

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1582

STATE OF NEW JERSEY
218th LEGISLATURE

ADOPTED JUNE 13, 2019

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Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

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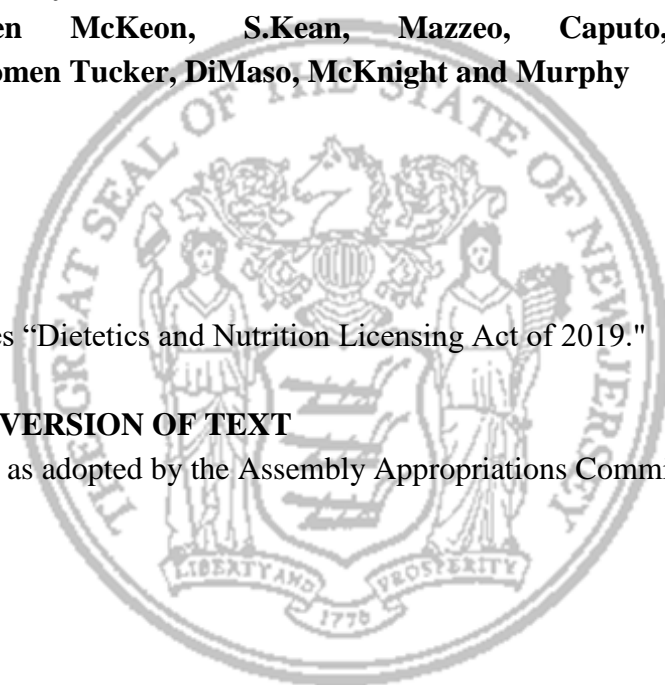
Assemblywomen Tucker, DiMaso, McKnight and Murphy

SYNOPSIS

Establishes "Dietetics and Nutrition Licensing Act of 2019."

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Appropriations Committee.



(Sponsorship Updated As Of: 6/21/2019)

1 **AN ACT** providing for the licensing of dietitian nutritionists and
2 nutritionists, supplementing Title 45 of the Revised Statutes and
3 amending P.L.1971, c.60, P.L.1974, c.46 and P.L.1978, c.73.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) This act shall be known and may be cited as the
9 "Dietetics and Nutrition Licensing Act."
10

11 2. (New section) The Legislature finds and declares that the
12 public interest requires the regulation of the practice of dietetics and
13 nutrition and the establishment of clear licensure standards of
14 competency and integrity for nutritionists and dietitian nutritionists to
15 properly protect the health and safety of the citizenry and further, that
16 the health and welfare of the residents of the State will be protected by
17 identifying to the public those individuals who are qualified and
18 legally authorized to practice dietetics and nutrition.
19

20 3. (New section) As used in P.L. , c. (C) (pending before
21 the Legislature as this bill):

22 "Board" means the State Board of Dietetics and Nutrition
23 established pursuant to section 4 of P.L. , c. (C) (pending
24 before the Legislature as this bill).

25 "Board for Certification of Nutrition Specialists" means the entity
26 that serves as the credentialing agency for Certified Nutrition
27 Specialists.

28 "Certified Nutrition Specialist" means an individual certified as
29 such by the Board for Certification of Nutrition Specialists that gives
30 the individual the right to use the terms "Certified Nutrition Specialist"
31 or "CNS".

32 "Commission on Dietetic Registration" means the credentialing
33 agency of the Academy of Nutrition and Dietetics.

34 "Diplomate of the American Clinical Board of Nutrition" means an
35 individual certified as such by the American Clinical Board of
36 Nutrition that gives the individual the right to use the terms
37 "Diplomate of the American Clinical Board of Nutrition" or
38 "DACBN."

39 "Director" means the Director of the Division of Consumer Affairs
40 in the Department of Law and Public Safety.

41 "Licensed dietitian nutritionist" means a person who is licensed as
42 a licensed dietitian nutritionist pursuant to the provisions of P.L. ,
43 c. (C) (pending before the Legislature as this bill).

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 “Licensed nutritionist” means a person who is licensed as a
2 licensed nutritionist pursuant to the provisions of P.L. , c. (C.)
3 (pending before the Legislature as this bill).

4 “Medical nutrition therapy” means a subset of nutrition care
5 services for the purpose of treatment or management of disease or
6 medical conditions.

