
**Division of Public and Behavioral Health
DIETITIAN ADVISORY GROUP
DRAFT SUMMARY MINUTES
DATE: Thursday, 02-20-2020 TIME: 3:30 p.m.**

Meeting Locations:

Division of Public and Behavioral Health
Bureau of Health Care Quality and
Compliance
727 Fairview Drive, Suite E
Carson City, NV
Division of Public and Behavioral Health

Bureau of Health Care Quality and
Compliance
4220 Maryland Parkway, Building D, Suite
810
Las Vegas, NV

Note: Some advisory group members may attend in Las Vegas. Agenda items may be taken out of order, combined for consideration, and or removed from the agenda at the chairperson's discretion.

1. Call to order/roll call

The Chair called the meeting to order at 3:35 pm and announced a quorum was present.

Michele Cowee, RDN, LD, CDE, Chair
Deborah Klein, RD, LD
Laura J. Kruskall, PhD, RDN, CSSD, LD, FACSM, FAND, Director, Dietetic Internship
& Nutritional Center, Coordinator, MS Nutrition Sciences, Kinesiology and Nutrition Services,
University of Nevada, Las Vegas
Anne R. Lindsay, Ph.D.

Other attendees:

Leticia Metherell, HCQC
Nenita Wasserman, HCQC
Margaret Tsai, HCQC
Colleen Duewiger, HCQC
Excused - Pam Wagner, RD, LD, CNSC

2. Approval of meeting minutes from August 22, 2019 Michelle Cowee, Chair

Vote on Agenda Item 2:

ANNE LINDSEY MOVED TO ACCEPT THE MEETING MINUTES WITH ONE CORRECTION OF THE TIME OF THE MEETING. LAURA J. KRUSKALL SECONDED THE MINUTES. MINUTES WERE APPROVED UNANIMOUSLY.

3. **Renew & Approve Member(s) terms which expired June 2019 for another four years:**

Pam Wagner, RD, LD, CNSC

There was no vote on Agenda Item 3 as it was tabled for next meeting.

4. **Informational Item: Bureau Topics – Leticia Metherell, HCQC**

Leticia Metherell did not have anything to discuss under Agenda Item 4. She noted Nathan would add related items to the web for educational purposes.

5. **Review of draft proposed statutory changes that were recommended by the DAG in the last meeting & Other Proposed Statutory Changes – Action Item – Leticia Metherell, HCQC**

This is the proposed statutory changes reviewed by Leticia Metherell. Text of Bill Draft Proposal that was presented to Dietitian Advisory Group is noted below.

NRS CHAPTER 640E – DIETITIANS – BILL DRAFT PROPOSAL

Background & Need for Proposed BDR

The Commission on Dietetic Registration (CDR) issued notice that effective January 1, 2024, it would be changing its entry-level registration eligibility requirements for registered dietitians. The entry-level registration eligibility education requirements for dietitians would change from a baccalaureate degree to a minimum of a graduate degree from an ACEND (Academy of Nutrition and Dietetics) accredited program. All other entry-level dietitian registration eligibility requirements remain the same.

In addition, NRS 439.537, notes: *“A person shall not use in connection with his or her name the words or letters “Dietitian,” “Licensed Dietitian,” “Registered Dietitian,” “L.D.,” “R.D.” or any other title, word, letter or other designation intended to designate that the person is a licensed or registered dietitian without being registered with the Commission on Dietetic Registration, a member of the National Commission on Health Certifying Agencies, or its successor organization.*

2. *Any person who violates the provisions of this section is guilty of a misdemeanor.”*

This proposed BDR makes it clear that to become a licensed dietitian in Nevada, an individual must be a registered dietitian in good standing with the CDR. This will also keep Nevada’s statutory requirements for qualifications to become a licensed dietitian in Nevada in line with the CDR’s qualification requirements whenever the CDR makes changes to the qualifications.

The statutes, as currently written, have caused confusion in the past because it was possible to meet the requirements in NRS 640E.150 without being a currently registered dietitian (the individual took the statutorily required registration examination in NRS 640E.150 (1) (e) but

then let the registration lapse) yet they are not able to make themselves out to be a licensed dietitian pursuant to NRS 439.537. In addition, not moving forward the proposed BDR may cause further confusion, because starting January 1, 2024, an applicant would be required to have a graduate degree to sit for the statutorily required exam in NRS 640E.150 (1) (e) but NRS 640E.150 (c) only requires an applicant to have a minimum of a bachelor's degree.

