

# Consumer Protection Through Professional Regulation

## Leave Behind

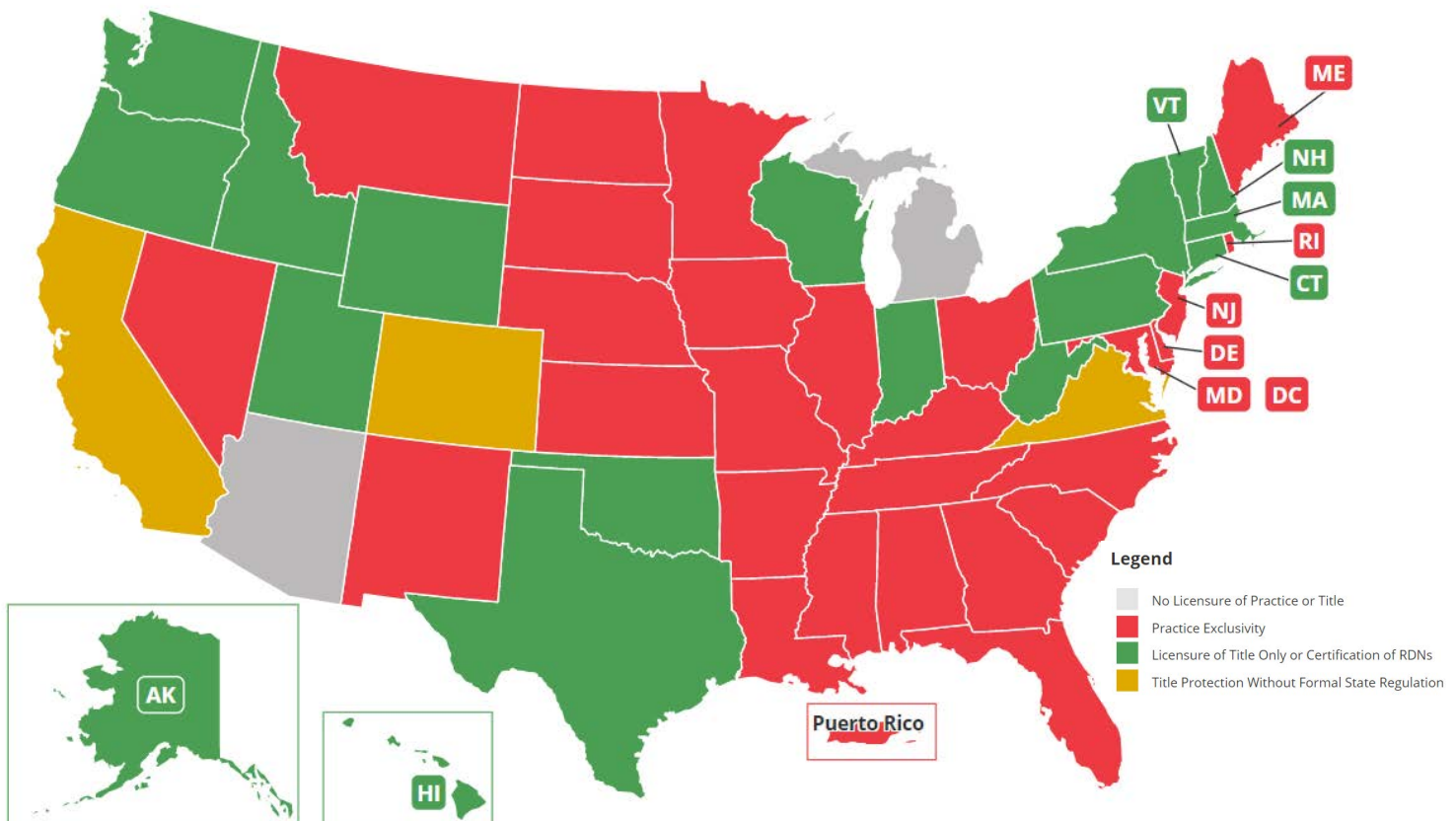
### About Us

The Academy of Nutrition and Dietetics is a nonpartisan organization representing more than 100,000 registered dietitian nutritionists and dietetics technicians, registered. The Academy is the world's largest organization of food and nutrition professionals.

