



HEALTH LICENSING OFFICE

Kate Brown, Governor

Oregon  
**Health**  
Authority

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[www.oregon.gov/OHA/PH/HLO](http://www.oregon.gov/OHA/PH/HLO)

**WHO:** Health Licensing Office  
Board of Licensed Dietitians Teleconference meeting

**WHEN:** 9 a.m. Dec. 10, 2020  
1430 Tandem Ave. NE, Suite 180  
Salem, Oregon

**What is the purpose of the meeting?**

The purpose of the meeting is to conduct board business. A copy of the agenda is printed with this notice.

**In order to limit the exposure of the COVID-19 virus and adhere to the Governor's social distancing measures the Health Licensing Office (Office) is prohibiting attendance at the Board meeting. All audience members may attend the public meeting by telephone conference call.**

All audience members are expected to keep phones **muted** for the duration of the meeting.

**May the public attend a teleconference meeting?**

Yes, however, non-board members are asked to **mute** the call.

Approximately five minutes prior to the start of the meeting:

- **Dial 1-877-336-1828 passcode 4111788** to be connected to the meeting. This phone line will stay connected for the duration of the meeting.
- The teleconference system will notify you that you are connected. For the record, Office staff will do a roll call of all audience members prior to and after an Executive Session.

**What if the Board enters into executive session?**

Prior to entering into executive session, the Board chairperson will announce the nature of and the authority for holding executive session, at which time all individuals attending the executive session will call into a separate phone line for the executive session. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The board 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?**

A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact April Fleming at [April.Fleming@dhsosha.state.or.us](mailto:April.Fleming@dhsosha.state.or.us)

# **Item for Board Action**

# **Approval of Agenda**



Health Licensing Office  
Board of Licensed Dietitians



9 a.m. Dec. 10, 2020  
1430 Tandem Ave. NE, Suite 180  
Salem, Oregon

**\*This meeting is a teleconference**

1. **Call to order**
2. **Items for Board action**
  - ◆ Approval of agenda
3. **Policy**
  - ◆ Review public comment on cultural competency CE proposed rules
  - ◆ Other states' licensing and CE requirements
4. **Item for Board action**
  - ◆ Vote to make proposed rules permanent

Agenda is subject to change.  
For the latest information, go to [www.oregon.gov/OHA/PH/HLO](http://www.oregon.gov/OHA/PH/HLO)

# **Policy**

# Rules

## Enrolled House Bill 2011

Sponsored by Representatives KENY-GUYER, KOTEK, Senator FREDERICK, Representative ALONSO LEÓN, Senator MONNES ANDERSON; Representatives BYNUM, GREENLICK, HAYDEN, MCLAIN, POWER, PRUSAK, SANCHEZ, SCHOUTEN, WILLIAMSON, Senators DEMBROW, FAGAN

CHAPTER .....

AN ACT

Relating to cultural competency continuing education; creating new provisions; amending ORS 676.850 and 676.855; and prescribing an effective date.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 676.850, as amended by section 24, chapter 61, Oregon Laws 2018, is amended to read:

676.850. (1) As used in this section, "board" means the:

- (a) State Board of Examiners for Speech-Language Pathology and Audiology;
- (b) State Board of Chiropractic Examiners;
- (c) State Board of Licensed Social Workers;
- (d) Oregon Board of Licensed Professional Counselors and Therapists;
- (e) Oregon Board of Dentistry;
- (f) Board of Licensed Dietitians;
- (g) State Board of Massage Therapists;
- (h) Oregon Board of Naturopathic Medicine;
- (i) Oregon State Board of Nursing;
- (j) Long Term Care Administrators Board;
- (k) Oregon Board of Optometry;
- (L) State Board of Pharmacy;
- (m) Oregon Medical Board;
- (n) Occupational Therapy Licensing Board;
- (o) Physical Therapist Licensing Board;
- (p) Oregon Board of Psychology;
- (q) Board of Medical Imaging;
- (r) State Board of Direct Entry Midwifery;
- (s) State Board of Denture Technology;
- (t) Respiratory Therapist and Polysomnographic Technologist Licensing Board;
- (u) Home Care Commission;
- (v) Oregon Health Authority, to the extent that the authority licenses emergency medical service providers; and
- (w) Health Licensing Office, to the extent that the office licenses lactation consultants.

*[(2)(a) In collaboration with the Oregon Health Authority, a board may adopt rules under which the board may require a person authorized to practice the profession regulated by the board to receive cultural competency continuing education approved by the authority under ORS 413.450.]*

**(2)(a) A board shall adopt rules to require a person authorized to practice the profession regulated by the board to complete cultural competency continuing education. Completion of the continuing education described in this subsection shall be a condition of renewal of an authorization to practice the profession regulated by the board every other time that the person's authorization is subject to renewal.**

(b) Cultural competency continuing education courses may be taken in addition to or, if a board determines that the cultural competency continuing education fulfills existing continuing education requirements, instead of any other continuing education requirement imposed by the board.

**(c) A board shall consider the availability of the continuing education described in this subsection when adopting rules regarding the required number of credits of continuing education.**

**(d) A board shall encourage, but may not require, the completion of continuing education approved by the Oregon Health Authority under ORS 413.450. A board shall accept as meeting the requirements of this subsection continuing education that meets the skills requirements established by the authority by rule.**

**(3) The requirements of subsection (2) of this section do not apply to a person authorized to practice a profession regulated by a board if the person is:**

**(a) Retired and not practicing the profession in any state;**

**(b) Not practicing the profession in this state; or**

**(c) Residing in this state but not practicing the profession in any state.**

*[(3)(a) A board, or the Health Licensing Office for those boards for which the office issues and renews authorizations to practice the profession regulated by the board, shall document participation in cultural competency continuing education by persons authorized to practice a profession regulated by the board.]*

*[(b) For purposes of documenting participation under this subsection, a board may adopt rules requiring persons authorized to practice the profession regulated by the board to submit documentation to the board, or to the office for those boards for which the office issues and renews authorizations to practice the profession regulated by the board, of participation in cultural competency continuing education.]*

*[(4) A board shall report biennially to the authority on the participation documented under subsection (3) of this section.]*

*[(5) The authority, on or before August 1 of each even-numbered year, shall report to the interim committees of the Legislative Assembly related to health care on the information submitted to the authority under subsection (4) of this section.]*

**SECTION 2.** ORS 676.855 is amended to read:

676.855. Each public university listed in ORS 352.002 and each community college, as defined in ORS 341.005, may require persons authorized to practice a profession regulated by a board, as defined in ORS 676.850, who provide services to students at health care facilities located on a campus of the public university or community college to provide proof of *[participating at least once every two years in a]* **completing cultural competency** continuing education *[opportunity relating to cultural competency]* approved by the Oregon Health Authority under ORS 413.450.

**SECTION 3. The amendments to ORS 676.850 and 676.855 by sections 1 and 2 of this 2019 Act apply to applicants for initial authorization and to persons applying for renewal of authorization on or after the operative date of this 2019 Act.**

**SECTION 4. (1) The amendments to ORS 676.850 and 676.855 by sections 1 and 2 of this 2019 Act become operative on July 1, 2021.**

**(2) The Oregon Health Authority, the Health Licensing Office and a board may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the authority, the office and the board to exercise, on and after the operative date**



specified in subsection (1) of this section, all of the duties, functions and powers conferred on the authority, the office or the board by the amendments to ORS 676.850 and 676.855 by sections 1 and 2 of this 2019 Act.

**SECTION 5.** This 2019 Act takes effect on the 91st day after the date on which the 2019 regular session of the Eightieth Legislative Assembly adjourns sine die.

**Passed by House April 18, 2019**

.....  
Timothy G. Sekerak, Chief Clerk of House

.....  
Tina Kotek, Speaker of House

**Passed by Senate May 22, 2019**

.....  
Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2019

**Approved:**

.....M,....., 2019

.....  
Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2019

.....  
Bev Clarno, Secretary of State

**DIVISION 20**  
**GENERAL ADMINISTRATION**

**834-020-0000**

**Definitions**

- (1) "Board: means the Board of Licensed Dietitians.
- (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 (CE)" means post-licensure education in maintaining and improving knowledge and skills in dietetics practice as defined in ORS 691.405(1) **and education in cultural competency required under House Bill 2011 (2019).**
- (5) "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.
- (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) "Office" means the Health Licensing Office.
- (8) "Official Transcript" means an original document that has been certified by an accredited college or university and indicates hours and types of course work, examinations and scores that the student has completed. It must be submitted by a college or university by mail or courier to the Office in a sealed envelope on behalf of the applicant.
- (9) "OHA" means the Oregon Health Authority.

**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 CE credits every licensure year. For the purposes of this rule and OAR 834-050-0010, the licensure year begins on the day of the month that the licensee was originally licensed and extends for the following 364 days.

(2) CE credits obtained in excess of those required for the current licensure year reporting period may **not** be carried forward. ~~for up to four licensure years. However, no more than 60 annual excess CE credits may be carried forward.~~

(3) Excess CE credits may not be used to reinstate an expired license.

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

(5) Upon CE credit audit, the licensee must provide documentation supporting all credits claimed and all excess credits carried forward.

**(6) Except for the continuing education units required under section (7), CE units must address subject matter related to dietetics practice in accordance with ORS 691.405(1) and OAR 834-020-0000(4).**

**(7) Notwithstanding any other CE requirements, in order to be eligible to renew a license, an authorization holder must obtain 1 unit of CE in cultural competency (CCCE) every other time the authorization is subject to renewal. The requirement of this paragraph is effective on and after July 1, 2021. The CCCE must be either:**

**(a) Approved by the Oregon Health Authority; or**

**(b) Meet the skills requirements established by the Oregon Health Authority by rule.**

**(8) The Board encourages completion of required CCCE from the approved list promulgated by the Oregon Health Authority, available on the Board's website. The Board shall also accept CCCE that is not obtained from the Oregon Health Authority's approved list, to the extent the Board determines the CCCE meets the skills requirements established by the Oregon Health authority in rules that are effective at the time the CCCE is obtained. The Board shall maintain a current list of cultural competency skills recognized in rule by the Oregon Health Authority.**

**(9) Section (7) does not apply to authorization holders who are:**

**(a) Retired and not practicing the profession in any state;**

**(b) Not practicing the profession in this state; or**

**(c) Residing in this state, but not practicing in the profession in any state.**

(10) CE 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.

(11) Documentation supporting compliance with CE requirements must be maintained for a period of two licensure years following renewal and be available to the Office upon request.



DATE: Nov. 30, 2020

TO: Health Licensing Office (HLO), Board of Licensed Dietitians  
(Board)

FROM: Anne Thompson, hearing officer

SUBJECT: Report on rules public comment

### **Background**

The Board of Licensed Dietitians needed to add cultural competency continuing education to meet the requirements of 2019 House Bill 2011.

### **Summary of proposed rules**

Cultural competency continuing education was added, and continuing education was required annually, with extra CEUs no longer being allowed to “roll over” to the following licensure years.

