definitions
- 30-35-2a Scope of practice as provision of MNT and other nutrition-related services to promote general health, well-being and the prevention of chronic disease or conditions; not to be construed a prohibitive to those licensed, certified or registered under law
- 30-35-3 The Board of licensed dietitians, members, appointments, elections, terms
- 30-35-4 Powers and duties of the Board
- 30-35-5 Fee schedule, special revenue, expenditures and transfers
- 30-35-6 Provisional permits, renewals and fees
- 30-35-7 Qualifications to be licensed as a dietitian, licensure, examinations, waivers and fees
- 30-35-8 Renewal of licenses, reinstatement, fees, penalties, inactive lists
- 30-35-9 Contents of license or provisional permit
- 30-35-10 Denial, revocation or suspension of license, grounds for discipline
- 30-35-11 Procedures for hearing
- 30-35-12 Judicial review
- 30-35-13 Actions for violations
- 30-35-14 Prohibitions and penalties
- 30-35-15 Continuation of Board

Why Should You Get Active in this Effort?

- Because...your profession needs your participation
- Because---state legislators need reports of harm to provide the need for licensure
- Because---It is critical to have a scope of practice and protect it!

How does this impact the RD?

VITAMEATAVEGAMIN
SOLD HERE
"Spoon Your Way To Health"
"And it's so tasty too!"
JOIN THE THOUSANDS OF HAPPY, PEPPY PEOPLE NOW!

Without reports of violations and harm ...

- No investigations, no discipline, few Board actions
- Value of licensing Board is questioned
- Board's existence is diminished; sunset can occur

Reporting

- Observe those who may be violating your dietetics licensure statute
- Make notes continually; collect the data you need
- Use the form provided by your state licensing board and report incidents of harm

How Reporting Works 

Dietitians, public report harm


- Board investigates and disciplines
- Stops inappropriate practice




Board publicizes harm

- Public builds awareness
- We advocate for our profession

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How to Report 

- Use Board's [form](#)
- Use as much detail as possible
 - Use copies of pertinent documents
 - If using patient records - remove identifiers
 - Dates, times, type of service should be included



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Why report harm in our profession?
Benefits are two-fold

The public: Treatment is delayed when less qualified practitioners are chosen

The profession: Licensing means recognition in legislative process

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Visit State Legislators 

You are an important resource

You are their constituents

↓

Utilize personal connections

Affiliate members ↔ State Legislators

↓

You are the experts

You are qualified to speak on our issues

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The claim: 

Other practitioners are "eating our lunch"


- Stay connected with your elected officials:
 - Congress.org
 - USA.gov
 - Eatright.org

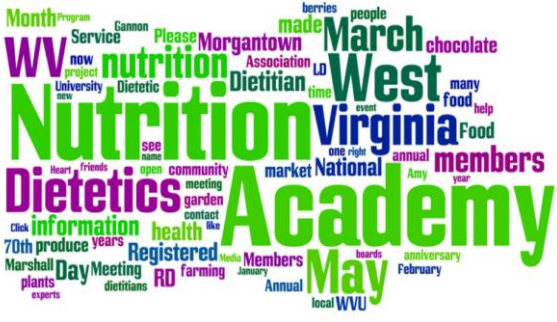


- We have to make it to the cafeteria!


Photo: DougSkaff.com 17



So, what do you do? 



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What Can You Do? 


- Licensure-related:
 - Be well informed on the licensure issues
 - Collect data on violations of harm to your licensure statute and encourage RDs to do the same
 - Report the harm to your licensing board

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Your challenge 

- Advocacy-related
- Yearly:
 - Attend RD Day at the Legislature
 - Pay visits to your elected officials (state or federal)
- Quarterly:
 - Complete action alerts
 - Review current policy issues
 - eatright.org → Health Professionals → Food and Nutrition in Public Policy
- Monthly/Weekly:
 - Stay up-to-date on policy issues in our profession
 - Share what you learn with your colleagues

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Photo: <http://nutritiontransitions.blogspot.com/>

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