### Commitment to Licensure

The Academy of Nutrition and Dietetics is committed to improving Americans' health and helping people avoid or reduce the dangers of unscientific, medically unnecessary treatment by supporting the regulation of the practice of nutrition and dietetics.

Nutrition advice is everywhere these days. With so many sources and opinions — not all of which are reliable — consumers are understandably uncertain to whom they should turn for competent advice about integrating food



and nutrition into a healthy lifestyle. People also need reliable advice on therapies and practices that are safe and appropriate for particular diseases, health conditions or complex dietary requirements.

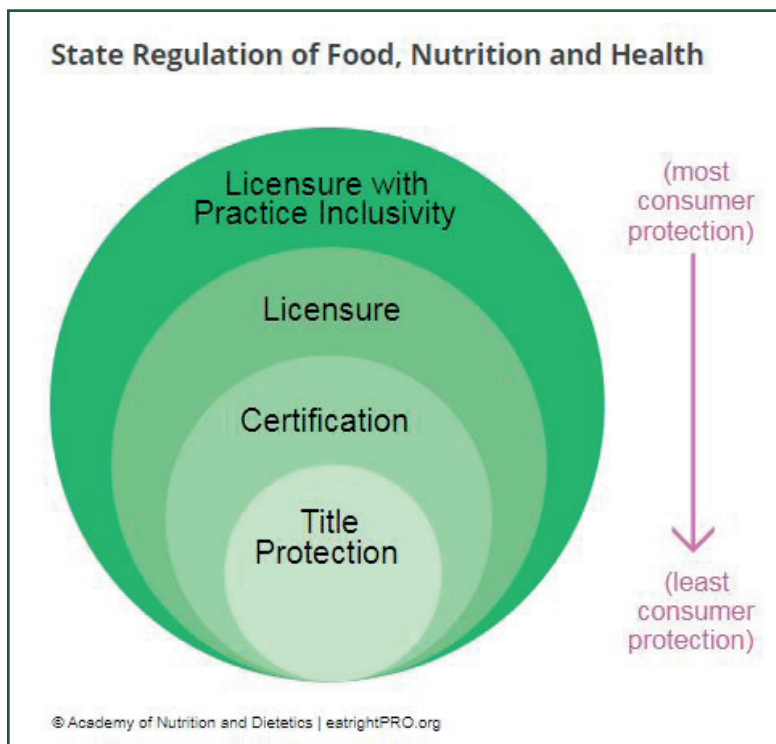
Unfortunately, patients and communities bear the physical, health and financial costs of navigating and receiving conflicting, confusing and often inaccurate nutrition information. In too many instances, substandard practices and unqualified practitioners cause significant harm and even death when recommending or providing incorrect nutritional interventions that are not scientifically validated.

## Nature of Nutrition and Dietetics Regulation

Regulation of the nutrition and dietetics profession increases safety by mitigating unethical and unsafe practices. At present, 47 states, Puerto Rico and the District of Columbia have statutory provisions regulating the practice of nutrition and dietetics and/or associated titles used by such practitioners, such as “dietitian” and “nutritionist.” The Academy’s dedication to protecting consumers is reflected in our advocacy to enact, maintain or strengthen states’ dietetics licensure laws that hold these health care practitioners to high standards. This commitment is a central part of the Code of Ethics for the Nutrition and Dietetics Profession for the Academy.

State regulation of dietetics and nutrition takes three forms, although there is some overlap and some difference in what is regulated between and among each form:

- **Licensure**
- **Certification**
- **Title Protection only**



## Licensure

States’ professional licensing laws determine and help consumers identify who is qualified to provide a particular set of specified services, known as the profession’s *scope of practice*. Individuals qualify for licensure by attaining accredited education, experience and examination that demonstrate competency in their field. Most states have adopted strong licensure laws that specify the minimum credentials required to (1) use various titles, such as “dietitian,” “nutritionist,” “licensed dietitian nutritionist” or “registered dietitian nutritionist” and (2) provide medical nutrition therapy and other dietetics and nutrition services.