### **Written comments**

I do not agree with the requirement to get 15 hours CE every LD year due to the elimination of the option to carry over CE credit to subsequent years. The elimination of the carry over option undermines dietitians who pursue specialty certification at great time and expense to earn/maintain 25-75 CEU every 5 years to provide expert and advanced specialty care for their patients and clinics and maintain their RD/RDN certification. If the LD board was determined to have some kind of annual CEU requirement for these RDs with specialty certification, 5 CE annually would be adequate in my professional opinion and experience. I have been a dietitian for over 25 years and a lead dietitian or manager for over 15 years and have found this 5 CE annual requirement adequate for my specialty RDs to stay up to date in their area. An addition factor regarding the revised CE requirement, the expense, is not a trivial one, many dietitians are part time and most are paid around 70% of other health care professionals with similar levels of education.

The cultural competency 1 CE requirement every other year is a good one, I applaud it's addition.

Thank you for this opportunity to comment on the proposed rule changes.

Sara Lee Thomas, MS, RD, LD

These comments are my own and is not meant to reflect the position or opinion of my employers or work sites.

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Anne,

Thank you for the reply.

May I ask what negative impact it has to the Office to keep the CE credit rollover?

I see the change as having a negative impact on Oregon Licensed Dietitians. . Our national credential through the Commission on Dietetic Registration has a portfolio cycle of 5 years and requires 75 CE over that period of time. A number of us have board certifications that are valid for 5 years, and provide all of that 75 CE. Others are in graduate school and roll over CE from those courses. We then round out our requirements by obtaining ethics credits -- and folding in cultural competency would be easy too.

With this rule change, the Oregon Dietitians with the most credential and expertise will now be responsible for obtaining 60 more CE (since only 15 would count in the year they pass their boards) over the course of their national portfolio cycle of 5 years in order to fulfill this requirement for Oregon licensure. This will most certainly result in increased expense to the licensee, and I fear that anyone who is not required to be a Licensed Dietitian by their employer will decide not to remain licensed.

My suggestions for consideration:

1.Allow Oregon Dietitians to continue to rollover CE.

2.Consider increasing the licensure window -- could it be made 5 years, so folks could align both their state and national CE requirements? This would also make it easier to track the cultural competency requirement that is being added in Oregon -- instead of "every other renewal" -- it could be "Obtain 3 credits in the 5 year window" Initially, there could be an option to select a one year license, or a 5 years license -- to give the Dietitian time for her national portfolio to restart (mine, for example will start fresh again in June of 2022).

Thanks,

Meredith Kleinhenz, RDN, CSG, LD

503-307-1395

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Hi Ms. Thompson,

I wanted to submit my comments about this particular aspect of the new rule of disallowing CE to be carried forward to meet licensure requirements.

*There are a number of reasons to allow CE to be carried forward:*

**I see no benefit for this rule and no detriment to allowing CE to be carried forward.** If one chooses to participate in 5 webinars this year but only 1 next year that does not decrease nor negatively affect the knowledge gained. It meets the registration requirements and satisfies the intent of continuing education – to remain current, competent, informed and to learn and grow within the profession. And the flexibility of when and how many CE's to obtain in any one year acknowledges the fact that life is not always predictable. Some years it is easier to obtain CE for any given individual than other years.

**Access to continuing education**– financial ability and time constraints vary from year to year. A good example of this is FNCE 2020 which was offered for the first time virtually. As a result I was able to attend and get quite a few CE's that I normally do not have time to obtain in one year. My ability to attend FNCE has been rare due to the expense of flights, hotels, meals, registration fees (most not covered by my employer), staffing issues which dictate how long I am able to be away and family life responsibilities. This year I was able to attend but with this new rule, anything over 15 CE is not counted toward licensure regardless of meeting/exceeding my registration requirements. Next year when perhaps I cannot attend FNCE due to obligations, money or health issues – I will have to figure out a way to obtain and pay for another 15 CE's despite having a plethora this year.

**This rule is inherently unfair and burdensome.** Consider this example specifically. I have my certification in Gerontological Nutrition which provides me 75 CE's. But under this rule I will have to obtain an additional 60 CE's which is more than the RDN without certification has to obtain in a 5 year period. I would suggest that I have put in more effort, study time and financial resources than the RDN who simply obtains 15 hours a year. Additionally the financial cost to me is more than double what it would be for someone without certification. I must pay the exam fee of \$350 and pay for study materials and/or classes (these fees invariably increase every few years). I am further required to pay for 60 hours additional CE.

**Licensing is voluntary**, not required unless the organization for which an RDN works requires it. I believe this rule will result in more RDN's electing not to obtain a license if they have a choice. I also believe more RDN's will request that their employers discontinue the licensing requirement making the case as I have here and pointing out that being registered already insures continuing education and proof of meeting all legal guidelines for working as an RDN.

**Licensing rules should align themselves with registration rules** and either be every 5 years or if year to year, allow for the CE to be carried forward. The Academy recognizes all I have stated above and therefore allows CE to be obtained over the course of 5 years, with the focus being on education and gaining knowledge and allowing RDN's to maximize opportunities to obtain education, meet our colleagues and fulfill our CE requirements efficiently.

I do not think this new rule moves the profession forward. It adds more financial burden, requires the practitioner to spend more time obtaining and paying for CE's in excess of what the Academy requires and adds no benefit.

B. Ann Reid, RDN, CSG, LD

Providence ElderPlace – Milwaukie  
Certified Specialist in Gerontological Nutrition

**MS Teams: 971-232-9337**

**Work Cell: 503-349-9737**

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Good morning,

I have reviewed the proposal of changes for RD licensure in Oregon and I feel strongly that licensure CEUs should carry-over year to year.

Most of us RDs do CEUs throughout the year, but mandating a required 15 CEU's/year I disagree with strongly since it is not in line with the CDR requirements. CDR carries over CEUs. I feel Oregon licensure should as well.

Regards,

~Andrea

Andrea Lyddane, RD, CSP, LD, CNSC  
NICU Dietitian Specialist

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Hi Anne,

My name is Sarah. I am an RD, LD and CNSC currently working as a full-time in-patient clinical dietitian. I received an email from OHA regarding the new proposed rules for the Board of Licensed Dietitians with encouragement to contact you with any comments.

I support the push for cultural competence. However, I would like to contest the following change:

*(2) CE credits obtained in excess of those required for the current licensure year reporting period may not be carried forward. ~~for up to four licensure years. However, no more than 60 annual excess CE credits may be carried forward.~~*

As a profession RDs are encouraged to pursue further credentialing within the field (i.e. CNSC, CDE, CSO etc.). Credentials support the profession's goals for RDs to be recognized as experts in our field. Obtaining additional credentials also requires an investment of time and quite a bit of money. The economic impact of COVID has affected multiple individuals and will continue to do so for the foreseeable future. This potential change places an additional financial burden on individuals by not allowing credits to be carried forward and could potential discourage and/or limit the ability of individuals to pursue further credentialing, which in some cases can affect eligibility for job opportunities and/or pay scale. Continuing education is not always cheap or paid for by employers and I think that the financial burden this could place on individuals should be considered.



I appreciate your time in reviewing my feedback.

Thank you,  
Sarah Anthony, RD, LD, CNSC

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Good morning,

I'm writing today to express my disagreement with the proposed change in section 2 of the Continuing Education Requirement. The proposed change reads:

“(2) CE credits obtained in excess of those required for the current licensure year reporting period may not be carried forward.”

This is not in alignment with the national requirement of the Commission on Dietetic Registration for 75 CEUs in a 5 year period with the ability to carry over credits to fulfill the annual requirement of 15 CEUs. This change will place an undue administrative burden on individual practitioners who will now have to adhere to two separate administrative rules for CEUs. I strongly urge you to keep the current requirement which allows practitioners to carry over up to 60 CEUs in a 4 year period.

I have no opposition to the change requiring 1 CE on cultural competency every other renewal cycle.

Thank you,

**Christopher M Sprinzyk RDN CNSC**  
Clinical Dietitian

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When the CEU requirement for LDs in Oregon was created it was in line with the national CEU requirement to maintain our RD credential. The vast majority of LDs are also RDs and to have 2 separate standards for CEUs is a burden for these professionals. They will need to keep separate records for both and I believe it could also be a financial burden.

Maintaining the national RD requires 75 hours of CEU over 5 years OR maintaining one of the recognized Specialty Certifications recognized by the Commission on Dietetic Registration during a 5 year period.

I am **not** in support of changing the requirement to 15 CEUs annually. Keeping it in line with the national CDR standard should be maintained.

I am in support of the cultural competency requirement and urge that a mechanism of communication is developed so the LDs know which year (since is every other) this requirement is needed.

*Jessie*

Jessie M Pavlinac, MS, RDN-AP, CSR, LD, FAND  
Board Certified Specialist in Renal Nutrition  
Advanced Practice Certification in Clinical Nutrition  
Clinical Instructor, OHSU Graduate Programs in Human Nutrition  
503-407-0354  
[pavlinac@ohsu.edu](mailto:pavlinac@ohsu.edu)

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Hi Anne,

I am e-mailing you to let you know that I am in favor of allowing the continuation of education hours to rollover from one year to the next. This is especially helpful when the RD is dealing with major health or personal concerns.

If you must change the policy, then please consider a reduction in the hours that may be rolled over in place of total elimination.

Thank you for your service,

**Nancy Hester, RDN/LD (LD-D-001031)/CD**

*Renal Dietitian*

Fresenius Kidney Care - North America

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Dear Anne Thompson and The Board of Licensed Dietitians,

I am emailing in response to the new proposed rules for licensure and the cultural competency CEU addition. It is my understanding that the CEU changes for licensure will no longer match the CDR requirements by not allowing excess hours to carry over for up to 4 years (i.e. 15 CEUs annually vs 75 CEUs in a 5 year period or CDR recognized Certification-CSP, CSR, CNSC, etc.).

I disagree with not allowing hours to carry over mainly because this may discourage dietitians to pursue additional CEU study & especially higher cost advanced certifications. Ongoing consistent CEUs is important, but obtaining CDR recognized certifications require extensive time for study and testing that more than meets CEU needs. Perhaps at least advanced CDR recognized certifications could be recognized as an exemption to this change?

The new cultural competency CEU sounds like an excellent addition, but is not clearly specified as to what will meet its requirements. I hope to see additional clarification come out soon.

Thank you very much for your time and consideration of my comments.

Sincerely,

Melissa Panasuk, MS, RD, LD I Lead Registered Dietitian I Adventist Health Portland  
503.251.6266 x 16450 I [panasuml@ah.org](mailto:panasuml@ah.org) I 10123 S.E. Market Street, Portland, OR, 97216

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I am writing regarding the new licensure requirements:

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

*(1) To maintain licensure, dietitians must complete a minimum of 15 CE credits every licensure year. For the purposes of this rule and OAR 834-050-0010, the licensure year begins on the day of the month that the licensee was originally licensed and extends for the following 364 days.*

*(2) CE credits obtained in excess of those required for the current licensure year reporting period may not be carried forward. ~~"for up to four licensure years. However, no more than 60 annual excess CE credits may be carried forward."~~*

I urge you to continue to allow CE roll-over for dietitians. The CDR requirements of 75 CEs every five years alone warrants rollover. The majority of dietitians like to attend conferences, lectures, or other large education gatherings which offer greater than 15 CEs. By removing rollover, you are asking dietitians to use more of their valuable time and money to acquire more CEs than necessary. RDs should not be asked to use more of their resources, especially during this uncertain time of COVID. I personally worked hard to secure my 75 CEs in 3.5 years out of my 5 year certification period. Other health professionals such as board certified practitioners need to obtain 60 CEs over their five year portfolio.

