



Oregon

John A. Kitzhaber, MD, Governor

Health Licensing Agency

700 Summer St. NE, Suite 320

Salem, Oregon 97301-1287

Telephone (503) 378-8667

FAX (503) 585-9114

E-Mail: ohla.info@state.or.us

Website: www.Oregon.gov/OHLA

WHO: Oregon Health Licensing Agency
Board of Licensed Dietitians
Legislation & Rules Committee

WHEN: January 9, 2012 – 9 am

WHERE: Oregon Health Licensing Agency
Rhoades Conference Room
700 Summer St NE, Suite 320
Salem, Oregon

COMMITTEE: Maureen McCarthy, Paula Koeller, Jill Calamar, Alternates: Diane Stadler or Harold Burden

What is the purpose of the meeting?

The purpose of the meeting is to review public comment and make recommendations for proposed administrative rules. Please use appropriate language, manners and protocols when conducting business. A working lunch may be served for committee members and designated staff in attendance. Please visit <http://www.oregon.gov/OHLA/LD/meetings.shtml> for current meeting information.

Is the public or licensees allowed to attend the meeting?

Yes. Members of the public are invited and encouraged to be in attendance at all committee meetings, although public comment is not generally taken during this time. Technical experts may be in attendance at committee meetings and could be called upon to provide knowledge in specific areas.

What if the committee enters into executive session?

Prior to entering into executive session the committee chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The committee will return to open session before taking any final action or making any final decisions.

Who do I contact if I have questions or need special accommodations?

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact a board specialist at (503) 373-2049.

All members are asked to please give at least 24-hour notice if they are unable to attend the meeting so arrangements may be made.

Sinnamon Harris

700 Summer St NE, Suite 320

Salem, OR 97301-1287

sinnamon.m.harris@state.or.us

Work: (503) 373-1938 Fax: (503) 585-9114

This is in response to the proposed changes to the continuing education requirements for licensed dietitians. Currently we are required by our professional credentialing agency, the ADA, to obtain 75 CE credits every 5 years. To change the rules in Oregon so that 15 credits each 1 year is required for licensure is an absurd and an unnecessary burden both in regard to time and finances for all RDs in Oregon without any clear benefit to our profession as a whole, nor to our understanding of the field of dietetics.

Cost

CEs are expensive and time consuming. This year I had the pleasure of attending FNCE, the annual conference of the ADA. This cost me \$1400 and took up 5 days from my workweek. I received 20 CEs to attend this. Last year I worked very hard to obtain my CNSC. This took 9 months of studying and cost me \$900 in exam fees and study guide materials. I am proud of my accomplishment and have 75 CEs to show for it. If I was not allowed to roll over CEs, neither of these opportunities would have made financial sense and I may not have pursued them.

Quality of CEs

Not all CEs are created equally. In taking the CNSC exam I greatly expanded my knowledge base and understating of nutrition. Studying for the exam was relevant to clinical practice and having professional credentials is important for personal growth as

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DEC 23 2011

well as acknowledgement of the hard work that RDs do. Attending FNCE was also an important CE opportunity which allowed for networking and inspiration with thousands of RDs from across the nation. Speakers on important issues to RDs and national experts were in attendance. There are other such conferences with similar costs and similar CEs available to RDs. Unfortunately, these would not make sense to attend in the proposed CE restructuring. Instead taking journal quizzes and online seminars would have to suffice. These are often not pertinent to inpatient clinical nutrition do not require much engagement on the part of the RD, and do not contribute to improved RD professional recognition and clinical practice.

Benefit of CEs

Nutrition is a dynamic field, but there is no benefit to having RDs complete CEs annually. Things just don't change that quickly. Time is better spent reviewing current research once a question has been posed and answered by multiple authors and studies. Time is better spent attending conferences and workshops, or obtaining professional certification in areas that are directly related to one's practice. Continuing education has the possibility of greatly enhancing RD recognition through professional certification exams. To change the law in such a way that it discourages this practice is a mistake and a missed opportunity for our profession. Please continue to allow the requirements as set forth by the ADA for continuing education which is 75 credits every 5 years.

Anna Francois, MS, RD, LD, CNSC

2733 NE 72nd ave, Portland OR 97213

December 21, 2011

Sinnamon Harris
700 Summer Street NE, Suite 320
Salem, OR 97301-1287

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DEC 23 2011

Dear Ms. Harris,

This letter is in response to the proposed changes to the continuing education requirements for Licensed Dietitians. Currently we are required by our professional credentialing agency, Academy of Nutrition & Dietetics, to obtain 75 CE credits every five years. To change the rules in Oregon so that 15 credits are required each year for licensure is an absurd and unnecessary burden in regards to time and finances for all Registered Dietitians in Oregon without any clear benefit to our profession as a whole, nor to our understanding of the field of dietetics.

In 2009 I worked very hard to obtain my CNSC certification (certified nutrition support clinician). This took a full year of studying and cost me \$600 in exam fees and study materials. I am proud of my accomplishment and have 75 CEs to show for it. If I was not allowed to roll over CEs, this opportunity would not have made financial sense. My colleagues have worked very hard to obtain other professional board certifications in topics such as diabetes education, renal nutrition, oncology nutrition, gerontological nutrition and sports dietetics.

Annual conferences highlight speakers and nutrition experts on important issues for our field. These conferences are an important CE opportunity, which allow for networking with thousands of RDs from across the nation. They can last several days and can cost thousands of dollars. CE credits from conferences should be allowed to roll over so the financial investment is not wasted.

Nutrition is a dynamic field, but there is no benefit to having RDs complete CEs annually. Things just don't change that quickly. Time is better spent attending conferences and workshops, or obtaining professional certification in areas that are directly related to one's practice. Continuing education has the possibility of greatly enhancing RD recognition through professional certification exams. To change the law in such a way that it discourages this practice is a mistake and a missed opportunity for our profession. Please continue to allow the requirements as set forth by AND for continuing education which is 75 credits every five years.

Sincerely,

Katherine Wicks, RD, CNSC, LD

Clinical Dietitian
Kaiser Sunnyside Medical Center
10180 SE Sunnyside Road
Clackamas, OR 97015
katherine.m.wicks@kp.org
Phone: (503) 571-2675

HARRIS Sinnamon M * OHLA ASD

From: Sandra.G.Kelly@kp.org
Sent: Friday, December 16, 2011 4:03 PM
To: sinnamon.m.harris@state.or.us
Subject: RD, LD Scope of Practice

Question: Would the revised Scope of Practice language effectively address the issue of LD's taking verbal orders for labs, medications, TPN, etc. from the MD then documenting in the medical record as a verbal order in a hospital setting? The proposed language continues to look very open ended and I have been told without specific language in the Licensure law stating LD's can take verbal orders, then that practice is not allowed in Oregon.

Sandra Kelly, RD, LD
Director, Food & Nutrition Services

Kaiser Permanente
Food and Nutrition Services
10200 S.E. Sunnyside Rd.
Clackamas, OR 97015

503-571-5337 or 503-571-4272 (office)
31-5337 or 31-4272 (tie-line)
503-536-3052 (mobile phone)
For menus, check us out at: <http://internal.or.kp.org/foodservices/>

kp.org/thrive

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HARRIS Sinnamon M * OHLA ASD

From: Heidi Burnett [heidichristine@gmail.com]
Sent: Sunday, December 18, 2011 10:01 AM
To: sinnamon.m.harris@state.or.us
Subject: concern about proposed changes to the current licensure for dietitians rules

Hi Sinnamon,

I have a concern about the new proposed continuing education requirements for licensed dietitians. Although I do appreciate the attention to requiring continual learning, it is problematic for dietitians in certain roles, such as specialty clinical RDs and management RDs. In the former case, specialty clinical RDs obtain their national registered dietitian continuing education requirements by going through the required specialty exam and re-certification process, which takes place once per 5 years. In the latter case, in which I fall, I prefer to meet my requirements by attending foodservice-related conferences, which I do 3 times per 5 year cycle. The other ongoing continuing education (CE) opportunities that are available to me and appropriate for my part of the profession (i.e.: not clinically focused) are typically at a lower level and less actually helpful. Requiring me to complete 15 credits/year means that I would have to attend conferences each year, which I can't afford to do, or just attend/review continuing education opportunities that are not applicable or educational, but simply "meet the requirements". I hope the state is not interested in me wasting my time or money just for the sake of meeting this requirement. I think the state should feel more comfortable in my ability to function as a licensed dietitian when I make good decisions about CE that is useful, educational, and furthers my thinking, even if that doesn't happen at exactly 15 credits/year.

Please consider reverting to the registered dietitian requirements of 75 CE credits/5 years. I would be happy to indicate my progress toward this goal each time I renew my LD for the state if that would be helpful in tracking the requirements.

Please feel free to contact me if you have questions or need further clarification. Thank you,

Heidi Burnett, MS, RD, LD
heidichristine@gmail.com
503.201.8050

HARRIS Sinnamon M * OHLA ASD

From: Diane Quiring [dqoregon@hotmail.com]
Sent: Sunday, December 18, 2011 12:25 PM
To: sinnamon.m.harris@state.or.us
Subject: additional comments

I am a Registered Dietitian and a Licensed Dietitian in the State of Oregon.

I have an additional comment regarding Senate Bill 939 & Temporary Rule 834-010-0050(T): I have a concern regarding the stipulation around continuing education requirements.

Specifically, I do not agree with the proposed Rules which will require all LDs to attain 15 CE hours annually. Our professional credentialing organization (Commission for Dietetic Registration or CDR) requires 75/5 years CE requirement for RDs (Registered Dietitians). This reflects the variability in continuing education opportunities from year to year while still allowing practitioners to focus their professional development which supports their individual goals.

I would recommend a change to the language to reflect the need for a professional development portfolio and support continuing education that is linked to individual goals. The rules could stipulate that a LD must maintain their RD designation in good standing.

Diane Quiring RD, LD
Salem, OR

HARRIS Sinnamon M * OHLA ASD

From: Monica Hunsberger [monicahunsberger@yahoo.com]
Sent: Sunday, December 18, 2011 1:36 PM
To: sinnamon.m.harris@state.or.us
Subject: Licensure comment

Hi Sinnamon, I am strongly opposed to this proposed change. **"Continuing Education Requirements:** Proposed Rules will require all LDs to attain 15 CE hours annually regardless their meeting CDR 75/5 years requirement.

Such a requirement can negatively impact Specialty RDs such as CNSC etc who meet their CE with CDR requirements via specialty exam/certification and it's a potential problem for RDs working abroad who do not access traditional continuing education but who are enhancing skills and world view.

I urge you to strike this overly restrictive proposed rule that I believe will only harm the profession.