## Certification

Certification is state recognition of practitioners who have met the standards of qualification as a RDN. Certification ensures that people are held to established standards of practice, limits the use of certain titles to certified practitioners and typically establishes a mechanism for sanctioning them if they practice inappropriately. However, certification does not prevent unqualified people from practicing in the state.

## Title Protection

Similar to certification, this least protective form of state regulation permits anyone to practice the profession, but only people with specified qualifications or credentials (such as the RDN credential) may hold themselves out as dietitians or nutritionists, or use other titles specified in the title protection statute. Unlike certification, however, the three states with mere title protection statutes have no state-established standards of practice or ethics that protect the public.

The most effective nutrition and dietetic licensure regulations include two components:

- Establishment of a scope of practice for nutrition professionals who meet the specified minimum credentials to perform certain tasks, such as medical nutrition therapy or other complex nutrition care services.
- A legislatively protected scope of practice, meaning only those individuals in the state with sufficient qualifications to become properly licensed may legally engage in activities falling within the regulated scope of practice.

## How Licensure Protects the Public

Licensure is common and virtually mandatory for health care providers and other professions in which harm from incompetent or unqualified practitioners is possible. Licensure helps consumers identify dietitians that meet minimum qualifications for education and training. In most states, registered dietitian nutritionists, like nurses, physicians, pharmacists, psychologists, paramedics, lawyers, teachers and certified public accountants, must apply for and maintain a state license to practice.

## High Standards for Medical Nutrition Therapy

The Academy believes that licensure is especially important when it comes to the standards set for medical nutrition therapy and other complex dietetics and nutrition services. Such services should only be provided by individuals who have at minimum the specialized training and competencies of RDNs. Therefore, the Academy works with other practitioners working in or near the nutrition space — such as physicians, chiropractors, pharmacists, certified nutrition specialists, naturopaths, health coaches — on various legislative and licensure activities.

When states set qualifications for licensure, they almost uniformly choose to mirror those of the RDNs, reflecting the National Academies of Sciences, Engineering and Medicine's (formerly the Institute of Medicine's) recognition of RDNs as "the single identifiable group of health-care professionals with standardized education, clinical training, continuing education and national credentialing requirements necessary to be directly reimbursed as a provider of nutrition therapy."<sup>1</sup>

When the federal government determined the qualifications necessary to provide medical nutrition therapy within Medicare, it set education and experience standards essentially mirroring those uniquely possessed by RDNs.<sup>2</sup>

## Conclusion

Licensure laws decrease the potential for discriminatory, arbitrary or conflicting rules. They protect the public and help ensure that health and nutrition providers are held to high standards. Standardized criteria facilitate portability of services across states and ensure that the public receives consistent and high-quality nutrition advice. The Academy urges states to protect the public by and strengthening professional regulation across the country.

For more information, visit [www.eatrightpro.org/advocacy/licensure/professional-regulation-of-dietitians](http://www.eatrightpro.org/advocacy/licensure/professional-regulation-of-dietitians).

## Licensure Protects the Public

- Licensure helps consumers identify dietitians that meet minimum qualifications.
- Regulation increases safety by mitigating unethical and unsafe practices.
- Standardized criteria facilitate services across states via telehealth.

<sup>1</sup> Committee on Nutrition Services for Medicare Beneficiaries. "The Role of Nutrition in Maintaining Health in the Nation's Elderly: Evaluating Coverage of Nutrition Services for the Medicare Population." Washington, DC: Food and Nutrition Board, Institute of Medicine; January 1, 2000 (published).

<sup>2</sup> 42 U.S.C. 1395x(vv)(2) (Defining "registered dietitian or nutrition professional").