Thank you,

**Andrea Cox, RDN, LD**

**Renal Dietitian**

**Sandy Dialysis #7014**

**37139 Hwy 26, Sandy OR 97055**

**Phone: (503) 826-1352**

Fax: (503) 826-0810

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Hello Ms. Thompson,

I am writing to say that **I am strongly opposed to the changes proposed to continuing education for Licensed Dietitians in Oregon.** I was made aware that the ability to carry over 60 hours of CEUs is being eliminated and that we will be required to get an additional 15 hours of CEU per year to maintain Oregon licensure. This will be costly to the individual RD as most institutions do not pay for CEUs. This is also an excessive amount of continuing ed to require. As an experienced specialty clinical dietitian, we already have to do several hours per month of our own research to keep up with changing products and current research. **It would be a waste of our time and money to make us seek out additional continuing education every year. It would do more harm than good.**

**Oregon should be in line with the RD national credentialing agency CDR** which allows rollovers during the 5 year credentialing period. **I do not support requiring an additional 15 hours of CEU per year to maintain Oregon licensure.** Please support us dietitians who are already working very hard on the ground level here in Oregon. **Please do not support these proposed changes.**

Thank you,  
Shadan

Shadan Kasiri, RD, CSP, LD  
NICU Dietitian Specialist  
Oregon Health & Science University (OHSU)  
3181 SW Sam Jackson Park Road  
Portland, OR 97239  
Tel: 503-418-5257  
Pg: 1-2232  
Fax: 503-418-5317  
[kasiri@ohsu.edu](mailto:kasiri@ohsu.edu)

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Hi Anne,

I am just writing to give my opinion on the proposed changes:

- I support requiring CEUs in Cultural Competence.
- I oppose eliminating CEU carry-over. License requirements should reflect what CDR requires as a matter of standardization, and so as not to create confusion and risk for RDs losing licensure and therefore affect ability to care for patients in a timely manner.

Thank you,  
Kate Schuette, MS, RD, LD, CSP  
[schuettk@ohsu.edu](mailto:schuettk@ohsu.edu)

808-388-9822

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Anne Thompson,

I am writing concerning the proposed changes to the CEUs for registered dietitians. I strongly disagree with eliminating the 60 hour CEU carry over. Many registered dietitians specialize in CDR and ASPEN certifications and these exams take a lot of time, energy, and dedication to complete. It goes without saying that by removing the ability of these certifications to complete the 5-year CDR requirements, will cause undue stress on these specialized clinicians.

Additionally, it may inhibit the growth of our young dietitians, who may decide to not achieve these advanced certifications merely due to the fact that it will not allow them to meet their 5-year CDR continuing education requirements.

Strongly consider the impact this will have on many of clinicians, who already work exceedingly hard to strive for excellence in their field of expertise.

Sincerely,

Rachelle Kirsch, MS, RD, LD, CNSC  
Clinical Dietitian Specialist  
Oregon Health & Science University  
Pager: 13638

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I am writing to ask that you reconsider making a change to the CEU requirements for Licensed Dietitians in the State of Oregon. From what I understand the bullets below are the changes.

I ask that the state **to consider following** that of the national requirements set by the Commission on Dietetic Registration (CDR) of 75 CEUs over a 5 year period – allowing for the carryover of 60 hours. Per CDR, if a dietitian obtains a specialty certification from either CDR or ASPEN that will cover their 75 CEUs for the 5 year period. Many RDs attend conferences as well, where they can obtain 30+ CEUs. There are many ways to obtain CEUs and we ask that we be allowed to carry them over as there are years we get more than others due to scheduled conferences, availability of topics that apply to one's specialty etc. and being allowed the time to attend some of these conferences, webinars etc.

As for the Cultural Competence I would ask that it be considered once every 5 years, unless the state is going to offer some sort of guarantee of a course that meets this requirement.

- The ability to carry over 60 hours of CEUs is being eliminated. This means that even if you have a CDR or ASPEN certification you will still need to get **15 hours of CEU a year** to maintain your LD. If you get all of your 75 CEUs the first 2 years of your 5 year period meeting CDR's requirements, for example, you will still need to get additional 15 CEUs each year. I know most of us get additional CEUs a year outside of our certifications recognized by CDR (CSP, CSR, CSO, CSOWM) or ASPEN (CSNC) but if you don't do these annually (and have good records if you are audited) you are at risk of losing your license. When Maureen McCarthy was chair of the

licensure board she worked hard to have the requirements of licensure CEUs match CDRs requirements including carrying over CEUs.

- Requirement for 1 hours CEUs in Cultural Competence every other year.

Stacey Evert, RD, CSO, LD  
Bone Marrow Transplant Dietitian  
Clinical Nutrition – CR94  
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\*\*\*\*\*

I am writing concerning the proposed changes to the CEU guidelines for licensed dietitians. I strongly disagree with eliminating the 60 hour CEU carry-over. Many dietitians specialize in CDR and CBDCE certifications and these exams take a lot of time, energy, and dedication to complete. It goes without saying that requiring additional yearly CEU beyond those accrued for CDR will cause undue stress on these specialized clinicians. Please strongly consider the negative impact this will have on many Oregon dietitians who already work exceedingly hard to strive for excellency in their field of expertise.

Thank you,

Lindsay

Lindsay Pasdera, MS, RDN, CSOWM, LD, CDCES  
*Certified Specialist in Obesity and Weight Management*  
*Certified Diabetes Care and Education Specialist*  
Clinical Dietitian Specialist, Bariatrics  
Oregon Health & Science University  
503-494-6160

\*\*\*\*\*

Hi Anne,

I am adding my comments in opposition of the proposed changes to CEU's for licensed dietitians (LD) in Oregon. I am a nutrition support dietitian at Oregon Health Science University in Portland and have held a CNSC certification for many years. Every 5 years I study for several months to prepare myself for the certification exam. I also pay a hefty fee to take the exam and endure the mental anguish that comes along with it. Requiring those of us with advanced certifications to also complete 15 hrs of additional CEU's per year just adds to stress as well as significant cost to maintain our high level of expertise. I have a hunch that other dietitians who

are considering a specialty certification might reconsider if the 60 hour CEU carry-over is eliminated. We should be encouraging our younger dietitians to strive for advancement in the field, not hinder it. The proposals seem like overkill and as if the board is trying to fix something that is not broken.

Please consider maintaining the status quo and allow us to continue to align with CDR in regards to continuing education requirements. The impact could be significant.

Thanks for your consideration.

Best regards,

Mary Weinberg, RD, CNSC, LD

Oregon Health & Science University

[weinberm@ohsu.edu](mailto:weinberm@ohsu.edu)

\*\*\*\*\*

Good evening Anne,

I am writing in response to the proposed changes regarding CEUs for registered, licensed dietitians and how it can affect our licensure. I strongly disagree with eliminating the 60 hour CEU carry over. Many registered dietitians have advanced specialty certifications. The choice to pursue this type of continuing education is beneficial to the clinician, the patients they care for, and for advancing our profession as a whole. Certification exams take a lot of time and dedication to complete, not to mention the costs that are associated with sitting for the exam itself. It goes without saying that removing the ability of these certifications to complete the licensure CEUs requirements may cause undue stress on these specialized clinicians, who may ultimately decide not to pursue recertification when the time comes. Furthermore, it may inhibit the growth of our young dietitians, who may decide not to achieve these advanced certifications in the first place, for the same reasons already stated.

Strongly consider the impact this will have on many clinicians, who already work exceedingly hard to strive for excellence in their field of expertise. Continue to allow these certifications to match CDRs requirements, which allows for carrying over CEUs.

Thank you for your time and consideration,

*April*

April Strickland, RD, LD, CNSC  
Clinical Dietitian Specialist  
Oregon Health and Science University  
(503) 494-3642

\*\*\*\*\*

Dear Anne,

I am writing in response to the proposed changes regarding CEUs for registered, licensed dietitians and how it can affect our licensure. I strongly disagree with eliminating the 60 hour CEU carry over. Many registered dietitians have advanced specialty certifications. The choice to pursue this type of continuing education is beneficial to the clinician, the patients they care for, and for advancing our profession as a whole. Certification exams take a lot of time and dedication to complete, not to mention the costs that are associated with sitting for the exam itself. It goes without saying that removing the ability of these certifications to complete the licensure CEUs requirements may cause undue stress on these specialized clinicians, who may ultimately decide not to pursue recertification when the time comes. Furthermore, it may inhibit the growth of our young dietitians, who may decide not to achieve these advanced certifications in the first place, for the same reasons already stated.

Strongly consider the impact this will have on many clinicians, who already work exceedingly hard to strive for excellence in their field of expertise. Continue to allow these certifications to match CDRs requirements, which allows for carrying over CEUs.

Thank you for your time and consideration,  
Gretchen Ray

Gretchen Ray, RD, LD, CNSC

Clinical Dietitian Specialist

Oregon Health and Science University

\*\*\*\*\*

Anne,

The CEU changes for licensure no longer match the CDR requirements to maintain our RD registration of 75 CEU's in a 5 year period or CDR recognized Certification. Please go back to following the CEU's required for our Registration, which allow the CEU's to be carried over and our recognized certifications to count as CE requirements. Licensure should not require additional CE in excess of our registration requirements.

Thank you,

**Melissa Pence, RD, LD, CNSC**  
Clinical Dietitian



Neonatal Intensive Care, Pediatrics and Family Birthing Center  
Salem Hospital

\*\*\*\*\*

Hello Ms. Thompson,

I am writing in response to the proposed changes regarding CEUs for registered, licensed dietitians and how it can affect our licensure. **I strongly disagree with eliminating the 60 hour CEU carry over.** Many registered dietitians have advanced specialty certifications, on my team several members hold more than one. The choice to pursue this type of continuing education is beneficial to the clinician, the patients they care for, and for advancing our profession as a whole. Certification exams take a lot of time and dedication to complete, including costs that are associated with sitting for the exam itself. Removing the ability of these certifications to complete the licensure CEUs requirements may cause undue stress on these specialized clinicians, who may ultimately decide not to pursue recertification when the time comes. Furthermore, it may inhibit the growth of our new profession dietitians, who may decide not to achieve these advanced certifications in the first place, for the reasons already stated.

Strongly consider the impact this will have on many clinicians, who already work exceedingly hard to strive for excellence in their field of expertise. Continue to allow these certifications to match CDRs requirements, which allows for carrying over CEUs.

Thank you for your time and consideration,



Irene Franklin, MS, RD, LD

*She/her/hers*

Clinical Nutrition Manager

Oregon Health & Science University

Doernbecher Children's Hospital

3181 SW Sam Jackson Park Rd. | Portland, Oregon 97239-3098 | Mail Code: CR 9-4

Phone (503)494-3762 Pager: 12181 Cell: (650) 799-2575

\*\*\*\*\*

Dear Anne,

I was given some information that our Oregon RD license may not honor all the hours we put in to be able to have our specialty certifications, which greatly improves our knowledge in the area we practice every day. I easily spent much more than 75 hours studying for the CSP exam which I took again this past Saturday. The fact that CDR allows those CEU's to carry over for the 5 year period has given me a great incentive to continue to keep it. I would greatly appreciate and ask that our CEU's be able to carry over for a total of 75 hours/5 years for my Oregon License as well. Thank you for taking into consideration our comments.