7 "Medical weight control" means nutrition care services for the
8 purpose of reducing, maintaining, or gaining weight that are indicated
9 or contraindicated by an existing or diagnosed disease or medical
10 condition.

11 “Nutrition care services” means any part or all of the following:
12 assessing and evaluating the nutritional needs of individuals and
13 groups, and determining resources and constraints in the practice
14 setting, including ordering laboratory tests to check and track nutrition
15 status and monitor effectiveness of dietary plans and orders;
16 establishing priorities, goals, and objectives that meet nutritional needs
17 and are consistent with available resources and constraints; providing
18 nutrition counseling in health and disease; developing, implementing,
19 and managing nutrition care systems; evaluating, making changes in,
20 and maintaining appropriate standards of quality in food and nutrition
21 services; and ordering therapeutic diets.

22 "Practice of dietetics and nutrition" means the integration and
23 application of scientific principles derived from the study of food,
24 nutrition, biochemistry, metabolism, nutrigenomics, physiology, food
25 management, and from behavioral and social sciences in achieving and
26 maintaining health throughout the life span and in providing nutrition
27 care services, including medical nutrition therapy, for the prevention,
28 management, and treatment of disease. This term includes, but is not
29 limited to, nutrition assessment; nutrition diagnosis; nutrition
30 intervention; monitoring and evaluation of nutrition care plans;
31 nutrition support, including the ordering of parenteral and enteral
32 nutrition; dietary and nutritional counseling and education, including
33 regarding food, nutrient and prescription drug interactions; and the
34 development and administration of nutrition care standards and
35 systems. The practice of dietetics and nutrition does not include the
36 medical differential diagnosis of the health status of an individual.

37 “Registered Dietitian” or “registered dietitian nutritionist” means
38 an individual registered as such with the Commission on Dietetic
39 Registration that gives the applicant the right to use the term
40 "registered dietitian nutritionist," “registered dietitian,” “RDN,” or
41 “RD.”

42 “Therapeutic diet” means a diet intervention prescribed by a
43 physician or other authorized non-physician practitioner that provides
44 food or nutrients via oral, enteral, and parenteral routes as part of
45 treatment of disease or diagnosed clinical conditions to modify,
46 eliminate, decrease, or increase identified micro-nutrients and macro-
47 nutrients in the diet.

1 4. (New section) There is created in the Division of Consumer
2 Affairs in the Department of Law and Public Safety the State Board of
3 Dietetics and Nutrition. The board shall consist of seven members
4 who are residents of the State, one of whom shall be a public member
5 and one of whom shall be a State executive department member
6 appointed pursuant to the provisions of P.L.1971, c.60 (C.45:1-2.1 et
7 seq.). Of the remaining five members, four shall be, except for the
8 members first appointed, licensed dietitian nutritionists or licensed
9 nutritionists under the provisions of P.L. , c. (C.) (pending
10 before the Legislature as this bill) who shall have been actively
11 engaged in the practice of dietetics and nutrition in the State for at
12 least five years immediately preceding their appointment. At least
13 three of the licensed dietitian nutritionist or licensed nutritionist
14 members shall have been actively engaged in the provision of medical
15 nutrition therapy in the State for at least five years immediately
16 preceding their appointment. Of the four members licensed under
17 P.L. , c. (C.) (pending before the Legislature as this bill), and
18 of the members first appointed one shall be a dietitian nutritionist or
19 nutritionist whose primary practice is clinical nutrition; one shall be a
20 dietitian nutritionist or nutritionist whose primary practice is
21 community or public health nutrition; one shall be a dietitian
22 nutritionist or nutritionist whose primary practice is management of
23 clinical nutrition services or consulting in nutrition; and one shall be a
24 dietitian nutritionist or nutritionist who is an educator specializing in
25 the field of dietetics or nutrition on the faculty of a college or
26 university accredited at the time from the appropriate regional
27 accrediting agency recognized by the Council on Higher Education
28 Accreditation and the United States Department of Education,
29 specializing in the field of dietetics or nutrition; and the remaining
30 member shall be a physician licensed to practice medicine and surgery
31 pursuant to chapter 9 of Title 45 of the Revised Statutes. Of the four
32 professional members licensed under P.L. , c. (C.) (pending
33 before the Legislature as this bill) or of the members first appointed,
34 three shall hold current registration as a registered dietitian nutritionist
35 with the Commission on Dietetic Registration and not be eligible for
36 certification with the Board for Certification of Nutrition Specialists or
37 the American Clinical Board of Nutrition, and one shall hold current
38 certification with either the Board for Certification of Nutrition
39 Specialists or the American Clinical Board of Nutrition and not be
40 eligible for registration with the Commission on Dietetic Registration.

