

Department of Planning and Budget 2004 Fiscal Impact Statement

1. Bill Number House Bill 455

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Michele B. McQuigg

3. Committee Health, Welfare and Institutions

4. Title Health professions; licensure of dietitians

- 5. Summary/Purpose:** This bill requires dietitians to be licensed by the Board of Medicine. The "practice of dietetics" is defined as the integration and application of principles derived from the sciences of nutrition, biochemistry, food, physiology, management and behavioral and social sciences to achieve and maintain health through the provision of nutrition care services that shall include (i) assessing the nutrition needs of individuals and groups based upon appropriate biochemical, anthropomorphic, physical, and dietary data to determine nutrient needs and recommend appropriate intake including enteral and parenteral nutrition; (ii) establishing priorities, goals, and objectives that meet nutrition needs and are consistent with available resources; (iii) providing dietetic nutrition counseling by advising and assisting individuals or groups on appropriate nutrition intake by integrating information from the nutrition assessment with information on food and other sources of nutrients and meal preparation consistent with cultural background and socioeconomic status; (iv) developing, implementing, and managing nutrition care delivery systems; and (v) evaluating, making changes in, and maintaining standards of quality in food and nutrition care services. The bill provides that the practice of dietetics includes medical nutrition therapy. The Board of Medicine is given the authority to establish criteria for licensure that include (a) at least a bachelors degree in human nutrition, nutrition education, foods and nutrition, food systems management, dietetics, or public health nutrition or a related field from an accredited college that meets the requirements of the Commission on Dietetic Registration; (b) at least 900 hours of supervised experience approved by the Commission on Dietetic Registration; (c) passage of the examination for registration administered by the Commission on Dietetic Registration or current registration with the Commission on Dietetic Registration; and (d) documentation that the applicant for licensure has not had his license or certification as a dietitian suspended or revoked and is not the subject of any disciplinary proceedings in another jurisdiction. Exceptions to the licensure requirement are provided for (1) any student performing activities related to an educational program under the supervision of a licensed dietitian or any person completing the supervised practice required for licensure; (2) a registered dietetic technician working under the supervision and direction of a licensed dietitian; (3) a government employee or a person under contract to the government acting within the scope of such employment or contract; (4) any health professional licensed or certified under this title when engaging in the profession for which he is licensed or any person working under the supervision of such a professional; (5) a certified teacher employed by or under contract to any public or private elementary or secondary school or institution of higher education; (6) any person with management responsibility for food service department

policies, procedures or outcomes in any food service department in any program or facility licensed by the Commonwealth; (7) any person who does not hold himself out to be a dietitian who furnishes general nutrition on food, food materials, or dietary supplements or explains to customers about foods or food products in connection with marketing and distribution of food or food products; or (8) any person who provides weight control, wellness, or exercise services involving nutrition provided the program has been reviewed by a licensed dietitian, no change is initiated without prior approval of the dietitian, and consultation is available from a licensed dietitian. No dietitian employed as such prior to June 30, 2004, will be required to comply with licensure until July 1, 2006. Finally, the bill creates an Advisory Board on Dietitians that expires July 1, 2007.

6. Fiscal impact is preliminary (see item 8)

7. Budget amendment necessary: No. There is no clear estimate as to the additional expenditure required by the regulation of dietitians, however additional nongeneral fund appropriation can be provided administratively once such spending needs are determined.

8. Fiscal implications: Although the regulation of dietitians will clearly have a fiscal impact on the Board of Medicine, the amount and impact on licensure fees is unknown. Costs for the Board of Medicine will increase in licensing and disciplinary functions as well as the operation of another advisory board. The fee structure for professions regulated by the Department of Health Professions is established as to offset the anticipated costs of the board. Although the department does not have an estimate as to the number of dietitians in the Commonwealth, it maintains that there are a sufficient number of professionals to absorb the costs associated with regulation without levying an exorbitant fee or shifting costs to other professions within the Board of Medicine.

9. Specific agency or political subdivisions affected:
Department of Health Professions

10. Technical amendment necessary: None

11. Other comments: None.

Date: 01/16/04 / kwm

Document: G:\2004 Fiscal Year\Efis\Hb455.Doc

cc: Secretary of Health and Human Resources