Sincerely,

Dallas Carnahan MS, RD, CSP, LD

Board Certified Specialist in Pediatric Nutrition

Doernbecher Children's Hospital

[carnahda@ohsu.edu](mailto:carnahda@ohsu.edu)

503-418-5257

\*\*\*\*\*

To Whom It May Concern,

I am writing to ask that you reconsider making a change to the CEU requirements for Licensed Dietitians in the State of Oregon. From what I understand the bullets below are the changes.

I ask for the state to consider following that of the national requirements set by the Commission on Dietetic Registration (CDR) of 75 CEUs over a 5 year period – allowing for the carryover of 60 hours. Per CDR, if a dietitian obtains a specialty certification from either CDR or ASPEN that will cover their 75 CEUs for the 5 year period. Many RDs attend conferences as well, where they can obtain 30+ CEUs. There are many ways to obtain CEUs and we ask that we be allowed to carry them over as there are years we get more than others due to scheduled conferences, availability of topics that apply to one's specialty etc. and being allowed the time to attend some of these conferences, webinars etc.

As for the Cultural Competence I would ask that it be considered once every 5 years, unless the state is going to offer some sort of guarantee of a course that meets this requirement.

- The ability to carry over 60 hours of CEUs is being eliminated. This means that even if you have a CDR or ASPEN certification you will still need to get **15 hours of CEU a year** to maintain your LD. If you get all of your 75 CEUs the first 2 years of your 5 year period meeting CDR's requirements, for example, you will still need to get additional 15 CEUs each year. I know most of us get additional CEUs a year outside of our certifications recognized by CDR (CSP, CSR, CSO, CSOWM) or ASPEN (CSNC) but if you don't do these annually (and have good records if you are audited) you are at risk of losing your license.
- Requirement for 1 hours CEUs in Cultural Competence every other year.

Thank you for your time and consideration,  
-Mallory Schoknecht

*Mallory Schoknecht, RD, CSO, LD*

OHSU Clinical Nutrition Specialist  
13K Medical/Surgery Oncology, 10K Neurosurgery/Neurosciences  
(503) 494-3774

\*\*\*\*\*

Ms Thompson.

I am writing regarding the proposed changes in continuing education for licensed dietitians. I am a Certified specialist in Oncology as well as a LD, which involves an exam every 5 years. Passing this exam generates 75 hours of CE and meets the national requirements for the Commission on Dietetic Registration to maintain my RD. The proposed requirement for 15 hours every year would mean that Oregon's requirement is stricter than the CDR's national requirement. I have seen no justification for why an annual amount of hours is necessary or beneficial. There are no CE opportunities in oncology nutrition in Oregon. If I did extra CE to meet this requirement, it would not add to my expertise in my area or improve the health and wellbeing of Oregon residents.

Please reconsider adding expensive, time consuming requirements to licensure beyond the national requirement without any documented benefit to the practitioner or Oregon resident.

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**Karen Huntzinger MS, RD, CSO**  
Special Practice Registered Dietitian  
Salem Hospital

**SALEM HEALTH**  
**Hospitals & Clinics**  
[Karen.huntzinger@salemhealth.org](mailto:Karen.huntzinger@salemhealth.org)  
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\*\*\*\*\*

Dear Anne,

I have reviewed the proposed rules and have two concerns. I am not in favor of the proposal to require 15 CEUs every year. The current 75 CEU requirement in 5 years is much more flexible. Currently I am able to fulfill my CEU requirements by completing intensive study to take an exam to recertify for a Certified Nutrition Support Clinician every five years. I value this certification as it is an important part of what I do as a clinical dietitian in an acute care hospital. I would not want to give this up, but the time and expense of completing this would be prohibitive if I also had to complete an additional 15 CEUs every year for each of the other four years. It is often difficult to find relevant opportunities for the specific job I do and I believe I would be less well served by continuing education if I had to switch to 15 CEUs per year of varying quality programs.

I also value being able to carry forward CEUs to future years. This allows me to obtain 75 CEUs for my intensive certification preparation. The studying I complete to obtain this certification continues to be helpful for years to come.

I agree with incorporating cultural competency. I believe one credit in the five year certification period would be adequate.

Thank you for considering my comments.

Sincerely,  
Donna Gormley, RD, LD, CNSC

\*\*\*\*\*

Hello Anne,

The specification for continuing education requirements relating to cultural competency is great. However, I am concerned about the updated language that stipulates that credits earned in excess

of the requirement of 15 per licensure year may no longer be carried forward, as indicated in the screenshot from the proposed rule included below.

~~(2) CE credits obtained in excess of those required for the current licensure year reporting period may **not** be carried forward. for up to four licensure years. However, no more than 60 annual excess CE credits may be carried forward.~~

I see no benefit to this revision. Instead, I firmly believe that this will only increase barriers faced by our profession.

First of all, this new language will increase the costs to maintain licensure. For example, conferences are a great way to hear from a variety and quality of speakers which may not be available locally and they're an efficient way to earn multiple credits in one fell swoop. However, many conferences provide well over 15 credits, the minimum requirement per licensure year. Under the current rules, I would rest assured that the high price of conference registration fees plus travel expenses would be worthwhile as they would help me cover multiple years' of licensure requirements. I wouldn't need to spend any more money on additional credits. However, the proposed rule nullifies that *and* requires that I seek out additional credits which can come at a cost, increasing the financial burden.

In addition, this proposal is narrower than CDR requirements of 75 credits over the span of 5 years, so this rule would decrease the flexibility provided at the national level. It is certainly not in the best interest of our clinicians to make it more difficult to maintain licensure. As 2020 stands to tell, our lives and circumstances are subject to change according to factors outside of our control, impacting personal finances, work environments, job security, and emotional burden. Therefore, allowing those in our esteemed profession some measure of flexibility

Please do not add to the burden of our profession. Instead, please advocate for Oregon dietitians to maintain flexibility in seeking out high-quality continuing education opportunities according to a timeline within the framework provided by CDR.

Thank you,

--

**Gregory Lum, RD, LD**  
WIC Supervisor/Dietitian

Lancaster WIC  
255 Lancaster Dr NE  
Salem, OR 97301  
(503) 576-8360, ext. 6807  
[greglum@gmail.com](mailto:greglum@gmail.com)

\*\*\*\*\*

I am writing to submit comments on the proposed changes to Licensing requirements for Licensed Dietitians.

I have been a Registered Dietitian for 11 years, hold my MPH and have also recertified as a CNSC (earned 2015, 2020) as I work in critical care units with nutrition support patients on a daily basis. I have been Licensed to work in Oregon since 2009.

The first statement I'd like to make is that I am in complete support of culturally relevant CEs to maintain competency, and excellent practice to serve the people of the state of Oregon. We can all learn more about how to improve and provide optimal care to the patients we serve. This seems to be completely within scope of determination for a licensing organization.

That being said, the other stipulations and constraints and changes seem to contradict and counteract what I suspect to be the main goal of the OHA and Licensing board, as well as my own conviction: providing optimal patient-centered care to Oregonians and visitors to our beautiful state.

I am not in support of the only options for CEs on providing culturally competent care, being those 'pre-approved' by OHA. This has no other option than to be self-limiting and restrictive. If the Academy of Nutrition and Dietetics will accept the CEUs for cultural competent nutrition education, then the OHA should as well, with no caveats beyond the number of CEUs in cultural competency.

I am also not in support of changing the current requirements, which currently maintain congruence with the Academy of Nutrition and Dietetics. The national standard for CEUs for dietitians has not changed. I am curious why Oregon thinks it should have a more restrictive/prescriptive standard. Restricting RDs to earn a prescribed 15 CEUs each year does not take into account individual pursuit of excellence, learning preferences, or specialization. As many CEUs are a financial cost to the RD/RDNs, the proposed changes, if passed, will provide a forcing function of performing only to OHA's recommendations of 15 credit hours instead of goals of encouraging professionalism and optimizing learning.

For a point of reference, my last 5 year certification cycle (2014-2019) I netted 201 CEUs, went to three professional academic conferences (two on my own dime, one for work), sat for my first CNSC exam. I had a year with 110 CEUs, and 1 year with 4 CEUs, all the others somewhere in between. Avg/year:40 CEUs. I am 1.5 years into my current cycle and have 96 CEUs (CNSC recertification and other professional studies), with 3.5 years of professional learning and growth to go.

While previously I have not had to think about the cost/benefit ratio of purchasing a superior CEU program by spending \$400 on a 25 CEU program or conference every couple of years before (making my decision around my personal budget, etc., pursuing these opportunities because it makes me a good clinician and licensed professional,) I will have to consider some of it now a waste of time and money if I can't carry that over. I don't like waste. If that goes through I will have to focus on other ways of meeting that CEU constraint so I can meet the state or Oregon's requirements instead of considering, first and foremost, my patients' needs, my areas of

learning and growth, my national certification, and my professional requirements on my timeline, budget and priority.

Who would spend hundreds/thousands of dollars to take in all the learning of a college class, or go to a conference where you can network and grow if you can only count one unit of that class, or only half of the conference days' units?

The state will attract better professionals if it entrusts those professionals to be professionals, in excellent standing with their national certification body and continuing that excellence in the state they practice. We already have the Academy of Nutrition and Dietetics to tell us if we are adequately educated to be dietitians and continue to be adequately educated to be dietitians. The state does not need to waste their time and money (because frankly, they have so many other budgetary and time priorities that are more important!!!) on telling professional dietitians how and when and through whom we earn our professional continuing education units. There's already an existing structure for that. Let the professionals bring their best...Oregon can only benefit!

Thank you for the consideration of my comments,  
Christine Anderson MPH, RD, LD, CNSC

\*\*\*\*\*

To whom it may concern,  
Received the email regarding adding cultural competency to our requirements for license. I support this change, but I do not agree with the change to not roll over continuing education credits from year to the next.  
In our busy lives with COVID, taking care of our patients and household/homeschooling, I am lucky enough to read all of my emails. I am very upset and disappointed that Oregon didn't disclose in the subject line of the email regarding the change of continuing credits year to year. Please, listen to our voices and do not change the rollover criteria of continuing education credits.

Thank you,  
Amy Leininger RD, LD, CNSC  
Clinical Dietitian

Providence Portland Medical Center  
Phone: 503-215-3183  
[amy.leininger@providence.org](mailto:amy.leininger@providence.org)

\*\*\*\*\*

Hi Anne,  
I would like to comment on the proposed rule adjustment regarding continuing education requirements for licensed dietitians.

I was informed by a colleague of the adjustment regarding carrying over CE credits each year. This came as a large surprise to me as although I had read about the addition of cultural competency requirements, there was no disclosure regarding this other significant change in the email dated 11/3. I am disappointed that it was not more distinctly broadcasted.

I want to strongly advocate to allow ongoing CE credit rollover of up to 60 credits over up to 4 years. Counting the amount of credits per cycle year and ensuring that at least 15 units are obtained each year is exceedingly burdensome. Some cycle years may have more opportunities than others – especially during these unprecedented times. Why should the regulations for licensed dietitians in Oregon differ from CDR? I had planned on obtaining my CNSC next year which would provide 75 credits. With this proposed change – after completing such a large milestone - I would still have to obtain the 15 credits every year thereafter. This is very much a disincentive to working towards such an achievement.

I have spoken with several colleagues, and no one is in favor of this proposed change. I am asking that this adjustment be given additional consideration.