41 The member of the board appointed from the public at large shall
42 be a citizen or permanent resident of the United States and a resident
43 of this State and shall not be any of the following: a dietitian
44 nutritionist or nutritionist; an agent or employee of a person engaged
45 in the profession of dietetics or nutrition; a licensed health care
46 professional or enrolled in a program to become prepared to be a
47 licensed health care professional; an agent or employee of a health
48 care institution, a health care insurer, or a health care professional

1 school; a member of any allied health profession or enrolled in a
2 program to become prepared to be a member of an allied health
3 profession; or the spouse or first degree relative, such as a parent, child
4 or sibling, of an individual not eligible to serve as a public member of
5 the board.

6 The Governor shall appoint the public member and the State
7 executive department member and shall appoint the remaining five
8 members with the advice and consent of the Senate. Each member,
9 other than the State executive department member, shall be appointed
10 for a term of three years, except that of the members first appointed
11 whose terms shall be staggered as follows: of the three licensed
12 dietitian nutritionist members holding current registration with the
13 Commission on Dietetic Registration, one shall serve for a term of two
14 years and one shall serve for a term of one year; the physician member
15 shall serve for a term of one year.

16 Any vacancy in the membership of the board shall be filled for the
17 unexpired term in the manner provided by the original appointment.
18 Each member shall hold office until the member's successor has been
19 appointed and seated. Notice of any vacancy and either the State's
20 process for filling such vacancy or a link thereto shall be immediately
21 publicly posted to the board's website. The board's website shall
22 include the terms and expiration dates of all members and either a link
23 to apply for appointment to a vacant position or a description of the
24 State's process for applying to serve on the board. No member of the
25 board may serve more than two successive terms in addition to any
26 unexpired term to which the member has been appointed. The
27 Governor may remove any member of the board, other than the State
28 executive department member, for cause.

29

30 5. (New section) Notwithstanding the provisions of section 2 of
31 P.L.1977, c.285 (C.45:1-2.5) or any other law to the contrary, the
32 members of the board shall serve without compensation, and shall not
33 be entitled to receive any pension or health benefits based upon their
34 service as members of the board, but shall be reimbursed for expenses
35 and provided with office and meeting facilities pursuant to section 2 of
36 P.L.1977, c.285 (C.45:1-2.5).

37

38 6. (New section) The board shall organize within 30 days after the
39 appointment of its members and shall annually elect from among its
40 members a chairperson and vice-chairperson, and elect a secretary who
41 need not be a member of the board. The chairperson position shall
42 rotate annually between: a member holding current registration with
43 the Commission on Dietetic Registration who may not also be eligible
44 for certification by either the Board for Certification of Nutrition
45 Specialists or the American Clinical Board of Nutrition and a member
46 credentialed by either the Board for Certification of Nutrition
47 Specialists or the American Clinical Board of Nutrition who is not
48 eligible for registration with the Commission on Dietetic Registration.

1 If the chairperson holds registration with the Commission on Dietetic
2 Registration, the vice-chairperson shall be a member holding
3 registration with either the Board for Certification of Nutrition
4 Specialists or the American Clinical Board of Nutrition.

5 The chairperson shall preside at all board meetings and perform all
6 duties prescribed by law or board regulations. The vice-chairperson
7 shall preside if the chairperson is absent or temporarily unable to
8 discharge the duties of the chairperson, or the position of chairperson
9 becomes vacant. The board shall meet at least once every two months
10 in person or through remote technologies and may hold additional
11 meetings as necessary to discharge its duties. The board shall publish
12 a meeting schedule one year in advance and provide thirty days' notice
13 of any changes thereto. A majority of the board membership shall
14 constitute a quorum. The minutes of meetings, upon approval of the
15 board shall constitute the official records of board meetings. The
16 unapproved minutes of meetings shall be recorded and open to public
17 inspection in the board office and posted publicly to the board website
18 during normal business hours within ten business days of their
19 recordation.