The following two sections of NRS 640E would be omitted:

1) NRS 640E.160, which requires submission of evidence of equivalent degree by certain applicants, would no longer be required since this step would be completed by the CDR when the individual becomes a registered dietitian by the CDR.

3) NRS 640E.210 would no longer be required as an applicant for an initial licensed dietitian would be required to be a registered dietitian which would require the passage of the CDR's registered dietitian examination. The Board has not issued a waiver pursuant to NRS 640E.210 since the inception of issuing dietitian licenses in 2013.

The proposed BDR also removes the requirement that a licensed dietitian who fails to submit an application for the renewal of their license within 2 years after the date of the expiration of the license to take the examination required by NRS 640E.150 before renewing the license. As the proposed BDR requires an applicant to be a currently registered dietitian in good standing with the CDR to become a licensed dietitian, this requirement is no longer relevant.

The Dietitian Advisory Group, established pursuant to NRS 640E.130, is providing a recommendation to the DPBH Administrator, to move forward this proposed BDR, which is anticipated to result in:

- 1) Less confusion as to what is required to become a licensed dietitian in Nevada.
- 2) Consistency in statutory licensed dietitian qualification requirements by avoiding one area of the statutes noting one requirement, such as the minimum educational requirement of a bachelor's degree, while another provision in statutes will require an examination that will require a graduate degree to take as of January 1, 2024; therefore, the end result would be statutes with two different minimal educational requirements if this proposed BDR is not passed.
- 3) Keeps the Nevada registered dietitian statutory qualification requirements in line with the CDR requirements even when they are updated.

Proposed BDR Language

Italics, green font: New proposed statutory language

~~[Bracketed, Red Strikethrough]:~~ Omitted statutory language

Section 1

NRS 640E.150 Application; qualifications; fee; submission of fingerprints.

1. An applicant for a license to engage in the practice of dietetics in this State must submit to the Board a completed application on a form prescribed by the Board. The application must include, without limitation, ~~written~~ evidence, *as prescribed by the Board*, that the applicant ~~is a registered dietitian whose registration is active and in good standing with the Commission on Dietetic Registration.~~

~~[(a) Is 21 years of age or older.~~

~~—(b) Is of good moral character.~~

~~—(c) Has completed a course of study and holds a bachelor's degree or higher in human nutrition, nutrition education, food and nutrition, dietetics, food systems management or an equivalent course of study approved by the Board from a college or university that:~~

~~——(1) Was accredited, at the time the degree was received, by a regional accreditation body in the United States which is recognized by the Council for Higher Education Accreditation, or its successor organization, and the United States Department of Education; or~~

~~——(2) Is located in a foreign country if the application includes the documentation required by NRS 640E.160.~~

~~—(d) Has completed not less than 1,200 hours of training and experience within the United States in the practice of dietetics under the direct supervision of a licensed dietitian, registered dietitian or a person who holds a doctorate degree in human nutrition, nutrition education, food and nutrition, dietetics or food systems management from a college or university that is:~~

~~——(1) Accredited by a regional accreditation body in the United States which is recognized by the Council for Higher Education Accreditation, or its successor organization, and the United States Department of Education; or~~

~~——(2) Located in a foreign country if the application includes the documentation required by NRS 640E.160.~~

~~—(e) Has successfully completed the Registration Examination for Dietitians administered by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics.~~

~~—(f) Meets such other reasonable requirements as prescribed by the Board.]~~

2. Each applicant must remit the applicable fee required pursuant to this chapter with the application for a license to engage in the practice of dietetics in this State.

3. Each applicant shall submit to the Central Repository for Nevada Records of Criminal History two complete sets of fingerprints for submission to the Federal Bureau of Investigation for its report. The Central Repository for Nevada Records of Criminal History shall determine whether the applicant has been convicted of a crime listed in paragraph (a) of subsection 1 of [NRS 449.188](#) and immediately inform the Board of whether the applicant has been convicted of such a crime.

Section 2

NRS 640E.170 Practice of dietetics without license while under supervision of licensed dietitian; limitation.