Thank you,  
Annah

**Annah Geist, RD, LD**  
Clinical Dietitian  
Providence Portland Medical Center  
Phone: 503-215-5685

\*\*\*\*\*

Hi Anne,

I am deeply concerned about the proposed rule adjustment regarding continuing education requirements for licensed dietitians.

I support the addition of a requirement to include cultural competency education, however I am alarmed to hear about the additional rule change (limiting roll over of CE between years). This change would add additional burden for RDs in our state, seemingly without benefit. I want to strongly advocate to allow ongoing CE credit rollover of up to 60 credits over up to 4 years.

My understanding is that several of my peers have similar concerns, and I believe additional consideration should be given to this issue.

Thank you,

**Tyler Boatright, RDN, LD**  
Clinical Dietitian  
Regional Relief  
Providence Health & Services  
[Tyler.Boatright@providence.org](mailto:Tyler.Boatright@providence.org)

\*\*\*\*\*

Good afternoon Anne,

I wanted to submit my thoughts on how the changes to the continuing education requirements for Dietitians will hinder and complicate maintaining licensure. As I'm sure you know RD's have CE requirements to remain registered and often have additional certifications that have separate requirements for CEU's all with different roll over dates. The addition of a 15 CE per year without rollover CEU's allowed would be an unnecessary burden the working/professional RD. I do not support the proposed changes below.

(1) To maintain licensure, dietitians must complete a minimum of 15 CE credits every licensure year. For the purposes of this rule and OAR 834-050-0010, the licensure year begins on the day of the month that the licensee was originally licensed and extends for the following 364 days.

(2) CE credits obtained in excess of those required for the current licensure year reporting period may not be carried forward.

***Kjersti Madsen RD LD***

\*\*\*\*\*

Hi Anne,

I am writing to comment on the proposed changes to the licensing requirements for Oregon dietitians. I have no concerns, and support, the cultural competency changes. However, I have concerns about the changes being made to NOT allow RD's to carry over CE's from year to year. I anticipate this change to be burdensome to Oregon dietitians.

Thank you for your time,

Molly Deig, RD, LD

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To Whom it May Concern:

I'm writing this e-mail in response to the LD-Proposed Rule. I'm concerned about the proposed change to remove the ability to carry over continuing education hours. I believe this poses a burden on the Licensed Dietitian and limits their ability to participate in certain types of continuing education. For example, it may be very advantageous for a Licensed Dietitian to participate in an advanced 40-hour lactation training. This is an expensive training, but provides a huge benefit for counseling breastfeeding people, as well as providing 40-hours of continuing education credit which helps justify the cost. Yet, the new proposal would only allow 15 hours to be considered for the current licensure year. Thus, Licensed Dietitians are likely to opt for shorter, continuing education sessions that may or may not be the best fit for their training needs but don't want to invest a large sum of cost toward continuing education that doesn't apply toward licensure. I request that OHA reconsider removing the carryover option. Thank you.

Sincerely,



Lynnetta Doellefeld, RDN  
Oregon Nutrition Services Regional Manager  
YVFWC Nutrition Services/Salud WIC  
2251 E Hancock St, Suite 107  
Newberg, OR 97132  
(503) 982-0635, ext 6525  
[lynnettad@yvfwc.org](mailto:lynnettad@yvfwc.org)

\*\*\*\*\*

As a registered dietitian who has been in the field for over 20 years, I wanted to object to the proposed change to our licensure requirements that forces us to have 15 units per year.

First, this is not consistent with CDR requirements that allow carry over when larger amounts are accrued through attending FNCE or acquiring a specialty certification. It takes many hours of study to prepare for specialty certificates which enhance the services our practitioners can offer. However, if those additional hours of preparation are not allowed to be accounted for, you are decreasing the incentive to acquire those certificates.

Second, it feels underhanded that this change of language was included while stressing the change to add cultural competence. I think we all acknowledge the need for increased cultural competence in healthcare and our field. However, if licensed dietitians didn't closely read the proposal they would miss this change and I can't help but feel that was purposeful. I am uncertain about the motivation for this change, but I don't see any benefit to it.

I strongly object to the proposal to disallow carrying over credits from year to year. I see now benefit to it and feel that the licensure board should present it separately and with their reasons for it to give all licensed dietitians a chance to knowledgeable participate in this decision.

Kelly Woodbury MS, RD

\*\*\*\*\*

Hello,

I am writing in regards to the proposed change to continuing education requirements. I have no reservations regarding the newly required 1 CE on cultural competency; however the restriction on carrying over CE credits is \*\*\*. Given the current pandemic our clinical dietitians are already under significant stress to care for patients at hospitals that are reaching full capacity. The inability to carry over continuing education credits would further exacerbate the stress and burden on our dietitians. The risk of caregiver fatigue increases and the desire to pursue ongoing education dwindles, thus are dietitians are left feeling exhausted and unable to provide excellent care to our patients.

While I cannot see any potential benefits of passing this proposed change. The negative consequences would largely outweigh any potential benefits.

Thank you,

Kelsey Zvejnieks, MS, RD, LD

\*\*\*\*\*

Hi Anne,

The addition of a cultural competency CE unit for LDs seems like a useful addition, but I feel that this requirement needs to come from CDR so that the state requirements mirror the national requirements. Therefore, I do not agree with this addition.

I also feel that the requirement to have 15 CEUs per year creates unnecessary barriers to meeting continuing education requirements and creates confusion as it does not mirror national CDR requirements.

Is it true that CEU can no longer be rolled over per Oregon LD rules/laws?

I feel that the Oregon CE requirements for LDs need to mirror the national CDR requirements to streamline the certification-maintenance process.

I did not receive an email or letter in the mail about the Cultural Competency addition. Was a communication sent out to all LDs to request input on this change?

Thank you,

*Jordan*

**Jordan Westling, R.D., L.D.**

Lead Inpatient Clinical Dietitian, Food & Nutrition Services

OHSU Health Hillsboro Medical Center

(formerly Tuality Healthcare)

[jordan.westling@tuality.org](mailto:jordan.westling@tuality.org)

tel: 503-681-1138

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### **Oral comments**

From Pepin Andrew Tuma, senior director of regulatory affairs at the Academy of Nutrition and Dietetics: Tuma has concerns that the comments at the October meeting about the CE hours were not accurate regarding CE cost. He said that the idea that 15 hours a year or 75 all at once would cost the same isn't true when you get 75 all at one weeklong seminar. He said other health professions in Oregon and the country allow CE rollovers, and some allow for membership in national associations to count for some CE. He didn't think it was OK to include the rollover change with the cultural competency requirements.

From Dale Erikson: He agreed with Tuma and added that keeping track of CE for the state and the national association was burdensome. Keeping track at the national level should count for the

state board. Erikson also said that some of the organizations that are providing cultural competency courses are charging upward of \$160 for one credit. He wanted to know what qualifies as content from other sources.



November 28, 2020

Health Licensing Office  
Attn: Anne Thompson  
1430 Tandem Ave. NE, Suite 180  
Salem, OR 97301  
[anne.p.thompson@dhsosha.state.or.us](mailto:anne.p.thompson@dhsosha.state.or.us)

RE: Proposed Rules 834-020-0000  
Cultural Competency Continuing Education for Licensed Dietitians

Dear Ms. Thompson:

The Oregon Academy of Nutrition and Dietetics (the “Oregon Academy”) is a professional organization representing nearly 1,273 Registered Dietitians Nutritionists (RDNs) and 35 Nutrition and Dietetic Technicians, Registered (NDTRs) in our beautiful state. We offer the below comments (1) supporting the Oregon Board of Licensed Dietitian’s (the “Board’s”) proposal that licensed dietitians complete one hour of cultural competency continuing education (CCCE) every other year and (2) strongly opposing the proposal to revise OAR 834-050-0000(2) to eliminate licensees’ current ability to carry forward “CE credits obtained in excess of those required for the current licensure year reporting period.” **The proposed revision of OAR 834-050-0000(2) is procedurally and substantively flawed, will result in significant economic hardship for many licensees and small businesses, and must not be part of any final rule promulgated by the Board.**

**A. Cultural Competency Continuing Education:**

The Oregon Academy supports the addition of cultural competency continuing education as part of maintaining Oregon licensure as mandated by HB 2011 (2019). Enhancing the cultural humility of our members is something both the national Academy of Nutrition and Dietetics and the Oregon Academy of Nutrition and Dietetics Diversity and Inclusion Committees are actively working to foster by way of future webinar trainings. Our members can now plan to look forward to a double benefit – professional development on critically important issues that also aligns with our state licensure continuing education requirements.

To best effectuate the CCCE requirement, we request the Board consider the following recommendations regarding [approved providers](#) of this education:

- Continuing education regarding cultural competency approved by the [Commission on Dietetic Registration](#) be automatically approved/authorized for Licensed Dietitians. This would provide low- or no-cost CE opportunities without significant financial burden. (The Oregon Academy of

Nutrition and Dietetics regularly provides complementary our very lost cost education to our members).

### **B. Eliminating the Ability to Carry Forward CE credits Obtained in Excess of Those Required**

The Oregon Academy strongly urges the Board to reconsider its proposal to eliminate licensed dietitians' current ability to carry forward continuing education credits obtained in excess of those required for licensure renewal pursuant to OAR 834-050-0000(2). This proposed change conflicts with the profession's current best practices, is in no way necessary or required under Oregon law, was proposed in conflict with Oregon administrative law, and will impose costs and burdens upon licensees and small businesses without concomitant benefits. The Board could easily implement the CCCE requirement as required by HB 2011 (2019) without finalizing the illegal and ill-considered proposed changes to existing continuing education requirements in OAR 834-050-0000(2).

#### *1) Proposal Creates Disconnect Between Professional Standards and Oregon Regulations*

All Registered Dietitian Nutritionists (RDNs) and other practitioners credentialed by the [Commission on Dietetic Registration](#) (CDR, the credentialing agency for the [Academy of Nutrition and Dietetics](#)) are required to maintain certification through continuous learning in order to ensure professional knowledge and competence. CDR constructed the Professional Development Portfolio (PDP) process to protect the public through the enforcement of validated certification standards and the Code of Ethics for the Profession of Dietetics ([www.eatrightpro.org/resources/career/code-of-ethics](http://www.eatrightpro.org/resources/career/code-of-ethics)). CDR's minimum standards for PDP meet or exceed states' requirements for continuing education, and we welcome the opportunity to discuss how PDPs incorporate state-specific continuing education requirements, such as the continuing education requirement in cultural competency mandated by the 2019 House Bill 2011.

We recognize that effective continuing professional education (CPE) involves more than information transfer alone; research shows CPE is optimized when each practitioner identifies knowledge and skills needed for professional competence, uses appropriate educational methods, and develops individualized strategies to implement what has been learned by applying it to professional practice. This personalized assessment for one's professional development is formulated into an individualized 5-year Learning Plan for recertification considered the the gold standard of competency-based continuing education. A holistically-designed Professional Development Portfolio of 75 hours over 5 years provides greater structure and coherence for a practitioner's lifelong learning process than the same annualized amount of continuing education coursework completed *ad hoc* without regard to an individual licensee's current and future professional needs.