Monica Hunsberger, PhD, MPH, RD, LD

Sent from my iPad

HARRIS Sinnamon M * OHLA ASD

From: Cheryl Kirk [CKirk@co.josephine.or.us]
Sent: Monday, December 19, 2011 11:55 AM
To: 'sinnamon.m.harris@state.or.us'
Subject: LD requirements

Hello,

I have been an LD since it became available in Oregon and served for 6 years on the Board of LD Examiners. I am not in favor of the 15 CE/Year requirement vs. 75CE/5yr which is Commission on Dietetic Registration guideline.

My 2 reasons are:

- 1) The requirement from CDR seems to work well and originally was selected to prevent the state board from having to take on this task.
- 2) State licensing agency would have a huge task "policing" this requirement and it could deter qualified persons from licensure. It would also decrease attendance at state and national conferences since not all credit "would count" for state requirements. Having served on the board, I know that the original intent of using CRD requirements for CE was to prevent the board from having to track and calculate and approve/disapprove CE – I don't think this should be a function of the board as it does not in itself improve consumer protection.

Thank You, Cheryl Kirk RD,LD

HARRIS Sinnamon M * OHLA ASD

From: Hutchins, Julieann : LPH Peds [JHUTCHIN@LHS.ORG]
Sent: Friday, December 16, 2011 12:31 PM
To: sinnamon.m.harris@state.or.us
Subject: Concerns RE: Summarized Primary Changes to the Current Licensure for Dietitians Rules

Dear Sinnamon Harris,

I am writing in regards to a concern that I have for the new proposed rules requiring all LDs to attain 15 CE hours annually regardless of meeting the CDR requirement. I am in opposition to this new proposed change for a number of reasons. First of all, I am a RD and CDE and in the past, being a LD had the same basic rules as the CDR credentialing. Making sure that I meet the requirements of CDR, ODA and NCBDE, who are all a little different from each other is a lot to take on and remember the various nuances of maintaining those credentials. In my humble opinion, what is good enough for CDR should be good enough for ODA. Secondly, CEs are EXPENSIVE. Most conferences are a minimum of \$100 but most of them are in the \$200 range. In my specialty, conferences in the local area that don't require travel (and those related expenses, too) are few and far between. I have never been a fan of the "read-this-article-and-get-one-credit-of-CE" schemes. Those are also hard to come by when you don't belong to the organizations that supply them (more membership money out the window) and it's a lot of work for a little CE. Most CE offerings are done during the work week. That means time off of work. So, I have to pay for the conference AND I don't get paid my job hourly rate - so I'm in the hole for about \$500 dollars to attend a conference for 6 hours of CE. It is not unreasonable to think that I could possibly be losing \$1000 to get 15 CEs (cost of conference and time away from work) a year. As a single mom who works full time and gets no outside support for me and my child, this is a huge chunk of change. Being able to take the cost of the conference as a write off on my taxes once a year doesn't really help when I need the money now. Thirdly, as mentioned in the email example, I am one of those gals who takes the CDE exam every 5 years which kills two birds with one stone (CDE credential maintenance and meeting the CDR 75 hours requirements) and this only costs me the price of taking the exam! About 1/4 of the amount of money it would take to do the equivalent CEs to maintain the credential!

It is not an option for me to let go of my LD. It is a requirement in my job that I must maintain it. I implore you all to reconsider this proposed change. Thank you for your time and consideration.

Respectfully Submitted,
Julieann Hutchins, RD, LD, CDE

Continuing Education Requirements: Proposed Rules will require all LDs to attain 15 CE hours annually regardless their meeting CDR 75/5 years requirement (Such requirement can especially impact Specialty RDs such as CNSC etc who meet their CE with CDR requirements via specialty exam/certification)

HARRIS Sinnamon M * OHLA ASD

From: Diane Quiring [dqoregon@hotmail.com]
Sent: Tuesday, December 13, 2011 11:03 AM
To: sinnamon.m.harris@state.or.us
Subject: comments re: Board of Licensed Dietitians Proposed Administrative Rules

Good morning, I am a Registered Dietitian and a Licensed Dietitian in the State of Oregon,

I have read Senate Bill 939 & Temporary Rule 834-010-0050(T) & agree with the proposed changes. In particular, I was pleased to see the language changes reflecting standardized practice using the Nutrition Care Process for providing dietetic services.

Thank you for the opportunity to comment,

Diane Quiring RD, LD

HARRIS Sinnamon M * OHLA ASD

From: JERI GREENBERG [jrgreenberg8659@msn.com]
Sent: Friday, December 02, 2011 3:00 PM
To: sinnamon.m.harris@state.or.us
Subject: Comment on Proposed Rules Regarding Licensed Dietitians

Dear Ms. Harris,

As a Registered Dietitian in Oregon, I would like to personally comment on the draft revisions to the general administration of continuing education for Licensed Dietitians. My comments and questions stem from Division 50 of the proposed rules provided at http://www.oregon.gov/OHLA/LD/docs/LD_rules/LD_Proposed_11-2-11.pdf. The proposed requirements state, "(1) To maintain licensure, dietitians must complete a minimum of 15 hours every year. Hours in excess of those required for the one-year reporting period cannot be carried forward and applied toward the succeeding year."

All Registered Dietitians are required to earn, record, and maintain documentation of a minimum of 75 hours of continuing education in a five year period, per the Commission on Dietetic Registration (CDR). Although this may average 15 hours of continuing education per year, CDR does not specify that we must accumulate those 75 hours in equal installments each year. To simplify and coordinate registration and licensing, I strongly urge the Board of Licensed Dietitians to rethink this proposed rule to align with our existing CDR requirements. It becomes burdensome for Registered and Licensed Dietitians to have to ensure that they are meeting this new rule which, in my opinion, does nothing to strengthen the existing continuing education requirements enforced at a national level. I believe that mandating Licensed Dietitians in Oregon to earn at least 15 hours of continuing education per year will complicate matters without providing benefit, namely additional safety to the public.

In addition, I would like to note that I was unable to locate the CDR state licensure verification worksheet mentioned on page 6 of the above link (item 3c).

Thank you for your consideration.

Jeri R. Greenberg, MS, RD

HARRIS Sinnamon M * OHLA ASD

From: Amy Floreen [AmyFloreen@Pinnacle-Healthcare.com]
Sent: Thursday, December 01, 2011 9:33 AM
To: HARRIS Sinnamon M * OHLA ASD
Subject: RE: Licensed Dietitians Administrative Rules Information

Subject: RE: Licensed Dietitians Administrative Rules Information

My concern is the specific hours requirement for continuing education each year for Oregon Licensing. It seems like we should utilize the same standards as the CDR for our continuing education requirement, 75 hours required in the 5 year CDR recertification timeline.

Will there potentially be times when a certified Dietitian will not make the yearly 15 hour requirement for Oregon License but could make the CDR 5 year 75 hours required for recertification?

I agree with the importance of staying current with our knowledge but have concerns that this may limit Oregon RDs who will apply for licensing in fear of not meeting the yearly Oregon requirement.

Consider:

1. A newly certified dietitian, they have 5 years to get 75 credits for recertification. While focusing their first year on staying a float in a new job but do not accrue 15 continuing education credits in year 1. They would like to obtain Oregon Licensing.
2. Long term dietitian has dedicated many years of service in organizations. Takes a sabbatical and does not earn the 15 credits. Returns to Oregon and wants to get licensed.

Do we really want to limit those who can become licensed when they may meet the Certification requirements?

Just some thoughts

Amy Floreen RDL
Director of Dietary Services
Pinnacle Healthcare Inc.
541-968-1578

From: HARRIS Sinnamon M * OHLA ASD [mailto:sinnamon.m.harris@state.or.us]
Sent: Monday, November 21, 2011 2:39 PM
To: undisclosed-recipients
Subject: Licensed Dietitians Administrative Rules Information

Good Afternoon!

I have attached the most current version of the DRAFT Proposed Administrative Rules. The board felt that this would help in your ability to make comments during the December 1 through December 28, 2011 public comment period. Please keep in mind that draft proposed rules are a living document and this is not the final, permanent version. The permanent rules will be adopted after the board and Legislation/Rules Committee has reviewed ALL public comments. The permanent rules effective date is scheduled for March 1, 2012.

Thank you.

Please refer to the web site for more information. Here's the link to the LD Laws & Rules page:

http://www.oregon.gov/OHLA/LD/LDLaws_rules.shtml

Sinnamon Harris
Board Specialist

HARRIS Sinnamon M * OHLA ASD

From: Leah Brandis [leahgross2002@hotmail.com]
Sent: Friday, November 25, 2011 7:18 PM
To: sinnamon.m.harris@state.or.us
Subject: RE: Licensed Dietitians Administrative Rules Information

Thank you for clarifying the Division 50 credits. Then under the financial impact won't there be a financial impact for auditing of the credit requirement?

Thank you,
Leah Brandis RD, CSG, LD

Subject: Licensed Dietitians Administrative Rules Information
Date: Mon, 21 Nov 2011 14:39:23 -0800
From: sinnamon.m.harris@state.or.us

Good Afternoon!

I have attached the most current version of the DRAFT Proposed Administrative Rules. The board felt that this would help in your ability to make comments during the December 1 through December 28, 2011 public comment period. Please keep in mind that draft proposed rules are a living document and this is not the final, permanent version. The permanent rules will be adopted after the board and Legislation/Rules Committee has reviewed ALL public comments. The permanent rules effective date is scheduled for March 1, 2012.

Thank you.

Please refer to the web site for more information. Here's the link to the LD Laws & Rules page:

http://www.oregon.gov/OHLA/LD/LDlaws_rules.shtml

Sinnamon Harris
Board Specialist
Oregon Health Licensing Agency
700 Summer St. NE Ste #320
Salem, OR 97301
503 373-1938

HARRIS Sinnamon M * OHLA ASD

From: Tracy Ryan-Borchers [tracy.rborchers@gmail.com]
Sent: Monday, December 05, 2011 1:56 PM
To: sinnamon.m.harris@state.or.us
Subject: Board of Licensed Dietitians Proposed Administrative Rules

Hello,

I have a few comments in regards to the proposed administrative rules and related documents for licensed dietitians:

- 1) Senate Bill 939 – Section 4 (page 2 of document) refers to the “American Dietetic Association”. Name change will be in effect January 2012 – most likely noted but just in case: Academy of Nutrition and Dietetics
- 2) Draft copy of proposed rules:
 - a. Fees (834-040-0000) - suggest online payment option with ability to track status
 - b. Continuing education requirements (834-050-0000) – strongly disagree with a separate system for documenting continuing education. Tracking separately with different rules (15 hours every year, no carry over) for the state vs. nationally for CDR is confusing and inefficient. Suggest only using the CDR portfolio method for RD continuing education reporting. Separate state requirements will be more costly to manage, and some may elect to not renew their license.