1. A person who ~~[has the education and experience required by NRS 640E.150]~~ *meets the eligibility requirements to take the Commission on Dietetic Registration, Registered Dietitian (RD) Examination, which can be found for free on the Commission on Dietetic Registration website at <https://www.cdrnet.org/rd-eligibility>, but who has not passed the [examination required for licensure] Registration Examination for Dietitians administered by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics,* may engage in the practice of dietetics under the direct supervision of a licensed dietitian who is professionally and legally responsible for the applicant's performance.

2. A person shall not engage in the practice of dietetics pursuant to subsection 1 for a period of more than 1 year.

Section 3

NRS 640E.180 Provisional license: Qualifications; period of validity; eligibility for renewal; limitations.

1. Upon application and payment of the applicable fee required pursuant to this chapter, the Board may grant a provisional license to engage in the practice of dietetics in this State to an applicant who provides evidence to the Board that the applicant has completed a ~~course of study and holds a bachelor's degree or higher in human nutrition, nutrition education, food and nutrition, dietetics, food systems management or an equivalent course of study approved by the Board from a college or university that:~~

~~—(a) Was accredited, at the time the degree was received, by a regional accreditation body in the United States which is recognized by the Council for Higher Education Accreditation, or its successor organization, and the United States Department of Education; or~~

~~—(b) Is located in a foreign country if the application includes the documentation required by NRS 640E.160—~~ *degree that is accepted by the Commission on Dietetic Registration required to take the Registration Examination for Dietitians administered by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics.*

2. A provisional license is valid for 1 year after the date of issuance. A provisional license may be renewed for not more than 6 months if the applicant submits evidence satisfactory to the Board for the failure of the applicant to obtain a license to engage in the practice of dietetics during the time the applicant held the provisional license.

3. A person who holds a provisional license may engage in the practice of dietetics only under the supervision of a licensed dietitian.

Section 4

NRS 640E.220 Expiration and renewal of license.

1. A license to engage in the practice of dietetics expires 2 years after the date of issuance.

2. The Board may renew a license if the applicant:

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- (a) Submits a completed written application and the appropriate fee required pursuant to this chapter;
 - (b) Submits documentation of completion of such continuing training and education as required by regulations adopted by the Board;
 - (c) Has not committed any act which is grounds for disciplinary action, unless the Board determines that sufficient restitution has been made or the act was not substantially related to the practice of dietetics;
 - (d) Submits information that the credentials of the applicant are in good standing; and
 - (e) Submits all other information required to complete the renewal.

~~[3.—The Board shall require a licensed dietitian who fails to submit an application for the renewal of his or her license within 2 years after the date of the expiration of the license to take the examination required by NRS 640E.150 before renewing the license.]~~

OMITTED SECTION

~~[NRS 640E.160—Submission of evidence of equivalent degree by certain applicants.~~

~~—1. If an applicant for a license to engage in the practice of dietetics is a graduate of a college or university located in a foreign country, the applicant must include with his or her application a written statement or other proof from the Council for Higher Education Accreditation or its successor organization that the degree is equivalent to a degree issued by a college or university accredited by a regional accreditation body in the United States which is recognized by the Council for Higher Education Accreditation, or its successor organization, and the United States Department of Education.~~

~~—2. If an applicant for a license to engage in the practice of dietetics completed his or her hours of training and experience under the supervision of a person who holds a doctorate degree conferred by a college or university located in a foreign country, the applicant must include with his or her application a written statement or other proof from the Council for Higher Education Accreditation or its successor organization that the degree held by the person who supervised the training and experience is equivalent to a degree issued by a college or university accredited by a regional accreditation body in the United States which is recognized by the Council for Higher Education Accreditation, or its successor organization, and the United States Department of Education.]~~

~~[NRS 640E.210—Waiver of certain requirements for licensure by Board.~~

~~—1. Except as otherwise provided in subsection 2, the Board may waive any requirement of NRS 640E.150 or 640E.180 for an applicant who proves to the satisfaction of the Board that~~

~~his or her education and experience are substantially equivalent to the education and experience required by the respective section.~~

~~—2. The Board may waive the requirement of an examination that is set forth in NRS 640E.150 in accordance with regulations adopted by the Board that prescribe the circumstances under which the Board may waive the requirement of the examination.]~~

Discussion of proposed bill draft changes:

Leticia Metherell explained the current statutes say that a bachelor's degree is needed to be a dietitian and the statutes also require the CDR national exam be taken. Once the CDR requirement requiring a master's (graduate) degree becomes effective this would result in a conflict in the statutes, as one statute would require a bachelor's degree and a master's (graduate) degree would be required to take the registration exam in another statute. It was suggested that a change in statutes be moved forward in the next legislative session removing the individual requirements, including the requirement for a bachelor's degree, and making the only requirement be that to apply for licensure as a dietitian an applicant must be a registered dietitian in good standing with the CDR.