#### *2) Proposal Is Not Required Under Oregon Law*

It is essential to emphasize at the outset that no binding legal authority (or even a single relevant legal opinion presented to the Board) suggests that the Board must eliminate the existing ability to carry forward CPEs. Notably, Sylvie Donaldson, HLO Director and Division Manager, conceded to the Board at its October 7, 2020 meeting that "...you don't have to change [the rule permitting licensees to carry forward CPE hours]; I'm just saying you can talk about it."<sup>1</sup> Ms. Donaldson's understanding was underscored by Ms. Anne Thompson's accurate classification of the concern as merely an "**office policy** of not rolling things forward."<sup>2</sup>

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<sup>1</sup> Sylvie Donaldson. (October 7, 2020). *Meeting of Board of Licensed Dietitians* [Video file]. Retrieved from [https://oha.granicus.com/MediaPlayer.php?clip\\_id=573](https://oha.granicus.com/MediaPlayer.php?clip_id=573).

<sup>2</sup> Anne Thompson. (October 7, 2020). *Meeting of Board of Licensed Dietitians* [Video file]. Retrieved from [https://oha.granicus.com/MediaPlayer.php?clip\\_id=573](https://oha.granicus.com/MediaPlayer.php?clip_id=573).

The significance of these statements by the Health Licensing Office may have been lost in the larger discussion following at the October 7 Board meeting, which included vague, seemingly authoritative but legally unsupported representations about “advice” from “lawyers” stating that the carry forward provision “legally doesn’t abide by the intent of the statute.” When specifically asked whether the elimination of the carry forward provision is a decision that is going forward regardless of the decision of the Board, Ms. Donaldson again conceded the change was merely discretionary and was desired by “the office,” and she could not attest it was in any way mandated by Oregon law:

The office would really want this to happen because it goes the...goes with how things work and the intent of the legislation and with what the direction of the attorneys...she weight in on all the rules. [Referring to one of the attorneys,] certain things that are more of a policy call, she’ll say here’s your risks for doing this and that, but she is highly involved in everything we do. That’s where this is coming from.<sup>3</sup>

As detailed below, the draft proposed rule change presented to the Board for its initial review on October 7 misrepresented the necessity of the change to OAR 834-050-0000(2) by referring only to the change requiring completion of CCCE every other year as legislatively mandated by HB 2011 (2019).<sup>4</sup> As both Ms. Donaldson and Ms. Thompson recognized, the Board has no obligation to upend existing processes and professional standards upon which licensees and the public rely simply to conform to a mere HLO “office policy” intended to avoid “an auditing nightmare”<sup>5</sup> of differing continuing education requirements among professions.

Of course, the Oregon legislature countenanced these differing continuing education requirements by enacting professional licensure laws specifying varying qualifications for different professions. A quick review of Oregon licensure laws and regulations evidence numerous professions—including many within the Health Licensing Office—explicitly permitted to carry forward CPE units:

- Behavior analyst and assistant behavior analyst
- Chiropractors
- Denture technologists
- Music therapists
- Physical therapists
- Licensed Clinical Social Workers
- Massage Therapists
- Occupational Therapists
- Optometrists

Although the issue of legislative intent was raised at the October 7 meeting, there is no compelling reason to give it any credence. First, this rationale was not offered to Oregon’s Secretary of State when the proposed rule was filed, and no mention of it is included in the Notice of Proposed Rulemaking, either in the statement of need or elsewhere. Moreover, in discerning the intent of the statute, one need only see that the Oregon legislature clearly knows how to draft licensure statutes unambiguously

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<sup>3</sup> Sylvie Donaldson. (October 7, 2020). *Meeting of Board of Licensed Dietitians* [Video file]. Retrieved from [https://oha.granicus.com/MediaPlayer.php?clip\\_id=573](https://oha.granicus.com/MediaPlayer.php?clip_id=573).

<sup>4</sup> Notice of Proposed Rulemaking. (October 7, 2020). Available at <http://records.sos.state.or.us/ORSOSWebDrawer/Recordpdf/7608845#>. Accessed November 27, 2020.

<sup>5</sup> Sylvie Donaldson. (October 7, 2020). *Meeting of Board of Licensed Dietitians* [Video file]. Retrieved from [https://oha.granicus.com/MediaPlayer.php?clip\\_id=573](https://oha.granicus.com/MediaPlayer.php?clip_id=573).

requiring continuing education to be completed during a particular renewal period to prevent credit from being carried over. For example, ORS 685.102 provides that “each person holding a license under this chapter shall submit annually by December 31, evidence satisfactory to the Oregon Board of Naturopathic Medicine of successful completion of an approved program of continuing education of at least 25 hours in naturopathic medicine, **completed in the calendar year preceding the date on which the evidence is submitted.**” Conversely, the legislature provided substantially more flexibility for the Board of Licensed Dietitians to determine the substance and timing of its requirements in ORS 691.465: “To renew a license issued under ORS 691.405 to 691.485, the licensee must submit to the Health Licensing Office: . . . (3) Satisfactory evidence of having completed any required continuing education credits on or before the expiration date of the license as specified by office rule.

Oregon permits many professions to carry forward continuing education credits consistent with statutory authority. We respect the desire of the HLO to reduce their auditing workload, but a desired office policy should not take precedence over statutory authority recognizing that the unique characteristics of professions make it appropriate to allow variations in their continuing education requirements. The Board should take Ms. Donaldson’s original advice regarding the proposed elimination of the carry forward provision: “you don’t have to change it.”

### 3) *Proposal Conflicts with Oregon Administrative Law*

Oregon’s rulemaking procedures are not optional; they are a necessary tool to help effectuate the Health Licensing Office’s purpose “to involve stakeholders in the regulation of the various disciplines and fields of practice.” ORS 676.560(2)(b). However, stakeholders should be engaged long before filing a Notice of Proposed Rulemaking. Indeed, the chief counsel of the Oregon Department of Justice’s General Counsel Division emphasized that an agency must “[c]onsider public input early in the process.”<sup>6</sup> The Oregon Academy looks forward to opportunities for engagement earlier in the process of rulemaking process going forward, and we encourage the Board of Licensed Dietitians to provide updated information in the “Laws and Rules” section of its website related to current, open rulemakings such as that at issue here.<sup>7</sup>

A rule is invalid if it exceeds the statutory authority of the agency, either by departing from the legal standard expressed or implied in the relevant statute or directly conflicting with an existing statute. ORS 183.400(4)(b). The proposed changes to OAR 834-050-0000(2) eliminating the carry forward provision are in violation of the applicable rulemaking procedures set forth in ORS 183.335(2)(b)(A-F) as detailed below. Although the Notice of Proposed Rulemaking purported to include each of the above categories, what was included failed to conform with Oregon law: the statements offered in the notice lacked a basis in fact; were limited entirely to implementing the CCCE mandate; and are thus wholly irrelevant to the proposed change to the carry forward provision.

An adopter of rules should not be able to effectively disregard the required content of rulemaking notices merely by making statements that are not relevant to the objectionable content of the rule or

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<sup>6</sup> Wolf S. et al. Overview of APA Rulemaking. Available at <https://olis.leg.state.or.us/liz/2017R1/Downloads/CommitteeMeetingDocument/95644>. Accessed November 27, 2020.

<sup>7</sup> As of November 27, 2020, the Board of Licensed Dietitians website included the following information under the “Current Rulemaking” heading of the “Laws and Rules” section: “The board is not currently engaged in active rulemaking.” See [Oregon Health Authority : Board of Licensed Dietitians - Laws and Rules : Health Licensing Office : State of Oregon](#).

which are merely perfunctory and/or false. The requirements of ORS 183.335 are not met merely by placing some words on paper, regardless of their content or truthfulness. In *Metropolitan Hospitals, Inc. v. State Health Planning & Development Agency*, 52 Or App 621, 628 P2d 783 (1981), Judge Gillette did not permit the agency to satisfy the requirements of ORS 183.335(5)(a) merely by including a “statement of findings” that did not have demonstrable basis in actual fact. The same standard would apply to the irrelevant and inaccurate statements on the instant Notice of Proposed Rulemaking.

a. Filing Caption

The instant Notice of Proposed Rulemaking’s filing caption references the CCCE implementation, but makes no mention of the other, unrelated changes proposed to the carry forward provision: “Adding cultural competency continuing education to Licensed Dietitian renewal required by 2019 House Bill 2011.”<sup>8</sup> A caption is intended to “reasonably identif[y] the subject matter of the agency’s intended action,”<sup>9</sup> but neither this caption nor the Rule Summary included later in the filing references *anything* except amendments related to cultural competency.

b. Citation of the Statutory or Other Legal Authority Relied upon and Bearing upon the Promulgation of the Rule

The Notice of Proposed Rulemaking cites “ORS 691.475, 691.485, [and] 2019 House Bill 2011”<sup>10</sup> as the legal authority relied upon in the promulgation of the rule, without any reference to any provision in any statute or other legal authority that would necessitate eliminating the carry forward provision.

c. Citation of the Statute or Other Law the Rule Is Intended to Implement

We note that the Notice of Proposed Rulemaking cites ORS 691.479 as a statute the rule is intended to implement, but also note that provision was repealed in 2013. It is unclear how the rule would implement this repealed provision. There is no citation to any statute or other law requiring a rule change eliminating the carry forward provision.

d. Statement of the Need for the Rule and a Statement of How the Rule Is Intended to Meet the Need

The agency is required to provide a Statement of Need. “This requirement ‘is designed to compel the agency both to justify why it is invoking its discretionary rulemaking authority and to illuminate its means-ends reasoning’.”<sup>11</sup> The Notice of Proposed Rulemaking provides a single succinct sentence sufficing as a statement of the need for the rule and a statement of how the rule is intended to meet the need: “2019 House Bill 2011 requires this addition.”<sup>12</sup> It makes no attempt to inform the public how the agency reached the conclusion that a rule is necessary, how the language of the proposed rule was chosen, or what substantive outcomes the rule envisions.

As there is no colorable argument connecting the cited legislation (which concerns cultural competency) with the elimination of the carry forward provision, the statement of need is completely irrelevant to

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<sup>8</sup> Notice of Proposed Rulemaking. (October 7, 2020). Available at <http://records.sos.state.or.us/ORSOSWebDrawer/Recordpdf/7608845#>. Accessed November 27, 2020.

<sup>9</sup> ORS 183.335(2)(a)(A).

<sup>10</sup> Notice of Proposed Rulemaking. (October 7, 2020). Available at <http://records.sos.state.or.us/ORSOSWebDrawer/Recordpdf/7608845#>. Accessed November 27, 2020.

<sup>11</sup> Oregon AG’s Administrative Law Manual, at page 27 (2012).

<sup>12</sup> Notice of Proposed Rulemaking. (October 7, 2020). Available at <http://records.sos.state.or.us/ORSOSWebDrawer/Recordpdf/7608845#>. Accessed November 27, 2020.



the part of the proposed rule here. Thus, the agency has failed to articulate a need for the proposed rule's changes to OAR 834-050-0000(2).

e. Documents Relied upon, and Where They Are Available

The Notice of Proposed Rulemaking references "2019 Oregon Statutes and 2019 House Bill 2011" as documents relied upon, noting they "are available through the Oregon Legislature and the Health Licensing Office."<sup>13</sup> It is unclear what 2019 Oregon Statutes were relied upon, but there is no colorable argument connecting the cited legislation (which concerns cultural competency) with the elimination of the carry forward provision.

f. Statement of Fiscal and Economic Impact

The Notice of Proposed Rulemaking includes two statements on the fiscal and economic impact of the proposed rule. Both explicitly reference either the "requirement" or the "required continuing education," but neither makes any mention of the fiscal or economic impact of eliminating the carry forward provision, which is substantial. Moreover, the notice later makes explicit that the only impact it considered was the one additional hour of CCCE: "This requirement was the result of 2019 House Bill 2011. The proposed amount of hours required (1) came from the board, which includes members who may [sic] in private practice and may be considered small business owners."