Tracy Ryan-Borchers, PhD, RD, LD

HARRIS Sinnamon M * OHLA ASD

From: Leslie.A.Belfanti@kp.org
Sent: Friday, December 02, 2011 5:20 PM
To: sinnamon.m.harris@state.or.us
Subject: comments/questions about the 15 hour ed per year needed for LD

Hi, I believe the requirement below needs to be loosened. Many of us are allowed to attend a state or national meeting every other year. So, I would like to know why our hours cannot carry over to the next year? ADA only requires we achieve our 75 hours over a 5 year period, the same amount of time of our credentialing cycle. It seems the state licence should follow suit, in that if 15 hours are required per year of our two year license, then it should reflect that 30 hours over two years need to be obtained. However, even thirty hours over two years seems like too many hours for some of us to attain in 24 months. For example, I received 50 hours of continuing education for becoming certified in level II adult weight management in the first year of my 5 year cycle for RD accreditation. I had planned to attain my other 25 hours later in my 5 year cycle. The LD license won't allow for that. I will have to get an additional 60 hours (15 hours each of the remaining 4 years of my accreditation cycle or risk losing my LD license). So instead of actively trying to get an appropriate 25 hours to complete my RD license requirements, I now have to get 60 hours (35 more hours than my RD license requires). This doesn't make sense to me. Why can't our RD hours account for all the education requirements or simply why are we not being allowed to carry over our hours from year to year?

"CONTINUING EDUCATION REQUIREMENTS FOR LICENSED DIETITIANS

834-050-0000

Continuing Education Requirements

(1) To maintain licensure, dietitians must complete a minimum of 15 hours every year. Hours in excess of those required for the one-year reporting period cannot be carried forward and applied toward the succeeding year. "

Leslie Belfanti, RD, CDE, LD
Registered Dietitian, Certified Diabetes Educator,
Licensed Dietitian
503-588-5951
Skyline Medical Office
Office Hours: Tuesday-Friday, 8 am - 6:30 pm

He who is cruel to animals becomes hard also in his dealings with men. We can judge the heart of a man by his treatment of animals. Immanuel Kant

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HARRIS Sinnamon M * OHLA ASD

From: lbrizee@gmail.com on behalf of Lori Brizee [lbrizee@bendbroadband.com]
Sent: Friday, December 02, 2011 11:47 AM
To: sinnamon.m.harris@state.or.us
Subject: Comments re: draft of new rules for Licensure

Hello,

My one concern is that continuing education requirements differ from those of the CDR--CDR requires 75 hours every 5 years, rather than 15 hours in each of those calendar years. The proposed Oregon rules appears to require 15 hours each calendar year--those of us who did a lot of education in one year, and none the next year, would be out of compliance in Oregon (e.g. I took the CSP test to renew my certification, and that gave me 75 hours of CE, so I have not been diligent about keeping track of CE's since then). Many people go to a major conference where they may get 15-20 hours over 3-4 days and then do something else in the same year, racking up 30-40 hours in that year, thinking they can pass on CE the next year. The Oregon rules would not allow this.

I think that our licensure CE requirements should be aligned with those of the CDR, UNLESS we are deciding that we need a more stringent requirement--do we want to do that?

Lori

--

Lori S. Brizee MS, RD, LD
Central Oregon Nutrition Consultants
61456 Elder Ridge St. Bend, OR 97702
home office: 541-388-0694; cell 541-788-2625
www.centraloregonnutrition.com

HARRIS Sinnamon M * OHLA ASD

From: Theresa Selvy [TheresaS@retirement.org]
Sent: Monday, December 19, 2011 2:34 PM
To: sinnamon.m.harris@state.or.us
Subject: Changes to the Current Licensure Rules for Dietitians

I am opposed to the proposed rule that will require LD's to attain 15 CE hours annually, regardless of their meeting the 75 CE hours in 5 years required by ADA.

This proposed rule may put a hardship on dietitians who go to a certification training, or go to college and get say 30 units in one year. Not only will they have to pay more to get additional CE's to meet their annual requirement, they will also have to invest more time (and possibly miss work) by attending additional trainings, etc.

This proposed rule seems unnecessary and excessive.

Thank you for considering my opinion.

Theresa Selvy, MS, RD
Dietitian
Rogue Valley Manor
1200 Mira Mar
Medford, OR 97504
(541) 857-7130

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HARRIS Sinnamon M * OHLA ASD

From: Bev White [bwhite@meritel.net]
Sent: Monday, December 19, 2011 7:52 PM
To: sinnamon.m.harris@state.or.us
Subject: Continuing education

Hello ~ I think the continuing education requirements should be in line with the ADA's requirements, not be completely different; i.e., 75 hrs/5 years. It is too hard to keep up with so many different regulatory requirements, please keep it simple.

Regards, Bev White PhD, RD

HARRIS Sinnamon M * OHLA ASD

From: Sandra K. Frank [Sandra.Frank@salemhealth.org]
Sent: Tuesday, December 20, 2011 11:12 AM
To: 'sinnamon.m.harris@state.or.us'
Subject: LD changes

Sinnamon Harris,

Thank you for the opportunity to recommend that the continuing ed hour requirements for our LD status coincides with our ADA requirements.

Sandra Frank, MS, RD, LD

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HARRIS Sinnamon M * OHLA ASD

From: Brandt, Kathleen [kbrandt@peacehealth.org]
Sent: Tuesday, December 20, 2011 1:27 PM
To: sinnamon.m.harris@state.or.us
Subject: License of Dietitians

I DO NOT agree with or support the proposed change in continuing education requirements of 15 hours per year. Please reconsider this and leave as 75 hours every 5 years.

Thank you. Kathleen Brand, RD,LD,CDE

This message is intended solely for the use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable state and federal laws. If you are not the addressee, or are not authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, distribute, or disclose to anyone this message or the information contained herein. If you have received this message in error, immediately advise the sender by reply email and destroy this message.

HARRIS Sinnamon M * OHLA ASD

From: Sandy Jolley [sjolley@silvhospnet.org]
Sent: Thursday, December 22, 2011 8:52 AM
To: sinnamon.m.harris@state.or.us
Subject: comments of rule changes for dietitian

Sinnamon,

One concern I have with the proposed rule change is with the CE requirements. I do like the encouragement to expand our knowledge and expertise; however, I would prefer these credits to be allowed to roll over each year if you complete more than 15 credits. I understand this may be difficult since licensure is on an annual basis. I hope you consider my feedback. Thank you for the opportunity to comment. Have a Happy Holiday!

Sandy Jolley, RD, LD | Health Management

Silverton Health

971.983.5337 **Direct**

1475 Mt. Hood Avenue, Woodburn, Oregon 97071 **Office**

342 Fairview, Silverton, Oregon 97381 **Mailing**

silvertonhealth.org

HARRIS Sinnamon M * OHLA ASD

From: Melissa M. Pence [Melissa.Pence@salemhealth.org]
Sent: Wednesday, December 21, 2011 9:01 AM
To: 'sinnamon.m.harris@state.or.us'
Subject: proposed RD licensure changes

After reviewing the proposed changes, I wanted to express one specific area of concern. The continuing education requirement is annually and not every 5 yrs as our certifications/registration. Often times RDs use specialty practices exams for CE hours which takes an extensive amount of practice hours/preparation/cost and will no longer be valid to receive any more than 15 credits, this just seems ridiculous. It seems more appropriate to have 5 yrs to complete at total number of hours.

Thanks,
Melissa Pence RD LD
Neonatal and Family Birthing Center Dietitian
Salem Hospital
Salem, OR
503-814-3578
melissa.pence@salemhealth.org

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HARRIS Sinnamon M * OHLA ASD

From: Lorri A. Thornton [Lorri.Thornton@salemhealth.org]
Sent: Wednesday, December 28, 2011 9:19 AM
To: 'sinnamon.m.harris@state.or.us'
Subject: Changes to License Renewal for Dietitians in OR

I am writing in regards to the proposed changes to the licensing requirements for registered dietitians in the state of Oregon. I am apposed to needing to get 15 hours of credits every year. I study for the Certified Nutrition Support Clinician (CNSC) credential every five years which accounts for all 75 credit hours needed to maintain my Registered Dietitians status with the American Dietetics Association, this takes a great deal of time and effort. Nutrition support in the ICU is my specialty and finding local, affordable continuing education opportunities in the state is pretty much impossible. I can go to a national conference every 3-4 years but, this is very expensive and my place of work doesn't always provide me with this benefit. I get the bulk of my continuing education beyond the these two oppourtunities reading journal articles and staying up to date via being a member of ASPEN, the American Society for Parenteral and Enteral Nutrition, there is no continuing education credit given with this type of education. I feel the state of Oregon should abide by my professional organization's (the American Dietetics Association) requirements for continuing education which requires that I get 75 credit hours in a five year period.

Thank you

Lorri Thornton RD, CNSC, LD

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HARRIS Sinnamon M * OHLA ASD

From: Kathleen Huntington [huntingt@ohsu.edu]
Sent: Wednesday, December 28, 2011 9:23 AM
To: 'sinnamon.m.harris@state.or.us'
Subject: Oregon RD Licensure

I am writing to voice my concern about the following change in the rules for licensure for RDs in Oregon:

- (1) To maintain licensure, dietitians must complete a minimum of 15 hours every year. Hours in excess of those required for the one-year reporting period cannot be carried forward and applied toward the succeeding year.**

This CE restriction does not make practical monetary sense for those of us who must pay all of our professional fees that enable us to stay in our positions in the first place. There's no point in adding a layer of bureaucratic process to maintain our credentialing and impose further financial burden. Why can't time and effort be carried over? I don't see the point. My sense is that this will then open the door for increasing fees to maintain our license in Oregon because of the extra efforts required for review of those who must submit their 15 hours of CE credits.

Kathleen Huntington, MS, RD, LD

HARRIS Sinnamon M * OHLA ASD

From: Taiga Sudakin [taigabrook@comcast.net]
Sent: Wednesday, December 28, 2011 9:40 AM
To: sinnamon.m.harris@state.or.us
Subject: Primary Changes to the Current Licensure for Dietitians Rules

I am writing to protest the proposed rule change regarding continuing education requirements for licensed dietitians, that would require all LDs to attain 15 CE hours annually, regardless of their meeting the commission of dietetic registration's (CDR) requirements of 75 CEs every 5 years. I am currently a stay-at-home mom, and it would place an unfair burden on me, to have to achieve 15 hours of CE every year. That's more than 1 per month. Also, I plan on taking the American Council on Exercise's personal trainer exam, which would provide me with all 75 CEs that I need for my 5-year reporting period. If I also have to earn 15 CEs per year, in addition, for my Oregon license, I'd have to earn about double of what is required of me by CDR. The bottom line is I may not continue to maintain my Oregon license, if this rule is enacted. Thanks you for considering my comments.

