Honorable INSERT LEGISLATOR NAME

West Virginia INSERT House of Delegates or West Virginia Senate

Dear INSERT Delegate or Senator INSERT NAME:

The value of licensed dietitians to West Virginia’s health care system and its citizens is substantial. With increasing rates of chronic disease and a shortage of staff in hospitals and long-term care facilities, this is not the time to terminate the West Virginia Board of Licensed Dietitians (WVBOLD). The West Virginia Legislative Auditor's office’s Performance Evaluation & Research Division (PERD) issued a flawed and inaccurate Regulatory Board Review in September 2021 with a recommendation to consider terminating the WVBOLD—a decision certain to negatively impact many West Virginians yet lacks any identified benefit for anyone. My colleagues and I will provide information correcting and clarifying the facts and refuting the findings underlying the PERD’s recommendation.

The health care system in our state and across the nation already carries a heavy burden. Terminating the WVBOLD would only burden it more by undermining the ability of these essential health care practitioners to work at the height of their scope of practice and eliminating opportunities for dietitians to be reimbursed by insurers for providing complex medical nutrition therapy services that treat or manage patients’ diseases and medical conditions. The WVBOLD is a regulatory and disciplinary body authorized to protect the public by issuing, reissuing, suspending, and revoking licenses to practice dietetics in the State of West Virginia. It also ensures the continuing competency and ethical practice of licensed dietitians through specified procedures guaranteeing due process. Eliminating dietetics licensure would not only wreak havoc on hospital interdisciplinary teams, state facility regulations, health insurance plans and reimbursement policies, the provision of services via telehealth, and a multitude of other aspects of the health care system, it would also drastically limit the duties and tasks registered dietitians/nutritionists (RDN) can autonomously undertake. Those former duties of RDNs or the additional supervision required for RDNs to provide them would then be the responsibility of other already strained staff; a conservatively estimated $4.5 million savings produced by just one small segment of duties dietitians perform at the height of their scope of practice—ordering of therapeutic diets in hospitals—would never be realized without dietetics licensure\*.

The attached documents will shed light on a few of the responsibilities of licensed RDN. It will also explain the substantive difference between the roles of the Commission on Dietetics Registration and the West Virginia Board of Licensed Dietitians and correct the PERD’s misapprehension that the RDN credential is required for a dietetics license in West Virginia.

Please review the information and if you have any questions or would like to have additional information, do not hesitate to contact me.

Sincerely,

Insert NAME and CREDENTIALS

Insert ADDRESS

Insert PHONE

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\* The PERD could only provide a weak response when such concerns were raised, broadly denying the likelihood of this scenario (despite it being reality in similarly situated states without dietetics licensure) but failing to provide any substantive retort. In its “Response to the Agency Response,” the PERD (a) inexplicably cited an inapplicable Code definition to address concerns about the impacts of eliminating licensure on telehealth; (b) newly suggested replacing our voluntary dietetics licensure law with a new mandatory requirement that anyone practicing dietetics in the State must first obtain the privately-issued RDN credential; (c) deflected real concerns about losing existing private insurance reimbursement by referencing only the effect on two government plans largely funded by the state; and (d) dismissed valid concerns about likely impacts to patient accessibility and quality of care and financial and professional impacts on providers by suggesting LDs should be comforted about the significant loss of present revenue because insurance reimbursement to unlicensed dietitians was not illegal, just merely non-existent and thus theoretically possible to obtain it again in the future.