The Oregon Academy notes that the elimination of the carry over provision would prevent licensees from utilizing many of the CE credits earned from attending sessions at our annual conference, likely either leading to increased costs to members as they have to attend on a more frequent basis or reduced attendance from Oregon attendees not being able to take advantage of the benefits of attending. Costs increase for small businesses, as many licensees work in private practice and own and operate businesses to provide a variety of nutrition care services. These changing requirements are likely to increase costs far beyond the unrelated one hour of cultural competency every other year referenced in the notice. The statement of fiscal and economic impact is both incomplete, incorrect, and insufficient as a matter of law. The failure to make a good faith estimate as to the proposed rule's fiscal impact is reason alone for the rule to be considered invalid; "... failure to prepare a legally adequate statement of fiscal impact renders the rulemaking process invalid."<sup>14</sup>

g. Explanation Why No Advisory Committee Was Used

The reason for not consulting an Administrative Rule Advisory Committee is also perfunctory and incorrect: "It is a legislative mandate."<sup>15</sup> There is nothing in 2019 House Bill 2011 or any other bill referenced in the notice that mandates, encourages, or even suggests a change to the carry forward provision in the dietetics licensure regulations; this perfunctory response is insufficient under Oregon Law. If the HLO seeks to exercise some other authority to make changes to OAR 834-050-0000(2), we encourage the use of an advisory committee consistent with ORS 183.333(1):

The Legislative Assembly finds and declares that it is the policy of this state that whenever possible the public be involved in the development of public policy by agencies and in the drafting of rules. The Legislative Assembly encourages agencies to seek public input to the maximum

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<sup>13</sup> Notice of Proposed Rulemaking. (October 7, 2020). Available at <http://records.sos.state.or.us/ORSOSWebDrawer/Recordpdf/7608845#>. Accessed November 27, 2020.

<sup>14</sup> Oregon AG's Administrative Law Manual, at page 30 (2012).

<sup>15</sup> Notice of Proposed Rulemaking. (October 7, 2020). Available at <http://records.sos.state.or.us/ORSOSWebDrawer/Recordpdf/7608845#>. Accessed November 27, 2020.

extent possible before giving notice of intent to adopt a rule. The agency may appoint an advisory committee that will represent the interests of persons likely to be affected by the rule, or use any other means of obtaining public views that will assist the agency in drafting the rule.

4) *Proposal Imposes Unanticipated Costs and Burdens Upon Licensees and Businesses*

Assuming *arguendo* that there had been sufficient notice to promulgate this proposed rule and a sufficient legal basis for doing so, the Board should still reconsider eliminating the carry forward provision in light of the costs and burdens on licensees and businesses. To date, Oregon has aligned in its CE requirement and allowed a carry-forward of up to 60 hours per licensure year. As noted above, eliminating this creates hardship as well as a great opportunity for confusion with members.

Without the ability to carry forward CE, there will be an increased financial and educational burden to the Oregon Licensed Dietitian and will create a cumbersome disconnect from our national credential CE requirements. In fact, the Oregon Academy of Nutrition and Dietetics has heard from several members that this change will have them reconsidering state licensure in the future.

In addition, the Commission on Dietetic Registration provides an opportunity for RDNs to obtain Board Certification as a Specialist in Pediatric, Renal, Gerontological, Pediatric Critical Care, Oncology Nutrition, Sports Dietetics, and Obesity and Weight Management. Board certification is granted in recognition of an applicant's documented practice experience and successful completion of an examination in the specialty area. Upon successful completion, 75 CE hours are awarded to these highly qualified specialists. We note many of these specialists moving to or living in Oregon have a reliance interest in continuing education regulations continuing to mirror requirements for their registered dietitian nutritionist credential; to change this policy now risks losing these individuals or requiring them to undertake substantial unnecessary coursework simply to retain an optional Oregon license. Unnecessarily changing the number of hours of continuing education they must earn and forcing them to forfeit 80 percent of their continuing education hours is a significant hardship for these health care professionals.

**C. Next Steps; Options for Consideration**

The Oregon Academy is grateful for the opportunity to offer public comment requested in the Notice of Proposed Rulemaking "on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business."<sup>16</sup>

The most appropriate option to consider is simply not eliminating the carry forward provision. As it is merely an office policy and not a legislative mandate, the Board could simply determine that the proposed change fails to comport with professional practice, is too burdensome and expensive on licensees and small businesses, and would still achieve each and every one of the substantive goals specified in the Notice of Proposed Rulemaking, which all relate to implementing the CCCE requirement.

The second most appropriate option would help with the "auditing nightmare" referenced in the October 7 meeting, and includes adopting continuing education policies analogous to those of clinical nurse specialists, physical therapists, physicians, and others that provide credit towards Oregon's continuing education requirements for active certification in a national certifying body that requires

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<sup>16</sup> Notice of Proposed Rulemaking. (October 7, 2020). Available at <http://records.sos.state.or.us/ORSOSWebDrawer/Recordpdf/7608845#>. Accessed November 27, 2020.

continuing education to maintain certification. The Commission on Dietetic Registration would be an appropriate body to reference for active certification, as it requires the same amount of continuing education as does Oregon.

The Oregon Academy feels strongly that state Licensure has value for all Oregonians and helps consumers identify and access qualified professionals who demonstrate the knowledge, skill, and competency necessary to provide safe and ethical nutrition therapy. We support maintaining 15 hours of continuing education a year consistent with CDR's current structure for the profession. Maintaining the CE carry forward language will ensure the retention of qualified Licensed Dietitians in Oregon. Further, on behalf of our members, we ask the Oregon Board of Licensed Dietitians to retain the continuing education provision that allows CE credits to be carried forward for up to 4 licensure years, with a limit of no more than 60 annual excess CE credits allowed to be carried forward.

Finally, we respectfully request that cultural competency CE approved by the Commission on Dietetic Registration and aligned with the [Criteria for OHA Cultural Competence Continuing Education Training](#) be qualified as meeting the Board of Licensure requirement.

Thank you for your time and consideration,

Meredith Kleinhenz, RDN, CSG, LD (she)  
2020-2021 President  
Oregon Academy of Nutrition and Dietetics

| STATE AND LINK TO AGENCY             | NATURE OF STATUTE                                      | PRACTICE EXCLUSIVITY | TITLES PROTECTED                                                                                                                      | STATUTE AND REGULATION LINKS                          |
|--------------------------------------|--------------------------------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| <a href="#">Alabama</a>              | Licensure of dietitian/nutritionists                   | Yes                  | dietitian/nutritionist, dietitian, dietician, registered dietitian, registered dietician, nutritionist, D, RD, LD, LN                 | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Alaska</a>               | Licensure of dietitians;<br>Licensure of nutritionists | No                   | dietitian, licensed dietitian, nutritionist, licensed nutritionist, or an occupational title using the word dietitian or nutritionist | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| Arizona                              | N/A                                                    | No                   | None                                                                                                                                  | N/A                                                   |
| <a href="#">Arkansas</a>             | Licensure of dietitians                                | Yes                  | dietitian,<br>licensed dietitian                                                                                                      | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| California                           | N/A                                                    | No                   | dietitian, dietician, registered dietitian, registered dietician, registered dietitian nutritionist, RD, RDN                          | <a href="#">STATUTE</a><br>N/A                        |
| <a href="#">Colorado</a>             | N/A                                                    | No                   | dietitian, dietician, certified dietitian, certified dietician, CD, D                                                                 | <a href="#">STATUTE</a><br>N/A                        |
| <a href="#">Connecticut</a>          | Certification of dietitian/nutritionists               | No                   | Connecticut certified dietitian-nutritionist, Connecticut certified dietitian, Connecticut certified nutritionist, CD-N, CD, CN       | <a href="#">STATUTE</a><br>N/A                        |
| <a href="#">Delaware</a>             | Licensure of dietitian/nutritionists                   | Yes                  | licensed dietitian, Licensed nutritionist, nutritionist, dietitian, LDN                                                               | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">District of Columbia</a> | Licensure of dietitians<br>Licensure of nutritionists  | Yes                  | dietitian/nutritionist, licensed dietitian, licensed nutritionist, dietitian, nutritionist, LDN, LD, LN                               | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Florida</a>              | Licensure of dietitian/nutritionists                   | Yes                  | dietitian, licensed dietitian, nutritionist, licensed nutritionist, nutrition counselor, licensed nutrition counselor                 | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Georgia</a>              | Licensure of dietitians                                | Yes                  | dietitian, LD, licensed dietitian                                                                                                     | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |

| STATE AND LINK TO AGENCY  | NATURE OF STATUTE                                      | PRACTICE EXCLUSIVITY | TITLES PROTECTED                                                                                                                                                           | STATUTE AND REGULATION LINKS                          |
|---------------------------|--------------------------------------------------------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| <a href="#">Hawaii</a>    | Licensure of dietitians                                | No                   | licensed dietitian, LD                                                                                                                                                     | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Idaho</a>     | Licensure of dietitians                                | No                   | dietitian, licensed dietitian (LD), registered dietitian (RD), registered dietitian nutritionist (RDN), or any other combination of terms that include the title dietitian | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Illinois</a>  | Licensure of dietitian nutritionists                   | Yes                  | licensed dietitian nutritionist                                                                                                                                            | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Indiana</a>   | Certification of dietitians                            | No                   | certified dietitian, CD                                                                                                                                                    | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Iowa</a>      | Licensure of dietitians                                | Yes                  | licensed dietitian, dietitian                                                                                                                                              | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Kansas</a>    | Licensure of dietitians                                | Yes                  | dietitian, licensed dietitian, LD                                                                                                                                          | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Kentucky</a>  | Licensure of dietitians;<br>Licensure of nutritionists | Yes                  | dietitian, nutritionist, licensed dietitian, certified nutritionist, LD, CN                                                                                                | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Louisiana</a> | Licensure of dietitian/nutritionists                   | Yes                  | dietitian, dietician, nutritionist                                                                                                                                         | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |
| <a href="#">Maine</a>     | Licensure of dietitians                                | Yes                  | dietitian                                                                                                                                                                  | <a href="#">STATUTE</a><br><a href="#">REGULATION</a> |