Sincerely,
Taiga Sudakin, RD, LD
Corvallis, Oregon

HARRIS Sinnamon M * OHLA ASD

From: Hanks, Nicole [nhanks@asante.org]
Sent: Wednesday, December 28, 2011 10:30 AM
To: sinnamon.m.harris@state.or.us
Cc: Kelly, Tina
Subject: Comment on Rule Changes for Licensed Dietitians proposed 11-2-11

I am a registered, licensed dietitian and also a certified diabetes educator working in an outpatient clinic setting. I am concerned about the proposed rule change for Continuing Education Requirements for Licensed Dietitians. The new rule requires 15 Continuing Education hours annually rather than the 75 Continuing Education hours in five years required to meet CDR and American Association of Diabetes Educators requirements. Some in-depth continuing education classes offer 60 CE hours but my take more than a year to complete. I am concerned that the new rule will encourage shorter less comprehensive education for licensed dietitians.

Thank you for your consideration.
Nicole Hanks

Nicole Morgan Hanks MS RD LD CDE
Nutrition Counselor and Educator
Certified Diabetes Educator
Asante Health System
Office: (541) 789 - 4513
Appointment: (541) 789-5906 ext 1
Fax: (541) 789-4674

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E-mail has the potential to have been altered or corrupted due to transmission or conversion. It may not be appropriate to rely upon this E-mail in the same manner as hardcopy materials bearing the author's original signature or seal. Thank you. Asante® Health System

HARRIS Sinnamon M * OHLA ASD

From: Jeanne Flury [Jeanne_Flury@columbiamemorial.org]
Sent: Wednesday, December 28, 2011 10:55 AM
To: sinnamon.m.harris@state.or.us
Subject: Proposed Changes to Current Dietitian Licensure

Mr. Harris,

As a dietitian who has been an R.D. since 1976 and Licensed since moving to Oregon, I am writing to comment on the proposed changes:

1. Continuing Education Requirements: I do not agree with making it a requirement to get 15 hours annually , regardless of the 75/5. It is difficult enough in the *working environment* meet all of our deadlines, especially for those of us having more than one credential. As a manager, the working environment itself has numerous deadlines in addition to credentialing. I do not think the state should be making things more difficult for dietitians.
2. Scope of Practice: In the working environment, across the board (nursing, pharmacy, physical therapy etc.) 'Scope of Practice' does refer to what a professional may and may not do. It provides the professional guidelines of what he/she should be doing and is considered qualified for, with each specific credential. Why would you change it for R.D.'s ? I think our practice needs those guidelines and use it daily in the working environment. The American Dietetic Association has already spelled out what an R.D. must do, and I am not aware of being able to obtain an L.D. without being an R.D. first. If so, that should be corrected instead.

Sincerely,

Jeanne Flury

HARRIS Sinnamon M * OHLA ASD

From: Doris Pezzotti [doris.pezzotti@tuality.org]
Sent: Wednesday, December 28, 2011 11:32 AM
To: sinnamon.m.harris@state.or.us
Cc: Darci Paterson
Subject: ODA Update: Board of Licensure - Last Day for Comments

Please reconsider the proposal to require 15 hours CE annually regardless their meeting 75/5year requirement by CDR for the following reasons:

The national organization dictates the dietitian practice as to all other requirements so it is logical to follow their guidelines for CE.

1. There are work and life commitments that can be very demanding and it may be more difficult to meet the new requirements. The older guideline requires the same amount of education but allows for some flexibility for life circumstances.
2. The proposed guideline discourages dietitians from attending national conferences that provide greater than 15 hours of CE as they will still need additional hours the following year. This will result in greater cost on a profession that is challenged financially.

Thank you for your consideration,

Doris Pezzotti, RD, LD, CDE

HARRIS Sinnamon M * OHLA ASD

From: Gloria Campuzano [campuzanog@msn.com]
Sent: Wednesday, December 28, 2011 11:36 AM
To: sinnamon.m.harris@state.or.us
Subject: Licensed Dietitian Draft

Greetings Ms. Harris: Please reply to this e-mail to confirm you received it. Thank you.

Regarding Division 50 under Continuing Education Requirements for Licensed Dietitians.

With the Commission of Dietetic Registration (CDR), each dietitian gets an approval of a portfolio. Under Division 50, there is emphasis that the CE credits are for college credits (a and b). Under section c.,

"Courses that do not meet standards as set forth in paragraphs (a) and (b) of this subsection, such as workshops, symposiums, seminars, laboratory exercises, or any applied experience with or without formal classroom work may receive credit for each hour of attendance."

Here are my comments:

1. Many RDs that have higher degree education may desire no further college credits.
2. In addition, many RDs get specialty training (for example; Certified Nutrition support or weight management, and so forth) receive numerous hours (perhaps more than 15 needed per year) in training.
3. Sometimes training may be weeks of workshops or seminars for other specialties not mentioned above (for example; eating disorders seminars or complementary health).
4. Furthermore, sometimes a dietitian may not receive 15 h per year due to many life circumstances (for example; pregnancy, illness, monetary constrains, and so forth). However, the following year, for example; the RD may obtain 30 or more hours in a year.
5. Recommendation: **The LD requirements should continue as it is with the CDR: 75 hours of continuing education completed in 5 years that reflects the RD approved portfolio by CDR.**

Sincerely,

Gloria Campuzano, MS, RD, LD
LD-D-000459

"Let the beauty of what you love be what you do." Rumi

HARRIS Sinnamon M * OHLA ASD

From: Scollard, Terese [Terese.Scollard@providence.org]
Sent: Wednesday, December 28, 2011 12:22 PM
To: 'sinnamon.m.harris@state.or.us'
Cc: Sonja Connor; 'Maureen McCarthy'
Subject: comment re LD continuing education requirements

1. **Continuing Education Requirements:** Proposed Rules will require all LDs to attain 15 CE hours annually regardless their meeting CDR 75/5 years requirement (Such requirement can especially impact Specialty RDs such as CNSC etc who meet their CE with CDR requirements via specialty exam/certification)

Hello Sinnamon

I would like to comment on the above:

1. I am opposed to requiring 15 CE hours each calendar year as it is too short a time frame and will create too much work in tracking and monitoring. So it streamlines nothing and causes undo burden on LD's and those monitoring. The existing rule of 75ce/5 years is manageable. Individual organizations can set up an annual standard within themselves if they choose. But external requirements of the State, tracking and monitoring will cost money for tracking that could better be spent in other areas by the Licensure board and State.
2. as a manager of LD's for many years, with nearly 30 employees, I perform annual competency reviews with my staff including their continuing education status; most persons are always caught up. The few staff that are not have most often, had personal situations, sometimes tragic, that caused them to be unable to keep up the pace of 15 credits per year. There is no reason to add this burden to private or public affairs. A pace of 75 credits every five years is adequate.
3. employers cannot always release all employees yearly to assist the 15 ce per year pace
4. employers cannot always afford the costs of attending Ce events at the 15 ce per year pace
5. many individuals and businesses 'save up' financial resources and labor resources for a major event that adds more than 15 ce every few years, but not manageable every year.

The proposed rule of requiring 15 ce yearly is not conducive to any benefit and would cost more to manage than is needful for State resources and individual L.D's; tighter management by year can be determined by individual businesses depending on their circumstances without the State agency oversight beyond 74CE/5 years.

Thank you for the opportunity to include my comments as this is reviewed.

Terese Scollard MBA RD LD
Clinical Nutrition Manager
Beaverton Or

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HARRIS Sinnamon M * OHLA ASD

From: Dan.Durham@Walgreens.com
Sent: Wednesday, December 28, 2011 12:27 PM
To: sinnamon.m.harris@state.or.us
Subject: New LD licensure rules

Dear Sinnamon,

I am concerned about the proposed rule to require Oregon RD's to have 15 CEU's every year. As a current CNSD clinician, I am concerned that this new rule would hinder others from pursuing a specialty. The number of long hours to study for the CNSC exam and large expenses involved with studying and taking the exam weigh heavy on a Dietitians pocketbook. For this to only count for one year of CEU's for the state of Oregon would not be worth the cost and stress of taking this exam in todays economy. Unfortunately, I would expect to see a decrease in specialty Dietitians (including myself) in Oregon if this proposal goes into affect.

I highly recommend the Board to reconsider implementing this new licensure rule. I propose to continue to honor CDR's requirement of 75 hours every 5 years. I would support the requirement a minimal of 2 hour CEU each year for RD's to attend a local district ADA related meeting.

Thank you for your understanding,

Dan

Dan Durham MS, RD, CNSD, LD
Registered Dietitian
Walgreens Infusion Services at Legacy Health
Ph:503-536-8351
Fax:503-536-8313

HARRIS Sinnamon M * OHLA ASD

From: Denise Cedar [DCedar@silvhosp.org]
Sent: Wednesday, December 28, 2011 2:02 PM
To: sinnamon.m.harris@state.or.us
Subject: Comment on OHLA Board of Licensed Dietitians Proposed Rules

Dear Sinnamon Harris

Thank you for the opportunity to comment on the OHLA proposed rules for Licensed Dietitians.

I am one of the Oregon Registered Dietitians who lobbied hard for our licensure law and I am glad to see our licensure continuing and supported under the Oregon Health Licensing Agency.

However, I do have some concerns and comments about the proposed rules.

#1

My primary concern is about Standards of Practice vs. Scope of Practice. I believe that designing the rules to describe only what RD's "must" do (Standards of Practice) does not foster best professional practice or benefit patients. I DO support language that indicates that RDs must follow accepted and minimal Standards of Practice as established by our professional body the Academy of Nutrition and Dietetics (American Dietetic Association's new name as of 1-1-12), such as using the Nutrition Care Process.

However, to support competency and recognize changing roles as healthcare evolves, our rules should ALSO state that the Scope of Practice is determined by the ADA/AND Scope of Practice Framework. This Framework was developed because dietetics is a field with a very wide variety of roles and expertise. The Framework is designed to apply to RDs in all settings, including private practice. It includes definitions for Focus Area, Advanced Practice, and Specialty Certification scopes of practice. There is a regular review and approval process for changes to the Framework.

