

1 ENGROSSED SENATE  
2 BILL NO. 615

By: Sparks of the Senate  
and  
Echols of the House

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5  
6 [ Licensed Dietitian Act - definitions - violations -  
7 certain costs - codification - effective date ]  
8

9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1722, is  
11 amended to read as follows:

12 Section 1722. As used in the Licensed Dietitian Act:

13 1. "Board" means the State Board of Medical Licensure and  
14 Supervision.

15 2. "Committee" means the Advisory Committee on Dietetic  
16 Registration of the State Board of Medical Examiners.

17 3. "Dietetics" means the ~~professional discipline of applying~~  
18 ~~and integrating scientific principles of nutrition pursuant to~~  
19 ~~different health, social, cultural, physical, psychological, and~~  
20 ~~economic conditions to the proper nourishment, care, and education~~  
21 ~~of individuals or groups throughout the life cycle. The term~~  
22 ~~includes the development, management, and provision of nutritional~~  
23 ~~services~~ integration and application of principles derived from the  
24 sciences of nutrition, biochemistry, food, physiology, management,

1 behavioral, and social sciences to achieve and maintain client  
2 health through the provision of nutrition care services, which shall  
3 include:

- 4       a.    assessing the nutritional needs of individuals and  
5           groups based upon appropriate biochemical,  
6           anthropometric, physical, and dietary data to  
7           determine nutrient needs and recommend to the primary  
8           health care provider appropriate nutritional intake  
9           including enteral and parenteral nutrition,
- 10       b.    establishing priorities, goals, and objectives that  
11           meet nutritional needs and are consistent with  
12           available resources,
- 13       c.    providing nutrition care and interventions based on  
14           assessment,
- 15       d.    providing nutrition counseling by advising and  
16           assisting individuals or groups on appropriate  
17           nutritional intake by integrating information from the  
18           nutritional assessment with information on food and  
19           other sources of nutrients and meal preparation  
20           consistent with cultural background and socioeconomic  
21           status,
- 22       e.    developing, implementing, and managing nutrition care  
23           systems,

- 1        f. evaluating, amending, and maintaining standards of  
2        quality in food and nutrition care services,  
3        g. planning menus to meet nutritional needs of patients  
4        to the extent medically possible, in accordance with  
5        Dietary Reference Intakes (DRIs) of the Food and  
6        Nutrition Board of the Institute of Medicine, National  
7        Academy of Sciences, and  
8        h. prescribing diets to meet the medical needs of  
9        patients based on assessment, in accordance with  
10       federal regulatory guidelines.

11       4. "Licensed dietitian" means a person licensed pursuant to the  
12 provisions of the Licensed Dietitian Act.

13       5. "Provisional licensed dietitian" means a person who has a  
14 limited license pursuant to the provisions of the Licensed Dietitian  
15 Act.

16       6. "Degree" means a degree from an accredited college or  
17 university.

18       SECTION 2.        NEW LAW        A new section of law to be codified  
19 in the Oklahoma Statutes as Section 1740 of Title 59, unless there  
20 is created a duplication in numbering, reads as follows:

21       Nothing in the Licensed Dietitian Act shall be construed as to  
22 affect or prevent:

23       1. A student enrolled in an approved academic program in  
24 dietetics or nutrition from engaging in the practice of

1 dietetics/nutrition, if such practice constitutes a part of a  
2 supervised course of study, and if the student is designated by a  
3 title which clearly indicates his or her status as a student or  
4 trainee, or from engaging in the practice of dietetics or nutrition  
5 under the supervision of a licensed dietitian/nutritionist;

6 2. A dietitian or nutritionist who is serving in the Armed  
7 Forces or any other federal agency from engaging in the practice of  
8 dietetics or nutrition, provided such practice is related to service  
9 or employment;

10 3. Persons licensed to practice the professions of dentistry,  
11 medicine, osteopathy, chiropractic, nursing, naturopathic medicine,  
12 nurse midwifery, physical therapy, athletic training or pharmacy  
13 from engaging in the practice of dietetics or nutrition when  
14 incidental to the practice of their profession, except that such  
15 persons may not use the titles "dietitian", "dietician", or  
16 "nutritionist";

17 4. A person from marketing or distributing food, food materials  
18 or food supplements or a person from engaging in an explanation of  
19 the use or preparation of these products or from furnishing general  
20 nutrition information related to such products in connection with  
21 the marketing or distribution of such products, if that person does  
22 not represent himself or herself as a dietitian or nutritionist; or

23 5. A person from providing weight control services through a  
24 program which has been reviewed by, consultation is available from,

1 and no program change can be initiated without prior approval by a  
2 licensed dietitian or nutritionist, a dietitian or nutritionist  
3 licensed in another state which has licensure requirements at least  
4 as stringent as the requirements for licensure specified herein or a  
5 dietitian registered by the Commission on Dietetic Registration of  
6 the Academy of Nutrition and Dietetics.

7 SECTION 3. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 1741 of Title 59, unless there  
9 is created a duplication in numbering, reads as follows:

10 A. Any person who violates any provision of the Licensed  
11 Dietitian Act shall, upon conviction thereof, be guilty of a  
12 misdemeanor and shall be punished by a fine of not less than Fifty  
13 Dollars (\$50.00) and not to exceed Five Hundred Dollars (\$500.00).

14 B. In addition to any other penalty or remedy pursuant to the  
15 Licensed Dietitian Act or administrative rule adopted hereunder, any  
16 violation of this act or regulation adopted hereunder shall be  
17 punishable by a fine not less than Fifty Dollars (\$50.00) and not to  
18 exceed Two Hundred Fifty Dollars (\$250.00). Each day of violation  
19 shall constitute a separate offense.

20 C. In addition to any other fine or penalty that may be imposed  
21 against any person found to have violated any provision of the  
22 Licensed Dietitian Act, the Oklahoma Board of Medical Licensure and  
23 Supervision may assess and collect all costs incurred in connection  
24 with disciplinary actions including, but not limited to,

1 investigator fees, stenographer fees, attorney fees, and hearing  
2 costs.

3 SECTION 4. This act shall become effective November 1, 2015.

4 Passed the Senate the 11th day of March, 2015.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

9 2015.

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Presiding Officer of the House  
of Representatives

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