HLS 15RS-4192 ORIGINAL

2015 Regular Session

HOUSE RESOLUTION NO. 151

BY REPRESENTATIVE STOKES

HEALTH/DHH: Requests the Dept. of Health and Hospitals to update La. Administrative Code provisions as necessary to comport with federal regulations relative to dietitian nutritionists

1	A RESOLUTION
2	To urge and request the Department of Health and Hospitals to review Title 46 and Title 48
3	of the Louisiana Administrative Code relative to professional and occupational
4	standards and to public health, respectively, for consistency with applicable federal
5	regulations concerning dietitian nutritionists; and to promulgate any rules which may
6	be necessary to conform state regulations relative to dietitian nutritionists with
7	federal regulations for that profession.
8	WHEREAS, the Department of Health and Hospitals (DHH) has the delegated
9	legislative authority to promulgate rules and regulations in accordance with the
10	Administrative Procedure Act relative to public health; and
11	WHEREAS, DHH publishes these rules in the Louisiana Register, a monthly
12	publication of the division of administration, office of the state register; and
13	WHEREAS, the federal Centers for Medicare and Medicaid Services (CMS)
14	published a final rule in May of 2014 (79 Fed. Reg. 26308 (May 7, 2014)) granting ordering
15	privileges to registered dietitian nutritionists, independent of other health professionals, with
16	respect to patient diets; and
17	WHEREAS, these privileges include ordering patient diets and may include the
18	authorization to order laboratory tests to monitor the effectiveness of diets; and

1	WHEREAS, the 2014 rule issued by CMS provides that hospitals shall have the
2	authority to determine which health professionals within their facilities will be privileged
3	to order diets independently; and
4	WHEREAS, provisions of Title 46 and Title 48 of the Louisiana Administrative
5	Code address nutritional needs of patients and menu preparations which are appropriate for
6	such patients and groups of patients; and
7	WHEREAS, Louisiana's population has one of the nation's highest incidence rates
8	per capita of diabetes, obesity, and several other chronic diseases related to poor nutrition;
9	and
10	WHEREAS, amending state regulations to comport with current federal regulations
11	relative to dietitian nutritionists could improve the efficiency and efficacy of nutritional care
12	in Louisiana with the added benefit of achieving cost savings in the state's Medicaid
13	program.
14	THEREFORE, BE IT RESOLVED that the House of Representatives of the
15	Legislature of Louisiana does hereby urge and request the Department of Health and
16	Hospitals to review Title 46 and Title 48 of the Louisiana Administrative Code relative to
17	professional and occupational standards and to public health, respectively, for consistency
18	with applicable federal regulations concerning dietitian nutritionists.
19	BE IT FURTHER RESOLVED that the Department of Health and Hospitals shall
20	promulgate any rules which may be necessary to conform state regulations relative to
21	dietitian nutritionists with federal regulations for that profession, and shall submit such rules
22	to the legislative committees on health and welfare for review in accordance with the
23	Administrative Procedure Act.
24	BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
25	secretary of the Department of Health and Hospitals.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HR 151 Original

2015 Regular Session

Stokes

Requests the Dept. of Health and Hospitals to review <u>present administrative code</u> for consistency with applicable federal regulations concerning dietitian nutritionists and to promulgate any rules which may be necessary to conform state regulations relative to dietitian nutritionists with federal regulations for that profession.