I propose that after the

834-060-0000 Standards of Practice Items 1-8

Additional language should be added:

Scope of Practice

- 1) The Board adopts the national Academy of Nutrition and Dietetics Scope of Practice Framework to ensure the competency, proficiency, and expertise of the Registered Dietitian within various professional roles.**
- 2) Institutions and agencies employing Registered Dietitians may specify an expanded Scope of Practice of the Registered Dietitian in written Policies and Procedures which include competency validation measures and are updated a minimum of every 5 years.**

#2

834-050-0000 Continuing Education Requirements

- (1) To maintain licensure, dietitians must complete a minimum of 15 hours every year. Hours in excess of those required for the one-year reporting period cannot be carried forward and applied toward the succeeding year.**

I am concerned about this requirement. All RD's are required by the Commission on Dietetic Registration to complete 75 CEU's within 5 years. CDR also allows us to carry over CEU's at the end of our period. At its February 2011 meeting, CDR approved a process for allowing RDs to "rollover" up to 15 excess CPEU's earned in the last 75 days of their current recertification cycle to the next cycle IF we have already met the 75 CEU requirement for the 5 year cycle and have maintained our Professional Development Portfolio.

I see no reason for Oregon to require a different CEU procedure than our national accrediting body. Earning at least 15 CEU's in each calendar year vs. an average of 15 per year does not make us more educated. It also does not address the fact that RD's with specialty certifications, such as Certified Diabetes Educator or Certified Nutrition Support Clinician, currently meet our CDR CEU requirement by passing exams or maintaining our credential through specialized CEUs *averaging* 15 per year. If the proposed Oregon language is adopted, Oregon will not accept our additional specialty credential as evidence of professional education and quality but will require different CEUs—even accepting lower-quality CEUs (such as some free options sponsored by industry) which will not increase educational quality, but will simply meet the "letter of the law".

ALSO, our recertification dates as RD's vary, they are not according to the calendar year. The proposed language complicates CEU recording as we would need to meet 2 different cycles.

Furthermore, CDR CEU requirements are adjusted as indicated to maintain the quality of the profession: for example, CDR has just required that new Learning Plans (the basis of the Professional Development Portfolio) for cycles ending in May 2017 will be required to include CEU in Ethics.

Finally, the current wording affects CEUs when a license becomes inactive (such as an RD unable to work due to health reasons for 3 years). the proposed rules would require for reinstatement:

"Documentation of having obtained required annual continuing education under OAR 834-050-0000, on a form prescribed by the agency, whether license has been current or inactive;" (*emphasis added*) i.e. 15 CEU every year as currently worded. This may not be possible for an ill professional undergoing cancer treatment, for example. I have known a colleague who was too ill for an entire year to be able to obtain CEUs that year—this person should NOT lose the ability to be licensed again once they recover and are able to obtain the 45 CEUs needed for the 3 years they didn't work.

I propose this revision to the above:

834-050-0000

Continuing Education Requirements

To maintain licensure, dietitians must meet the current CEU requirements of the national Commission on Dietetic Registration and maintain a Learning Plan and Professional Development Portfolio with the Commission.

THANK YOU for considering my comments.

Denise Cedar RD, LD, CDE | Health Management

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503-873-1560 Direct

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HARRIS Sinnamon M * OHLA ASD

From: Karen M. Huntzinger [Karen.Huntzinger@salemhealth.org]
Sent: Wednesday, December 28, 2011 2:28 PM
To: 'sinnamon.m.harris@state.or.us'
Subject: Proposed changes for Licensure of Registered Dietitians

Regarding the proposed changes for Oregon Licensure for Registered Dietitians:

I have been an RD for 30 years, a resident of Oregon for 21 years, and support Licensure for Oregon RDs. My license number is #102, so I have supported it from the beginning. I am also a Certified Specialist in Oncology Nutrition (CSO) and sit for an exam every 5 years to maintain my registration status for CDR/ADA. The proposed requirement for 15 hours annually to meet licensure requirements would be very hard for me to meet as there are no continuing education opportunities for Oncology Nutrition in the State of Oregon. This would cause me to double my continuing education needs to meet national and state requirements, without impacting my clinical care of patients.

Please reconsider this proposal. Please accept national registration requirements (exam every 5 years) for advanced practice RDs (CSR, CSO, CNSC etc) to meet Oregon license requirements. Under the new proposal, I wouldn't have the time, opportunity or finances to meet the requirements and it would not result in better patient care.

Thank you,

Karen Huntzinger MS RD LD CSO

5085 Terrylee CT SE

Salem, OR. 97306

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HARRIS Sinnamon M * OHLA ASD

From: Marilyn K. Bacon [Marilyn.Bacon@salemhealth.org]
Sent: Wednesday, December 28, 2011 2:50 PM
To: 'sinnamon.m.harris@state.or.us'
Subject: Board of Licensed Dietitians Proposed Administrative Rules

I am writing in regards to the proposed changes to the licensing requirements for registered dietitians in the state of Oregon.

There is a mechanism in place through the American Dietetic Association, to record and monitor the continuing education requirements of RDs for each 5 year period. For the State of OR to require documentation on a yearly will significantly increase the cost of administering the license as well as place a hardship on RDs.

I am apposed to the requirement for 15 hours of credits every year. I study for the exam to maintain my Certified Nutrition Support Clinician (CNSC) credential every five years which accounts for all 75 credit hours needed to maintain my Registered Dietitians status with the American Dietetic Association. Nutrition support in the ICU is my specialty and finding local, affordable continuing education opportunities in the state to receive the 15 hrs yearly is pretty much impossible. I can go to a national conference every 3-4 years but, as this is very expensive and my place of employment does not always provide me with this benefit, I cannot go every year. I get the bulk of my continuing education beyond these two opportunities reading journal articles and staying up to date with membership in ASPEN, the American Society for Parenteral and Enteral Nutrition. There is no continuing education credit given with this type of education.

If there is a need to make this change for some licensees, I feel the State of Oregon should be able to modify the rule to allow my professional organization's (the American Dietetic Association) credentialing to be used as long as it is current.

Thank you

Marilyn Bacon RD LD CNSC

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HARRIS Sinnamon M * OHLA ASD

From: Ileana.K.Lee@kp.org
Sent: Wednesday, December 28, 2011 2:59 PM
To: sinnamon.m.harris@state.or.us
Subject: comment on proposed changes to licensing for dietitians

The following proposed text will impose an unnecessary burden upon registered dietitians.

(1) To maintain licensure, dietitians must complete a minimum of 15 hours every year. Hours in excess of those required for the one-year reporting period cannot be carried forward and applied toward the succeeding year.

For registered dietitians, we have a commission that maintains our professional registration and requires continuing education. It can be economical for a RD to obtain all her continuing ed credit for a 5 year period all at once with a big conference. I propose the following text instead:

(1) To maintain licensure, registered dietitians must be in good standing with the Commission on Dietetic Registration, specifically having completed continuing education requirements for each 5 year certification period per commission registration requirements.

Thank you,

Ileana Lee RD, LD, CDE
Outpatient Clinical Dietitian, Certified Diabetes Educator
East Interstate Medical Office
3550 N Interstate Ave, Portland, OR 97227-1097
503 249-6705; fax 503 331-6319

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HARRIS Sinnamon M * OHLA ASD

From: Lois.A.Tobin@kp.org
Sent: Wednesday, December 28, 2011 3:00 PM
To: sinnamon.m.harris@state.or.us
Subject: Comments regarding Licensure for Dietitians.

Dear Ms. Harris,

I would like to comment on the proposed rules for Licensure for dietitians. My concerns are not unlike others you may have heard.:

1. Continuing Education requirements.

If the state of OR is accepting the requirements of CDR to qualify for a license, then it seems to me that the state should also accept CDR's requirement for continuing education to maintain active registration, i.e. 75 credit hours every 5 years, or successful seating for one of the accepted specialty certification exams.

To complete 15 hrs every year, makes it more difficult to attend National meetings and /or more specialized meetings. If everyone must complete 15 hours every year, the resources to attend a larger meeting may not be available since the funds are distributed among a group, versus rotating who may use the funds every year. For those dietitians who must pay for their own CEUs, they will not be able to save for a few years to attend one big meeting, because they will need to attend some kind of CEU every year. This can become quite expensive. If the 15 hours per year requirement stays, I think it will be contradictory to the purpose of continuing education. Dietitians will be searching every year for affordable, convenient CEU,s instead of attending sessions that truly advance the knowledge and practice of the dietitian.

I suggest changing the wording to allow those dietitians certified by the CDR, to be allowed to continue certifying their CEU through the CDR. The requirement of 15 hours every year should be required for the small number of licensed dietitians who are not under the CDR. Please do not punish the vast majority of Oregon dietitians for a very small group.

2. Scope of Practice.

There are highly qualified dietitian specialists in the state of Oregon who work hard to reach their level of expertise. The American Dietetic Association has written guidelines on establishing Scope of Practice Guidelines, as well as Standards of Practice and Standards of Professional Performance for various specialty areas such as Diabetes and Chronic Kidney Disease. I would like to see a reference made to these in the state regulations, allowing the Dietitian to practice according to these guidelines. A list of accepted standards could then be included.

In many work settings, physicians rely on the dietitian to provide MNT. I would like to see the Oregon licensure state specifically that if referred by a medical provider for a specific condition, than the RD, LD may write the actual diet order based on individualized energy, macronutrient, vitamin, mineral, and fluid requirements, and the influence of medication for the specified medical condition. The RD may intervene with foods and supplemental nutrients as indicated. . In the cases of enteral and parenteral nutrition, the RD should be able to manage the feeding schedule, rate, concentration, and feeding composition to ensure adequate intake.

I would also like to see it stated that the RD,LD may adjust nutritional supplements, vitamin and mineral supplements to promote optimal absorption, and prevent drug nutrient interactions.

For Kidney patients, renal bone disease is a major problem. It is almost always the RD/LD who manages this. Specifically ordering and dosing , phosphate binders, vitamin D, vitamin D analogs, and Calcium. Please specify in the regulations that the RD/LD may manage this, under that direction of a Nephrologist.

Thank you for allowing me to share my thoughts.

HARRIS Sinnamon M * OHLA ASD

From: Niki S. Wade [Niki.Wade@salemhealth.org]
Sent: Wednesday, December 28, 2011 3:30 PM
To: 'sinnamon.m.harris@state.or.us'
Subject: ODA licensure rules

I am not in support of the proposed rules requiring a certain number of hours to be attained in each year. Many of us living in less populated areas, and some on limited incomes (if working unscheduled or part-time) are only able to attain the hours available at the times available and this might not be 15 every year, but 10 one year and 20 the next. Let's be flexible for those of us NOT working 40 hours a week in Portland metro area.
Thanks, Niki Wade RD LD

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HARRIS Sinnamon M * OHLA ASD

From: Mary Weinberg [weinberm@ohsu.edu]
Sent: Wednesday, December 28, 2011 3:33 PM
To: Sinnamon.m.harris@state.or.us
Subject: Board of Licensed Dietitians - Public Comment Period Information

To Whom it May Concern,

I am a practicing nutrition support dietitian at Oregon Health and Science University with a specialty certification of CNSC (certified nutrition support clinician). The Commission on Dietetic Registration (CDR) establishes and enforces standards for CNSC certification and code of ethics by issuing credentials to individuals who meet these standards.