20

21 7. (New section) The board shall:

22 (1) review the qualifications of applicants for licensure;

23 (2) adopt a code of ethics;

24 (3) ensure the proper conduct and standards of examinations;

25 (4) issue and renew biennial licenses for dietitian nutritionists and
26 nutritionists pursuant to P.L. , c. (C.) (pending before the
27 Legislature as this bill);

28 (5) refuse to admit a person to an examination or refuse to issue or
29 suspend, revoke, or fail to renew the license of a dietitian nutritionist
30 or nutritionist pursuant to the provisions of P.L.1978, c.73 (C.45:1-14
31 et seq.);

32 (6) maintain a record of every licensed dietitian nutritionist and
33 licensed nutritionist licensed in this State, their place of business, place
34 of residence, and the date and number of their license, and publish a
35 list of the names and addresses of all licensees annually;

36 (7) prescribe or change the charges for examinations, licenses,
37 renewals, and other services it performs pursuant to P.L.1974, c.46
38 (C.45:1-3.1 et seq.), and set the passing score on any examination it
39 adopts as a licensure examination;

40 (8) establish rules and regulations with respect to continuing
41 education requirements. The board shall at a minimum accept as valid
42 any continuing education approved by the American Clinical Board of
43 Nutrition, the Board for Certification of Nutrition Specialists, and the
44 Commission on Dietetic Registration; and

45 (9) adopt and promulgate rules and regulations pursuant to the
46 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)
47 necessary to effectuate the purposes of P.L. , c. (C.) (pending
48 before the Legislature as this bill).

1 8. (New section) A person shall not provide medical nutrition
2 therapy, whether compensated or not, unless the person holds a valid
3 license issued pursuant to P.L. , c. (C.) (pending before the
4 Legislature as this bill) to practice in this State, except that nothing in
5 P.L. , c. (C.) (pending before the Legislature as this bill) shall
6 be construed to:

7 (1) prohibit a person licensed to practice pursuant to Title 45 of the
8 Revised Statutes from engaging in the practice or teaching of dietetics
9 and nutrition within the scope of that person's license or any other
10 person licensed to practice or certified to teach in this State under any
11 other law from engaging in the practice or teaching for which that
12 person is licensed, regulated, or certified;

13 (2) prohibit a student or trainee, working under the supervision of
14 an individual who is legally authorized to provide nutrition care
15 services for the purpose of treatment or management of disease or
16 medical condition and who meets the criteria outlined in section 9 of
17 P.L. , c. (C.) (pending before the Legislature as this bill) while
18 fulfilling an experience requirement or pursuing a course of study to
19 meet requirements for licensures;

20 (3) prohibit any person from practicing dietetics and nutrition
21 within the scope of the person's official duties when employed by a
22 department, agency, bureau, division, or other unit of the federal
23 government, serving in the Armed Forces of the United States, or
24 employed by any State institution or facility;

25 (4) prohibit any person who does not hold himself or herself out to
26 be a licensed dietitian nutritionist or licensed nutritionist from
27 furnishing nutrition information as to the use of food, food materials,
28 or dietary supplements, or from engaging in the explanation to persons
29 as to the use of food or food products including dietary supplements;

30 (5) prohibit any person involved in presenting a general program
31 of instruction for medical weight control from doing so, provided the
32 program has been approved in writing by a licensed dietitian
33 nutritionist or licensed nutritionist in this State, a dietitian nutritionist
34 or nutritionist licensed in another state that has licensure requirements
35 substantially equivalent to those of this State, as determined by the
36 board, a dietitian registered by the Commission on Dietetic
37 Registration, a nutritionist certified by the Board for Certification of
38 Nutrition Specialists, a Diplomate of the American Clinical Board of
39 Nutrition, or is part of a plan of care overseen by a licensed physician;

40 (6) prohibit a nutrition and dietetic technician from providing
41 nutrition services under the supervision of a licensed dietitian
42 nutritionist or licensed nutritionist;

43 (7) prohibit any individual from providing nutrition information,
44 guidance, encouragement, individualized nutrition recommendations,
45 or weight control services that do not constitute medical nutrition
46 therapy as defined in section 3 of P.L. , c. (C.) (pending
47 before the Legislature as this bill), provided that the individual does

1 not hold himself or herself out as a licensed dietitian nutritionist or
2 licensed nutritionist.