| STATE AND LINK TO AGENCY      | NATURE OF STATUTE                                      | PRACTICE EXCLUSIVITY | TITLES PROTECTED                                                                                                                                                                         | STATUTE AND REGULATION LINKS                                                                                                                   |
|-------------------------------|--------------------------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <a href="#">Maryland</a>      | Licensure of dietitians;<br>Licensure of nutritionists | Yes                  | licensed dietitian-nutritionist, dietitian-nutritionist, LDN, dietitian, licensed dietitian, D, LD, nutritionist, licensed nutritionist, LN                                              | <a href="#">STATUTE</a><br><a href="#">REGULATION</a><br>See additional pages by editing the last digits in webpage URL to ".02," ".03," etc." |
| <a href="#">Massachusetts</a> | Licensure of dietitian/nutritionists                   | No                   | licensed dietitian/nutritionist                                                                                                                                                          | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                          |
| Michigan                      | N/A                                                    | No                   | None                                                                                                                                                                                     | N/A                                                                                                                                            |
| <a href="#">Minnesota</a>     | Licensure of dietitians;<br>Licensure of nutritionists | Yes                  | dietitian, licensed dietitian, nutritionist, licensed nutritionist, or any occupational title using the word "dietitian" or "nutritionist;" except that any RDN can use the title and RD | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                          |
| <a href="#">Mississippi</a>   | Licensure of dietitians                                | Yes                  | dietitian, dietician or nutritionist, the letters LD, LN; except that any RDN can use the title and RD                                                                                   | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                          |
| <a href="#">Missouri</a>      | Licensure of dietitians                                | Yes                  | dietitian, LD                                                                                                                                                                            | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                          |
| <a href="#">Montana</a>       | Licensure of nutritionists                             | Yes                  | nutritionist, licensed nutritionist                                                                                                                                                      | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                          |
| <a href="#">Nebraska</a>      | Licensure of medical nutrition therapists              | Yes                  | Protection of medical nutrition therapist implied, but not directly stated                                                                                                               | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                          |
| <a href="#">Nevada</a>        | Licensure of dietitians                                | Yes                  | LD, licensed dietitian or use the word dietetics to represent qualified to practice                                                                                                      | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                          |

| STATE AND LINK TO AGENCY              | NATURE OF STATUTE                                                   | PRACTICE EXCLUSIVITY         | TITLES PROTECTED                                                                                                                                                                                                                                                                                                   | STATUTE AND REGULATION LINKS                                                                                                                                                                                                                                                                               |
|---------------------------------------|---------------------------------------------------------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <a href="#">New Hampshire</a>         | Licensure of dietitians                                             | No                           | licensed dietitian , dietitian                                                                                                                                                                                                                                                                                     | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                                                                                                                                                      |
| New Jersey<br>(Board link in process) | Licensure of dietitian nutritionists;<br>Licensure of nutritionists | Yes (In effect Jan 13, 2021) | dietitian nutritionist, nutritionist, dietitian, dietician, nutrition counselor, nutrition specialist, LDN, LD, LN, nutritional therapy practitioner, nutritional therapy consultant, certified nutrition therapy practitioner, master nutrition therapist, licensed dietitian nutritionist, licensed nutritionist | <a href="#">STATUTE</a><br>Enter “45:16B-1” in the search box at the top left. Click the first search result, which should be the first part of the statute. To see additional parts of the statute, click “Next Doc” directly above the main display window.<br><br><a href="#">REGULATION</a> in process |
| <a href="#">New Mexico</a>            | Licensure of dietitians;<br>Licensure of nutritionists              | Yes                          | dietitian, nutritionist                                                                                                                                                                                                                                                                                            | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                                                                                                                                                      |
| <a href="#">New York</a>              | Certification of dietitians;<br>Certification of nutritionists      | No                           | certified dietitian, certified dietician, certified nutritionist                                                                                                                                                                                                                                                   | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                                                                                                                                                      |
| <a href="#">North Carolina</a>        | Licensure of dietitian/nutritionists                                | Yes                          | dietitian/nutritionist, dietitian, nutritionist, licensed dietitian/nutritionist, LD, LN, LDN                                                                                                                                                                                                                      | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                                                                                                                                                      |
| <a href="#">North Dakota</a>          | Licensure of dietitians;<br>Licensure of nutritionists              | Yes                          | dietitian, registered dietitian, licensed dietitian, licensed registered dietitian, RD, LD, LRD, LN<br>licensed nutritionist                                                                                                                                                                                       | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                                                                                                                                                      |
| <a href="#">Ohio</a>                  | Licensure of dietitians                                             | Yes                          | dietitian                                                                                                                                                                                                                                                                                                          | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                                                                                                                                                      |
| <a href="#">Oklahoma</a>              | Licensure of dietitians                                             | No                           | licensed dietitian, LD; registered dietitian, RD unless CDR reg.                                                                                                                                                                                                                                                   | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                                                                                                                                                      |

| STATE AND LINK TO AGENCY                                                                                                                                                | NATURE OF STATUTE                                      | PRACTICE EXCLUSIVITY | TITLES PROTECTED                                                                                 | STATUTE AND REGULATION LINKS                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|----------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <a href="#">Oregon</a>                                                                                                                                                  | Licensure of dietitians                                | No                   | licensed dietitian, LD                                                                           | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                    |
| <a href="#">Pennsylvania</a>                                                                                                                                            | Licensure of dietitian-nutritionists                   | No                   | licensed dietitian-nutritionist, LDN                                                             | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                    |
| Puerto Rico<br>Dept of Health,<br>Centro Médico Norte<br>Calle Periferial Interior,<br>Bo. Monacillos<br>Rio Piedras, PR<br><a href="tel:787-765-2929">787-765-2929</a> | Licensure of dietitians;<br>Licensure of nutritionists | Yes                  | dietitian, nutritionist                                                                          | <a href="#">STATUTE</a><br><br><a href="#">REGULATION in Spanish</a><br><a href="#">REGULATION Amendments in Spanish</a> |
| <a href="#">Rhode Island</a>                                                                                                                                            | Licensure of dietitian/nutritionists                   | Yes                  | dietitian/nutritionist, LDN                                                                      | <a href="#">STATUTE</a><br><br><a href="#">REGULATION</a>                                                                |
| <a href="#">South Carolina</a>                                                                                                                                          | Licensure of dietitians                                | Yes                  | dietitian, licensed dietitian, LD                                                                | <a href="#">STATUTE</a><br><br><a href="#">REGULATION</a>                                                                |
| <a href="#">South Dakota</a>                                                                                                                                            | Licensure of nutritionists                             | Yes                  | nutritionist, dietitian, licensed nutritionist, LN; except that any RDN can use the title and RD | <a href="#">STATUTE</a><br><br><a href="#">REGULATION</a>                                                                |
| <a href="#">Tennessee</a>                                                                                                                                               | Licensure of dietitian/nutritionists                   | Yes                  | dietitian/nutritionist, licensed dietitian, licensed nutritionist, LD, LN                        | <a href="#">STATUTE</a><br><br><a href="#">REGULATION</a>                                                                |
| <a href="#">Texas</a>                                                                                                                                                   | Licensure of dietitians                                | No                   | licensed dietitian, LD, registered dietitian, RD; except that any RDN can use the title and RD   | <a href="#">STATUTE</a><br><br><a href="#">REGULATION</a>                                                                |



| STATE AND LINK TO AGENCY      | NATURE OF STATUTE                                              | PRACTICE EXCLUSIVITY | TITLES PROTECTED                                                                                                             | STATUTE AND REGULATION LINKS                                                                                                                                          |
|-------------------------------|----------------------------------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <a href="#">Utah</a>          | Certification of dietitians                                    | No                   | dietitian, dietician, certified dietitian, CD, the letter D                                                                  | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                 |
| <a href="#">Vermont</a>       | Certification of dietitians                                    | No                   | any words that imply holder is a certified dietitian                                                                         | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                 |
| <a href="#">Virginia</a>      | N/A                                                            | No                   | dietitian, nutritionist, alone or in any combination with licensed, certified, or registered                                 | <a href="#">STATUTE</a><br>N/A                                                                                                                                        |
| <a href="#">Washington</a>    | Certification of dietitians;<br>Certification of nutritionists | No                   | certified dietitian, certified dietician, certified nutritionist, D, CD, or CN                                               | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                 |
| <a href="#">West Virginia</a> | Licensure of dietitians                                        | No                   | dietician, licensed dietician, dietitian, licensed dietitian [sets of terms used in different clauses, likely in error]      | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                 |
| <a href="#">Wisconsin</a>     | Certification of dietitians                                    | No                   | dietitian, certified dietitian, registered dietitian, any representation that person is certified or licensed as a dietitian | <a href="#">STATUTE</a><br><a href="#">REGULATION</a>                                                                                                                 |
| <a href="#">Wyoming</a>       | Licensure of dietitians                                        | No                   | licensed dietitian, LD                                                                                                       | <a href="#">STATUTE</a><br>Scroll down to Title 33, and click the "+" sign at left, then scroll to Chapter 47, and click the "+" sign."<br><a href="#">REGULATION</a> |

## LICENSURE CPE REQUIREMENTS BY STATE

| State                | Renewal Cycle | Number of Hours        |
|----------------------|---------------|------------------------|
| Alabama              | Biennial      | 30                     |
| Arkansas             | Annual        | 12                     |
| Delaware             | Biennial      | 30                     |
| District of Columbia | Biennial      | 30                     |
| Florida              | Biennial      | 30                     |
| Georgia              | Biennial      | 30                     |
| Illinois             | Biennial      | 30                     |
| Indiana              | Biennial      | 30                     |
| Iowa                 | Biennial      | 30                     |
| Kansas               | Biennial      | 15                     |
| Kentucky             | Annual        | 15                     |
| Louisiana            | Annual        | 15                     |
| Maine                | Annual        | 10-DTR<br>15 - RD      |
| Maryland             | Biennial      | 30                     |
| Massachusetts        | Biennial      | 30                     |
| Minnesota            | Every 3 years | 45                     |
| Mississippi          | Biennial      | 30                     |
| Nebraska             | Biennial      | 30                     |
| New Hampshire        | Biennial      | 20                     |
| New Mexico           | Annual        | 15                     |
| North Carolina       |               | See Below <sup>1</sup> |
| North Dakota         | Every 5 years | 75                     |
| Ohio                 | Every 5 years | 75                     |
| Oregon               | Annual        | 15                     |
| Pennsylvania         | Biennial      | 30                     |
| Puerto Rico          | Every 3 years | 42                     |
| Rhode Island         | Biennial      | 20                     |
| South Carolina       | Every 5 years | 75                     |
| South Dakota         | Every 5 years | 75                     |
| Texas                | Biennial      | 12                     |
| Vermont              | Biennial      | 30                     |
| West Virginia        | Biennial      | 20                     |
| Wyoming              | Biennial      | 30                     |

\*Please contact your **state regulatory board** for up-to-date information.

<sup>1</sup>Registered Licensed Dietitian - 75 hours every five years; Non-Registered Licensed Dietitian - 30 hours biennially; Provisional Licensed Dietitian - 15 hours annually.

# **Item for Board Action**

HEALTH LICENSING OFFICE  
Board of Licensed Dietitians

**Issue**

The Board of Licensed Dietitians must adopt cultural competency continuing education that is required by 2019 House Bill 2011 and consider other rule changes that bring its continuing education requirements into alignment with Office business practices.

**Recommendation**

Vote to adopt permanent rules.



**Health Licensing Office  
Board of Licensed Dietitians  
October 7, 2020**

**\*\*PLEASE PRINT\*\***

| <b>Name (First, Last) and Email</b>                                                    | <b>Representing</b> | <b>Request to Comment<br/>(yes/no)</b> |
|----------------------------------------------------------------------------------------|---------------------|----------------------------------------|
| Suzanne Watkins – <a href="mailto:suwatkins@samhealth.org">suwatkins@samhealth.org</a> |                     |                                        |
| Jessie Pavlinac – <a href="mailto:pavlinac@oshu.edu">pavlinac@oshu.edu</a>             |                     |                                        |
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