Currently, the CDR allows those who have a specialty certification the ability to take and pass an exam every 5 years to maintain active status and stay in compliance with set standards. The current fee to take this exam is \$305.00 for ASPEN members and \$405.00 for non-ASPEN members. The Oregon Board of Licensed Dietitians has proposed a change that all licensed dietitians will be required to obtain 15 hours of continuing education per year to maintain licensure. I feel that the changes proposed by the Oregon Board of Licensed Dietitians present a financial burden to those of us who already pay a certification exam fee, a licensure fee, ASPEN and/or ADA dues, attendance to nutrition-related conferences, etc. I'm sure there are many practitioners who would have to pay for these additional 15 hours/year of continuing education out of their own pockets. Why deviate from the standards already set? How about considering a disclaimer for those of us who have obtained a specialty certification to continue to follow the standards already set by CDR? Not to mention the additional time and paper work needed to complete this task.

Thanks for your consideration to this matter.

Sincerely,

Mary Weinberg, RD, CNSC, LD
Nutrition Support Dietitian
Oregon Health and Science University
3151 SW Sam Jackson Park RD
Portland, OR 97239

HARRIS Sinnamon M * OHLA ASD

From: greathouse4512@comcast.net
Sent: Wednesday, December 28, 2011 3:50 PM
To: Sinnamon.m.harris@state.or.us
Subject: Comments on Licensed Dietitians Proposed Administrative Rules

Dear Ms. Harris:

I am writing with a concern regarding the proposed administrative rules in two areas:

1. Continuing Education Requirements under OAR 834-050-0000, where to maintain licensure dietitians would now be required to complete a minimum of 15 hours of continuing education (CE) per year, which is significantly different from the current requirement for registration with the Commission on Dietetic Registration (CDR) of 75 hours every 5 years. The latter allows Registered Dietitians (RDs) to take advantage of conferences where additional CE hours are offered which might exceed 15 hours in a year period. This requirement could add additional requirements to maintain licensure such that an RD would need to complete significantly more than the 75 hours per 5 years currently required. This could be a financial burden to maintain licensure as more and more employers and agencies are cutting back on supporting staff to attend conferences and CE opportunities. Even if the licensee is able to pay for conference registration he/she may not be allowed the time or travel to attend frequently enough to meet the additional CE requirement this might impose.

Since the Board currently accepts the CDR proof of registration as documentation of completion of CE hours, this additional requirement is unnecessary. Given that licensure in Oregon is voluntary, adding this additional burden may result in fewer RDs deciding to obtain licensure with the result that there would be less oversight and potentially could negatively impact consumer safety.

2. Standards of Practice 834-060-000

These Standards of Practice seem to be very focused on only the clinical aspect of dietetics, where only about 50% of RDs currently practice. It appears to require a Licensed Dietitian to adapt a specific set of documentation standards, namely the American Dietetic Association's "Nutrition Care Process" which is most conducive to the medical record keeping required of RDs/LDs who work in clinical care settings. This Nutrition Care Process identifies a "problem" or "diagnosis" from which the RD/LD then determines the "solution", and does not necessarily fit in with a public health population-based approach which focuses on a patient's strengths and abilities and does not necessarily prescribe a predetermined solution. (see paragraphs 2,3 and 6). The Standards of Practice should be just that, standards that are applicable to all areas of practice, including RDs/LDs who work in public health and policy, in sports and wellness care, in entrepreneurial settings, etc. These standards should be broadened and not just address the narrow focus of clinical dietetics.

Thank you for the opportunity to comment on these proposed rules. I have been a Licensed Dietitian in Oregon since licensure was instituted and have served as Chair of the Licensure Board. I am not certain I could continue my license under these new OARs.

Sincerely,

Susan Greathouse, MPH, RD, LD, IBCLC

HARRIS Sinnamon M * OHLA ASD

From: Darci Paterson [darci.paterson@tuality.org]
Sent: Wednesday, December 28, 2011 3:54 PM
To: sinnamon.m.harris@state.or.us
Cc: Doris Pezzotti
Subject: ODA Update: Board of Licensure - Last Day for Comments

Please decline the proposal to require 15 hours of CE annually regardless of meeting the 75/5 year requirement by CDR.

It discourages participating in educational opportunities that provide more than 15 hours of CE credits (ie attending the ADA annual conference, obtaining specialized credentials) or else you have to take on the added financial burden the next year of making sure to get 15 more hours regardless of the fact that you received 15+ hrs the previous year (perhaps all 75 hrs by completing the CNSD exam). Completing the 75 hrs of CE credits according to the CDR guidelines should be sufficient and our state should not implement additional guidelines/requirements.

Thank you for your consideration,

Darci Paterson RD, LD
Clinical Dietitian
Tuality Healthcare
335 SE 8th Avenue
Hillsboro, Oregon 97123
Phone: (503)681-1136
Fax: (503)681-1944
Darci.paterson@tuality.org

HARRIS Sinnamon M * OHLA ASD

From: Hawk, Kimra [Kimra.Hawk@providence.org]
Sent: Wednesday, December 28, 2011 4:09 PM
To: Sinnamon.m.harris@state.or.us
Subject: RE: Board of Licensed Dietitians - Public Comment Period Information

I am writing regarding the number of continuing education hours required. Currently the Commission on Dietetic Registration (CDR) requires 75 hours/5 year period. There is no specification about the number of hours per year. The proposed rules will require all LDs to attain 15 CE hours annually regardless their meeting CDR 75/5 years requirement. This may be a hardship for some LD's and their employers. I suggest the rules meet the same requirement as CDR and simply state 75 hours per 5 year period.

Thank you for your consideration.

Kimra

Kimra Hawk, RD, LD
Providence St Vincent Medical Center
9205 SW Barnes Rd
Portland, OR 97225

telephone: 503-216-2460
fax: 503-216-2717

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HARRIS Sinnamon M * OHLA ASD

From: Yulia Brockdorf [yuliabrockdorf@gmail.com]
Sent: Wednesday, December 28, 2011 7:51 PM
To: sinnamon.m.harris@state.or.us
Subject: OHLA Board of Licensed Dietitians Proposed Rules COMMENT/REQUEST

Regarding CE I suggest :

To retain: “to maintain licensure, dietitians must complete a minimum of 15 hours every year. “

To add: “or meet CE requirements of the national Commission on Dietetic Registration”

To remove: “Hours in excess of those required for the one-year reporting period cannot be carried forward and applied toward the succeeding year.”

Regarding Scope of Practice

To add:

1) The Board Recognizes Expanded Scopes of Practice for Advanced Practices of Registered Dietitians and adopts Academy of Nutrition and Dietetics Scope of Practice Framework that guides individual credentialed dietetics practitioners in determining their own individual scope of practice. The practitioner must take into account state practice acts, federal and state regulations, accreditation standards, facility privileges, facility policies and procedures, education, training and competence when determining his or her own individual scope of practice. *(this is verbatim from 2nd paragraph of <http://www.eatright.org/scope/>)*

--

Yulia Brockdorf, RD, LD, CDE, CNSC, CPT
Nutrition For Success, LLC
428 SW Oak St.
Hillsboro, OR 97123 USA
tel: 503-577-5845 fax: 503-844-6545

HARRIS Sinnamon M * OHLA ASD

From: Mary J Lemm Davis [mlemmdavis@gmail.com]
Sent: Wednesday, December 28, 2011 9:07 PM
To: sinnamon.m.harris@state.or.us
Subject: Comments

Hello,

I am a Registered Dietitian living in Pendleton. We have lived here for many years and I have had the opportunity to teach at the local community college, work on the Umatilla Indian Reservation as dietitian, act as Nutrition Consultant for the State Health Division, run my own private practice, and am now administrator of a dialysis center and RD here as well as for another. I am concerned about the 15 credits per year. It costs me each time I leave for travel and accommodations. It can be more cost effective for me to travel less often, for more credits. I often go to ADA or to a speciality workshop. I am concerned that the requirement for 15 credits per year is more cost effective for urban dietitians than for those of us who must travel often to get to the workshop or training. I really believe that 15 credits a year is ideal, but financially it affects those of us living in rural areas. We will pay more for our credits. Yes, we may use more online and alternative resources, but for those of us living in the rural areas it is wonderful to rub shoulders with others at "face to face" workshops or meetings. Please reconsider the 15 credits for a year.

Thank you,

Mary L. Davis, MS, RD, LD

HARRIS Sinnamon M * OHLA ASD

From: Wicklund, Erin M [Erin.Wicklund@providence.org]
Sent: Thursday, December 29, 2011 9:20 AM
To: sinnamon.m.harris@state.or.us
Subject: Opposed to CE Change

I am opposed to the idea of requiring CEs to be completed in an amount of time to be determined by Oregon. It sounds like ONE MORE THING TO KEEP TRACK OF (for you and for me)! I do not see a benefit to our patients. I would be in support of ENCOURAGING RD LDs to keep their continuing education fresh and up to date, but please do not require it. It's hard enough sometimes to keep up with everything at the national level.

Please make our lives easier, not harder.

Sincerely,
Erin Wicklund, RD, LD

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HARRIS Sinnamon M * OHLA ASD

From: John Gobble [info@mntnorthwest.com]
Sent: Thursday, December 29, 2011 1:51 PM
To: sinnamon.m.harris@state.or.us
Subject: Comments on Proposed Rules for Oregon Licensed Dietitian

Continuing education requirements stated for the proposed changes of the Oregon License Dietitian rules may threaten the current professional standing of many well qualified Licensed Dietitians because it requires an absolute number of continuing education credits each year while National accreditation bodies such as the Commission for Dietetic Registration allows up to 5 years to achieve the same educational requirement. I recommend changing

OAR 834-050-0000

(1) To maintain licensure, dietitians must complete a minimum of 15 hours every year or be able to show successful completion of the requirements for dietetic registration from the Commission on Dietetic Registration every year. Hours in excess of those required for the one-year reporting period cannot be carried forward and applied toward the succeeding year.

OAR 834-050-0010

(3)

(a) A valid certification of current completion of the requirements for dietetic registration or certificate of completion or other agency approved documentation that includes the agency pre-approved number;

John Gobble, DrPH, RD, LD, MCHES

Medical Nutrition Therapy Northwest
13568 SE 97th Ave. Suite 203
Clackamas, OR 97015
(503) 652-5070 (office)
(800) 957-1067 (fax)
johngobble@mntnorthwest.com

HARRIS Sinnamon M * OHLA ASD

From: Michelle Moore [MMoore@silvhosp.org]
Sent: Friday, December 30, 2011 12:51 PM
To: sinnamon.m.harris@state.or.us
Subject: Comment on OHLA Board of Licensed Dietitians Proposed Rules

Dear Sinnamon Harris

Thank you for the opportunity to comment on the OHLA proposed rules for Licensed Dietitians.