The group agreed to removing the individual qualification requirements to become a licensed dietitian and to replace it with the requirement that an applicant be a registered dietitian in good standing with the CDR.

Nicole said as an employer, I would think if somebody is okay to practice but is waiting to take the exam, it seems they should practice under someone who is licensed. If they have a provisional license to start their practice, it may be a better way to know then if there is no license to hold them to their practice. Who knows if they are working without a license?

The dietitian advisory group (DAG) recommended that to apply for a provisional license an applicant needed to meet the minimal eligibility requirements to take the registration exam to become a registered dietitian but has not passed the exam.

The group also discussed and agreed to eliminating the provisions of NRS 640.170 which would allow an individual to practice unlicensed, under the supervision of a licensed dietitian, if they had the education and experience required by NRS 640E.150, but who had not passed the registration exam. It was noted that an employer may require a provisional license.

Nicole at Renown said a provisional license is for somebody who may need to complete some hours toward an internship but has their bachelor's degree. Students should not be

provisionally licensed. Under section 640.170, they can only practice without a license for one year.

Debbie said the fee for the provisional license for someone who has not been working could be challenging.

After discussion the group agreed to move forward with the removal of the provisional licensure fee in the proposed bill draft.

Vote on Agenda Item 5:

LAURA KRUSKALL MOVED TO VOTE TO ACCEPT THE PROPOSED CHANGES. IT WAS SECONDED BY ANNE LINDSEY. THE MOTION PASSED UNANIMOUSLY.

There was no public comment under Agenda Item 5.

6. **Recommendations as to whether NRS 640E.220 (3) The Board shall require a licensed dietitian who fails to submit an application for the renewal of his or her license within two years after the date of the expiration of the license to take the examination required by [NRS 640E.150](#) before renewing the license should be modified. Action item – Recommendation from the Advisory Group.**

The group also discussed repealing NRS 640E.220 which requires a licensed dietitian who fails to apply for the renewal of his or her license within 2 years after the date of the expiration to take the registration exam. The group noted that if an individual is a registered dietitian in good standing, they should not have to retake the registration exam if returning to Nevada to practice as a licensed dietitian.

Vote on Agenda Item 6.

THE CHAIR MADE A MOTION TO DELETE SECTION NRS 640e.220. SECONDED BY LAURA. MOTION PASSED UNANIMOUSLY.

There was no public comment under Agenda Item 6.

7. **Recommendations concerning the waiver of examination requirements. NAC 640E.120 - Action item. *Leticia Metherell, HCQC***

The group also discussed repealing NRS 640E.210 which allows the Board to waive qualification requirements to become a licensed dietitian, including the ability to waive the registration examination requirement. After discussion by the group, the group decided

that NRS 640E.120 should be repealed and if an individual let their registered dietitian expire, they would need to start the process to become a registered dietitian over again.

Vote on Agenda Item 7.

THE CHAIR MADE A MOTION TO DELETE THIS SECTION FROM THE LAW. SECONDED BY LAURA J. KRUSKALL. MOTION PASSED UNANIMOUSLY.

There was no public comment on this item 7.

8. **Frequently asked Questions, Blog, Social Media & Any other items that may impact dietitians** – *Nathan Orme, HCQC*

There was no discussion under Agenda Item 8.

There was no public comment on Item 8.

9. **Update on any new information related to dietitians. Michelle Cowee, Chair Successes deserving recognition** –

Michelle Cowee noted that The Dietitian Academy recently met on February 14, 2020.

The Chair noted the next meeting was set for August 13, 2020 as Michelle Cowee said she would be out of town the rest of the month.

10. **Public Comment**

No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.

There was no public comment on Agenda Item 10.

11. **Adjournment**

Meeting adjourned at 5 p.m.