3

4 9. (New section) a. To be eligible to be licensed as a dietitian
5 nutritionist, an applicant shall be at least 18 years of age; be of good
6 moral character; and submit a completed application as required by the
7 board, and submit any fees as required by the board. The applicant
8 shall meet one of the following criteria: provide evidence of current,
9 valid registration as a registered dietitian nutritionist with the
10 Commission on Dietetic Registration; or submit proof of completion
11 for all of the following educational, supervised practice experience,
12 and examination requirements:

13 (1) the applicant has received a baccalaureate, master's or doctoral
14 degree with a major course of study in human nutrition, foods and
15 nutrition, dietetics, food systems management, nutrition education,
16 nutrition, nutrition science, clinical nutrition, applied clinical nutrition,
17 nutrition counseling, nutrition and functional medicine, nutritional
18 biochemistry, nutrition and integrative health, or an equivalent course
19 of study from:

20 (a) a college or university accredited at the time of graduation
21 from the appropriate regional accrediting agency recognized by the
22 Council on Higher Education Accreditation and the federal
23 Department of Education and that, as approved by the Board, meets
24 the competency requirements of an Accreditation Council for
25 Education in Nutrition and Dietetics accredited didactic program in
26 dietetics; or

27 (b) has an academic degree from a foreign country that has been
28 validated as equivalent to the baccalaureate or post-baccalaureate
29 degree conferred by a regionally accredited college or university in the
30 United States by a credential evaluation agency recognized by the
31 federal Department of Education and that, as approved by the board,
32 meets the competency requirements of an Accreditation Council for
33 Education in Nutrition and Dietetics accredited didactic program in
34 dietetics;

35 (2) the applicant has successfully completed a planned clinical
36 program in an approved practice of dietetics and nutrition that, as
37 approved by the board, meets the competency requirements of an
38 Accreditation Council for Education in Nutrition and Dietetics
39 accredited supervised practice experience of not less than 1,200 hours
40 under the supervision of a dietitian nutritionist licensed in this State or
41 licensed, registered, or certified in any other state having requirements
42 for licensure, registration, or certification substantially similar to
43 licensure requirements in this State, as approved by the board; or a
44 registered dietitian nutritionist registered with the Commission on
45 Dietetic Registration. Supervisors who obtained their doctoral degree
46 outside the United States and its territories must have their degrees
47 validated as equivalent to the doctoral degree conferred by a United
48 States regionally accredited college or university by a credential

1 evaluation agency recognized by the federal Department of Education;
2 and

3 (3) the applicant has passed the registration examination for
4 dietitian nutritionists administered by the Commission on Dietetic
5 Registration, which shall be held by the board at least twice a year and
6 may be administered by a national testing service, as determined by
7 the board.

8 b. To be eligible to be licensed as a nutritionist, an applicant shall
9 be at least 18 years of age; be of good moral character; submit a
10 completed application as required by the board, submit any fees as
11 required by the board, and submit proof of completion of the following
12 educational, supervised practice experience, and examination
13 requirements:

14 (1) the applicant has received a master's or doctoral nutrition
15 degree or, has an academic degree, from a foreign country, that has
16 been validated as equivalent to the masters or doctoral degree
17 conferred by a regionally accredited college or university in the United
18 States by a credential evaluation agency recognized by the federal
19 Department of Education, with a major in human nutrition, foods and
20 nutrition, community nutrition, public health nutrition, nutrition
21 education, nutrition, nutrition science, clinical nutrition, applied
22 clinical nutrition, nutrition counseling, nutrition and functional
23 medicine, nutritional biochemistry, nutrition and integrative health, or
24 a comparable titled major, or master's or doctoral degree or validated
25 foreign equivalent, in a field of clinical health care from a college or
26 university accredited at the time of graduation from the appropriate
27 regional accrediting agency recognized by the Council on Higher
28 Education Accreditation and the United States Department of
29 Education, and has completed coursework leading to competence in
30 medical nutrition therapy, which includes, but may not be limited to,
31 the following content areas:

32 (a) 15 semester hours of clinical or life sciences, at least three
33 semester hours must be in human anatomy and physiology or the
34 equivalent;

35 (b) (i) 15 semester hours of nutrition and metabolism, at least six
36 semester hours must be in biochemistry;