I have some concerns and comments about the proposed rules.

#1

My primary concern is about Standards of Practice vs. Scope of Practice. I believe that designing the rules to describe only what RD's "must" do (Standards of Practice) does not foster best professional practice or benefit patients. I DO support language that indicates that RDs must follow accepted and minimal Standards of Practice as established by our professional body the Academy of Nutrition and Dietetics (American Dietetic Association's new name as of 1-1-12), such as using the Nutrition Care Process.

However, to support competency and recognize changing roles as healthcare evolves, our rules should ALSO state that the Scope of Practice is determined by the ADA/AND Scope of Practice Framework. This Framework was developed because dietetics is a field with a very wide variety of roles and expertise. The Framework is designed to apply to RDs in all settings, including private practice. It includes definitions for Focus Area, Advanced Practice, and Specialty Certification scopes of practice. There is a regular review and approval process for changes to the Framework.

I propose that after the

834-060-0000 **Standards of Practice** **Items 1-8**

Additional language should be added:

Scope of Practice

- 1) The Board adopts the national Academy of Nutrition and Dietetics Scope of Practice Framework to ensure the competency, proficiency, and expertise of the Registered Dietitian within various professional roles.**
- 2) Institutions and agencies employing Registered Dietitians may specify an expanded Scope of Practice of the Registered Dietitian in written Policies and Procedures which include competency validation measures and are updated a minimum of every 5 years.**

#2

834-050-0000 **Continuing Education Requirements**

- (1) To maintain licensure, dietitians must complete a minimum of 15 hours every year. Hours in excess of those required for the one-year reporting period cannot be carried forward and applied toward the succeeding year.**

I am concerned about this requirement. All RD's are required by the Commission on Dietetic Registration to complete 75 CEU's within 5 years. CDR also allows us to carry over CEU's at the end of our period. At its February 2011 meeting, CDR approved a process for allowing RDs to "rollover" up to 15 excess CPEU's earned in the last 75 days of their current recertification cycle to the next cycle IF we have already met the 75 CEU requirement for the 5 year cycle and have maintained our Professional Development Portfolio.

I see no reason for Oregon to require a different CEU procedure than our national accrediting body. Earning at least 15 CEU's in each calendar year vs. an average of 15 per year does not make us more educated. It also does not address the fact that RD's with specialty certifications, such as Certified Diabetes Educator or Certified Nutrition Support Clinician, currently meet our CDR CEU requirement by passing exams or maintaining our credential through specialized CEUs *averaging* 15 per year. If the proposed Oregon language is adopted, Oregon will not accept our additional specialty credential as evidence of professional education and quality but will require different CEUs—even accepting lower-quality CEUs (such as some free options sponsored by industry) which will not increase educational quality, but will simply meet the "letter of the law".

ALSO, our recertification dates as RD's vary, they are not according to the calendar year. The proposed language complicates CEU recording as we would need to meet 2 different cycles.

Furthermore, CDR CEU requirements are adjusted as indicated to maintain the quality of the profession: for example, CDR has just required that new Learning Plans (the basis of the Professional Development Portfolio) for cycles ending in May 2017 will be required to include CEU in Ethics.

Finally, the current wording affects CEUs when a license becomes inactive (such as an RD unable to work due to health reasons for 3 years). the proposed rules would require for reinstatement:

"Documentation of having obtained required annual continuing education

under OAR 834-050-0000, on a form prescribed by the agency, whether license has been current or inactive;" (*emphasis added*) i.e. 15 CEU every year as currently worded. This may not be possible for an ill professional undergoing cancer treatment, for example. I have known a colleague who was too ill for an entire year to be able to obtain CEUs that year—this person should NOT lose the ability to be licensed again once they recover and are able to obtain the 45 CEUs needed for the 3 years they didn't work.

I propose this revision to the above:

834-050-0000

Continuing Education Requirements

To maintain licensure, dietitians must meet the current CEU requirements of the national Commission on Dietetic Registration and maintain a Learning Plan and Professional Development Portfolio with the Commission.

Thank you for considering my comments.

Michelle Moore, MS, RD, LD

Silverton Health

342 Fairview St

Silverton, OR 97381

(503) 873-1557

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HARRIS Sinnamon M * OHLA ASD

From: Diane Quiring [dqoregon@hotmail.com]
Sent: Tuesday, December 13, 2011 11:03 AM
To: sinnamon.m.harris@state.or.us
Subject: comments re: Board of Licensed Dietitians Proposed Administrative Rules

Good morning, I am a Registered Dietitian and a Licensed Dietitian in the State of Oregon,

I have read Senate Bill 939 & Temporary Rule 834-010-0050(T) & agree with the proposed changes. In particular, I was pleased to see the language changes reflecting standardized practice using the Nutrition Care Process for providing dietetic services.

Thank you for the opportunity to comment,

Diane Quiring RD, LD

HARNISCH Randy A * OHLA ASD

From: Kathryn.M.Hunter@kp.org
Sent: Monday, December 12, 2011 4:01 PM
To: Randy.A.Harnisch@state.or.us
Subject: Proposed requirements for Licensed Dietitians

As a licensed dietitian in the state of Oregon and Washington I was disturbed to learn of the new requirement for dietitians to complete 15 CEU's every year to maintain licensure in the state of Oregon. To be a registered dietitian you are required to have 75 CEU's every 5 years which allows dietitians the ability to space out CEU's over a 5 year period. It also allows dietitians the ability to take exams, go to large conferences and obtain a significant amount of CEU's at one time. When working full time it can be difficult to obtain time off to attend CEU workshops, conferences and seminars. Also the cost to attend these events is often extremely expensive.

I am aware based on the requirements to become a licensed dietitian in Oregon a person it is not always required that a person be a registered dietitian and obtain 75 CEU's every 5 years. The new requirement was likely set up to ensure that all person's with a license remain up to date with continuing education. There are other states that have a certification in nutrition which differentiates these few people who practice in the nutrition community without being a registered dietitian and does not put an unnecessary burden on the majority of us who do maintain our registration status.

Thank you,

Kathryn Hunter, RD, LD, MA, CHES

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HARNISCH Randy A * OHLA ASD

From: Melanie.Dawn.Jeske@kp.org
Sent: Thursday, December 15, 2011 10:00 AM
To: Randy.A.Harnisch@state.or.us
Subject: License of Dietitians

To Whom it may concern,

I am writing in reference to the continuing education requirements for Licensed Dietitians. Specifically of concern is the requirement for 15 hours annually rather than the 75 hours over 5 years standard. While seemingly similar, this new requirement will create hardship for people in my profession as well as for our employers.

I have been a Registered Dietitian for almost 30 years. The CDR who is the credentialing agency for Registered Dietitians requires that we accrue 75 hours of continuing ed over 5 years. The same rule is true for the National Certification Board for Diabetes Educators. Our national conferences (AADE, ADA, FNCE) are quite expensive and require travel and are typically 4 days in length. We get a large number of credit hours at these conferences but cant afford the time off or travel expense to attend these each year. And if only 15 hours will be counted, these educational events will become over priced for the hours we can use. The remaining hours above 15 will basically become useless to our re-licensing.

As professionals we take time off as needed for continuing education but then our employer must find coverage for our work hours and your 15 hour annual requirement will double the time off requests. Right now I attend a national conference every other year. This allows me to get the credits I need while my employer can release a different dietitian the following year thus there is less impact on our clients and schedules.

I dont think the Oregon Health Licensing Board was aware of the implications that requiring equal annual continuing ed credits would put on those in this profession. While we certainly want to stay informed of the latest medical research and innovations, we also can do this with the least amount of expense and time off by managing our own 75 continuing ed hours over the course of 5 years.

Thanks you for considering these concerns. This requirement would create an unnecessary burden on healthcare professionals, their patients and their employers.

Sincerely

Dawn Jeske RD LD CDE

M. Dawn Jeske RD CDE
Outpt Clinical Dietitian Certified Diabetes Educator

Rockwood Medical Office
19500 SE Stark St Ptlld, OR 97233-5792
503 669 3971 fax 503 669 5016 tie 14 3475

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HARNISCH Randy A * OHLA ASD

From: Jessie Pavlinac [jpavlinac@gmail.com]
Sent: Tuesday, December 27, 2011 2:15 PM
To: Randy.A.Harnisch@state.or.us
Cc: pavlinac@ohsu.edu
Subject: Comments about Proposed Rule Changes for the Board of Licensed Dietitians

I would like to provide the following comments:

1. Continuing Education Requirements

"To maintain licensure, dietitians must complete a minimum of 15 hours every year."

The previous rules allowed continuing education requirements of the American Dietetic Association Commission of Dietetic Registration to determine the CEU requirements of the LD in Oregon. I believe this has served the public well in the last 20 years. If an LD is not also an RD then this could be imposed. There have been no issues that I am aware of with the current system so would advocate that the BLD not adopt this change.

2. Standards of Practice and Professional Conduct

The previous rules allowed " Licensed Dietitians screen and assess the nutritional needs of clients based upon established institutional policy and procedure or according to accepted practices established in scientific literature from peer reviewed journals recognized by the Board, such as Journal of the American Dietetic Association, American Journal of Clinical Nutrition, Journal of the American Medical Association, New England Journal of Medicine."

I am in favor of retaining this in our rules since the profession continues to evolve and this would allow this to continue to happen without. This will lead to the state of the art practice of dietitians in Oregon providing excellent services to the citizens of Oregon.

Jessie M. Pavlinac, MS, RD, CSR, LD
13147 S. Century Drive
Oregon City, OR 97045

**OREGON HEALTH LICENSING AGENCY,
BOARD OF LICENSED DIETITIANS**

DIVISION 20

GENERAL ADMINISTRATION

834-020-0000

Definitions

(1) “Agency” means the Oregon Health Licensing Agency.

(2) “CDR” means the Commission on Dietetic Registration.

(3) “CEU” means a continuing education unit and the numerical value determined by the board to be earned by a renewal applicant by attending a specified training course. The terms “continuing education credit” and “continuing education unit” are synonymous and may be used interchangeably.

(4) “Continuing Education” means post-licensure education in maintaining and improving knowledge and skills in dietetics practice as defined in ORS 691.405(1).

(5) “Official Transcript” means an original document certified by an accredited college or university indicating hours and types of course work, examinations and scores that the student has completed, which has been submitted by the accredited college or university by mail or courier to the agency in a sealed envelope on behalf of the applicant to meet the requirements of ORS 691.435.

(6) “Nutrition Care Process (NCP)” means a systematic problem-solving method that dietitians use to critically think and make decisions when providing medical nutrition therapy or to address nutrition related problems and provide safe, effective, high quality nutrition care.

(7) “Medical Nutrition Therapy (MNT)” means an evidence-based application of the Nutrition Care Process focused on prevention, delay or management of diseases and conditions, and involves an in-depth assessment, periodic re-assessment and intervention.

Stat. Auth.: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615, 691.405, 691.415, 691.435, 619.445, 691.165, 691.485

Stats. Implemented: ORS Oregon Laws 2011 Chapter 630, 691.405

DIVISION 30

LICENSURE OF DIETITIANS

834-030-0000

Licensed Dietitian Application Requirements

(1) An individual applying for licensure as a licensed dietitian must:

(a) Meet the requirements of OAR 331 division 30;

(b) Submit a completed application form prescribed by the agency, which must contain the information listed in OAR 331-030-0000 and be accompanied by payment of the required application fees;

(c) Provide documentation of current valid registration with CDR;

(d) Pay all license fees; and

(e) Attest to having provided information to the Office for Oregon Health Policy and Research pursuant to ORS 676.410.

(2) Notwithstanding OAR 834-030-0010 (4)(b), an applicant who is currently licensed under the laws of any other state or territory in the United States and does not have current valid registration with CDR must:

(a) Fulfill all requirements of subsections (1) (a, b, d, and e) of this rule; and

(b) Demonstrate that the applicant's out of state or territory licensure qualifications are not less than those required by CDR.

Stat. Auth.: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615, 691.405, 691.415, 691.435, 619.445, 691.165, 691.485

Stats. Implemented: ORS Oregon Laws 2011 Chapter 630, 691.415, 691.435, 691.445

834-030-0010

Licensed Dietitian Issuance and Renewal

(1) LICENSURE AND RENEWAL: A license is subject to the provisions of OAR Chapter 331, division 30 regarding the issuance and renewal of a license, provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.

(2) LICENSE RENEWAL: To avoid delinquency penalties, a license must be renewed before the license becomes inactive as described in section (3) of this rule. The licensee must:

(a) Submit a renewal application form;

(b) Pay the renewal fee pursuant to 834-040-0000;

(c) Attest to having obtained the required annual continuing education pursuant to OAR 834-050-0000; and

(d) Attest to having provided the required information to the Office for Oregon Health Policy and Research pursuant to ORS 676.410.

(3) INACTIVE LICENSE RENEWAL: A license becomes inactive if it is not renewed before its renewal anniversary or “active through” date. A license may be inactive for up to three years. To renew an inactive license, the licensee must:

(a) Submit a renewal application form;

(b) Pay the delinquency and licensure fees pursuant to OAR 834-040-0000;

(c) Submit documentation of having obtained required the annual continuing education pursuant to OAR 834-050-0000 on a form prescribed by the agency, whether the license was current or inactive;

(d) Attest to having provided the required information to the Office for Oregon Health Policy and Research pursuant to ORS 676.410; and

(e) Provide documentation of current valid registration with the CDR.

(4) EXPIRED LICENSE: A licensee holding an expired license must reapply and meet the requirements of OAR 834-030-0000(1). A license is expired if:

(a) The license has been inactive for more than three years;

(b) The licensee is not currently registered with the CDR, unless the licensee obtained licensure under the provisions of OAR 834-030-0000 (2); or

(c) The licensee has failed to meet continuing education requirements pursuant to OAR 834-050-0000.

Stat. Auth.: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615, 691.405, 691.415, 691.435, 619.445, 691.165

Stats. Implemented: ORS Oregon Laws 2011 Chapter 630, 691.415, 691.435, 691.465, 676.605, 676.606, 676.607, 676.608, 676.615

DIVISION 40

FEEES

834-040-0000

Fees

(1) Applicants and registrants are subject to the provisions of OAR 331-010-0010 and 331-010-0020 regarding the payment of fees, penalties and charges.

(2) Fees established by the Oregon Health Licensing Agency are as follows:

(a) Application: \$50

(b) Original license: \$75 for one year

(c) Renewal of license: \$75 for one year

(d) Other administrative fees:

(A) Delinquency fee: \$25 for each year in inactive status up to three years.

(B) Replacement of license, including name change: \$25.

(C) An additional \$25 administrative processing fee will be assessed if a NSF or non-negotiable instrument is received for payment of fees, penalties and charges. Refer to OAR 331-010-0010.

(3) Fees established by the Office of Oregon Health Policy and Research (OHPR) pursuant to ORS 676.410 (7) are as follows:

(a) Data collection fee: \$2.50 per application, both for initial licensure and each renewal.

(b) Fees collected by OHLA pursuant to this rule are collected on behalf of the OHPR, and will be forwarded on a regular basis from OHLA to OHPR.

Stats. Auth.: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615, 691.435, 691.445, 691.465

Stats. Implemented: ORS Oregon Laws 2011 Chapter 630, 691.435, 691.445, 691.465, 676.605, 676.606, 676.607, 676.608, 676.615

DIVISION 50

CONTINUING EDUCATION REQUIREMENTS FOR LICENSED DIETITIANS

834-050-0000

Continuing Education Requirements

(1) To maintain licensure, dietitians must complete a minimum of 15 continuing education (CE) credits every year.

(2) CE credits obtained in excess of those required for the current one-year reporting period may be carried forward and applied toward the next 4 succeeding years. However, no more than 60 excess CE credits may be carried forward and applied toward the next succeeding years. For example, if a licensed dietitian successfully completes a university class during the current year reporting period and earns 3 semester-based credits, equal to 45 CE credits, the licensed dietitian may apply 15 CE credits to meet the requirement for the current reporting period and may carry 30 CE credits forward to meet the continuing education requirements for the next two reporting periods. It is the responsibility of the licensed dietitian to record and monitor CE credits earned and, if any, credits carried forward. Excess CE credits may not be used to renew an inactive license or to reinstate an expired license.

NOTE: EXPLAIN TO KATE USE OF THE CDR PORTFOLIO PROCESS TO MEET CE REQUIREMENTS AND THE NEED TO CARRY EARNED CE CREDITS FORWARD TO SUBSEQUENT YEARS.

(3) Each licensee shall document compliance with the continuing education requirement through attestation on the license renewal application. Licensees are subject to provisions of OAR 834-050-0010 pertaining to periodic audit of continuing education.

(4) Continuing education must address subject matter related to dietetics practice in accordance with ORS 691.405(1) and OAR 834-020-0000(3).

(5) Continuing education credits will be awarded based on the following criteria:

(a) Completion and passing of academic courses taken from an accredited college or university are awarded 15 CE credits for each semester-based credit earned, 14 CE credits for each trimester-based credit earned or 10 CE credits for each quarter-based credit earned;

(b) Completion of professional courses which meet academic course requirements in content, instruction and evaluation will be assigned 15 CE credits

for each semester-based credit earned, 14 CE credits for each trimester-based credit earned or 10 CE credits for each quarter-based credit earned;

(c) Courses that do not meet standards as set forth in paragraphs (a) and (b) of this subsection, such as workshops, symposiums, seminars, laboratory exercises, or any applied experience with or without formal classroom work may be assigned credit at the rate of 1.0 CE credit for each hour of attendance.

(6) Documentation supporting compliance with continuing education requirements must be maintained for a period of two years following renewal and be available to the agency upon request.

Stats. Auth.: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615

Stats. Implemented: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615

834-050-0010

Continuing Education: Audit, Required Documentation and Sanctions

(1) The Oregon Health Licensing Agency will audit a percentage of licensees, as determined by the board, to verify compliance with continuing education requirements of OAR 834-050-0000.

(2) Licensees notified of selection for audit of continuing education attestation must submit to the agency, within 30 calendar days from the date of issuance of the notification, satisfactory evidence of participation in required continuing education in accordance with OAR 834-050-0000.

(3) If selected for audit, the licensee must provide documentation of the required continuing education, which must include:

(a) For agency pre-approved programs or courses - A certificate of completion or other agency approved documentation that includes the agency pre-approval number;

(b) For courses or provided by an accredited college or university – An official transcript from the accredited college or university; or

(c) For CDR approved programs or courses - A completed CDR portfolio or state licensure verification worksheet, which is available from CDR, the agency, and at www.oregon.gov/OHLA/LD.

(4) If documentation of continuing education is incomplete, the registrant has 30 calendar days from the date of notice to submit further documentation to substantiate having completed the required continuing education.

(5) Failure to meet continuing education requirements will constitute grounds for disciplinary action, which may include, but is not limited to, assessment of a civil penalty and suspension of the license.

Stats. Auth.: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615

Stats. Implemented: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615

DIVISION 60

STANDARD OF PRACTICE AND PROFESSIONAL CONDUCT

834-060-0000

Standards of Practice

The board adopts the following standards of practice to establish and maintain a high standard of integrity and dignity in the profession of dietitians. A licensee must:

- (1) Use systematically reviewed scientific evidence in making food and nutrition practice decisions by integrating best available evidence with professional expertise and client values to improve outcomes;
- (2) Use accurate and relevant data and information to perform nutrition assessment and identify nutrition-related problems;
- (3) Determine a nutrition diagnosis to identify and label specific nutrition problem(s) for which the dietitian provides medical nutrition therapy;
- (4) Utilize nutrition intervention to identify and implement appropriate actions designed with the intent of changing a nutrition-related behavior, risk factor, environmental condition or aspect of health status for an individual, target group, or the community at large;
- (5) Monitor and evaluate indicators and outcomes data directly related to the nutrition diagnosis, goals and intervention strategies to determine the progress made in achieving desired outcomes of nutrition care and whether planned interventions should be continued or revised;
- (6) Document and communicate the Nutrition Care Process in a timely manner;
- (7) Apply appropriate standards of quality and safety in food and nutrition services; and
- (8) Consider the health, safety, and welfare of the clients and public at all times.

Stats. Auth.: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615

Stats. Implemented: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615

834-060-0010

Standards of Professional Conduct

The board adopts the following standards of professional conduct **from** the Academy of Nutrition and Dietetics Code of Ethics for the Profession of Dietetics, to protect the public **from** unprofessional conduct on the part of dietitians. A licensee must:

- (1) Conduct **herself or himself** with honesty, integrity and fairness;
- (2) Comply with all local, state, and federal laws and regulations concerning the practice of dietetics;
- (3) Provide professional services with objectivity and with respect for the unique needs and values of individuals, avoiding discrimination and providing sufficient information to enable clients to make informed decisions;
- (4) Not engage in false or misleading practices or communications and must remain free of conflict of interest; and
- (5) Abide by the *mandatory* reporting obligations as **set out in** ORS 676.150.

Stats. Auth.: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615

Stats. Implemented: ORS Oregon Laws 2011 Chapter 630, 676.605, 676.606, 676.607, 676.608, 676.615