37 (ii) the applicant must have completed a board approved internship
38 or a documented, supervised practice experience in nutrition care
39 services and the provision of medical nutrition therapy of not less than
40 1000 hours involving at least 200 hours of nutrition assessment, 200
41 hours of nutrition intervention, education, counseling or management,
42 and 200 hours of nutrition monitoring or evaluation under the
43 supervision of a Certified Nutrition Specialist, a Diplomate of the
44 American Clinical Board Of Nutrition, a Registered Dietitian
45 Nutritionist, a licensed dietitian nutritionist or a licensed nutritionist in
46 this State, a State licensed health care provider whose scope of practice
47 includes the provision of nutrition care services for the purpose of
48 treatment or management of disease or medical condition, or an

1 individual with a doctoral degree conferred by a United States
2 regionally accredited college or university with a major course of
3 study in human nutrition, foods and nutrition, dietetics, nutrition
4 education, nutrition, nutrition science, clinical nutrition, applied
5 clinical nutrition, nutrition counseling, nutrition and functional
6 medicine, nutritional biochemistry, nutrition and integrative health, or
7 an equivalent course of study, with a reasonable threshold of academic
8 credits in nutrition and nutrition sciences as described in this section.
9 Supervisors who obtained their doctoral degree outside the United
10 States and its territories must have their degrees validated as
11 equivalent to the doctoral degree conferred by a regionally accredited
12 college or university in the United States by a credential evaluation
13 agency recognized by the federal Department of Education. The
14 applicant shall complete this documented, supervised practice
15 experience within five years of completing the academic requirements
16 specified in this section, but the board, in its discretion, may grant a
17 limited extension to this time frame in the event of extraordinary
18 circumstances, which may include consideration for individuals who
19 have been legally providing medical nutrition therapy in another
20 jurisdiction; and

21 (iii) The applicant meets one of the following examination criteria:
22 the applicant has successfully passed either the examination
23 administered by the Board for Certification of Nutrition Specialists or
24 the examination administered by the American Clinical Board of
25 Nutrition; or
26 the applicant has either a valid current certification with the Board
27 for Certification of Nutrition Specialists that gives the applicant the
28 right to use the term "Certified Nutrition Specialist" or "CNS" or a
29 valid current certification with the American Clinical Board of
30 Nutrition that gives the applicant the right to use the term "Diplomate,
31 American Clinical Board of Nutrition" or "DACBN."

32

33 10. (New section) The board shall issue a license to any applicant
34 who, in the opinion of the board, has satisfactorily met the
35 requirements specified in section 9 of P.L. , c. (C.) (pending
36 before the Legislature as this bill).

37 Except in the case of a temporary license issued pursuant to section
38 14 of P.L. , c. (C.) (pending before the Legislature as this
39 bill), all licenses shall be issued for a two-year period upon the
40 payment of the licensure fee prescribed by the board, and shall be
41 renewed upon filing of a renewal application, the payment of a
42 licensure fee, and presentation of satisfactory evidence that the
43 renewal applicant has successfully completed the continuing education
44 requirements prescribed by the board by regulation.

45

46 11. (New section) Upon payment to the board of a fee and the
47 submission of a written application on forms provided by it, the board
48 shall license without examination a nutritionist or dietitian who is

1 licensed, registered or certified by another state or possession of the
2 United States or the District of Columbia which has standards
3 substantially equivalent to those of this State.
4

5 12. (New section) For a period of one year after the effective date
6 of P.L. , c. (C.) (pending before the Legislature as this bill),
7 any person who is practicing or residing in this State on the effective
8 date of P.L. , c. (C.) (pending before the Legislature as this
9 bill) may qualify as a licensed nutritionist upon application for
10 licensure and payment of the appropriate fee, provided the applicant
11 furnishes evidence satisfactory to the board that the applicant has
12 received a baccalaureate or higher academic degree from a United
13 States regionally accredited college or university with a minimum of
14 30 credit hours or a major concentration of study in human nutrition,
15 foods and nutrition, food systems management, nutritional science,
16 nutritional education, community nutrition, public health nutrition,
17 nutrition education, nutrition, nutrition science, clinical nutrition,
18 applied clinical nutrition, nutrition counseling, nutrition and functional
19 medicine, nutritional biochemistry, nutrition and integrative health, or
20 related coursework approved by the board; and has been employed at
21 least half-time as a nutritionist providing nutrition care services for the
22 purpose of treatment or management of a disease or medical condition
23 regularly for three of the last five years immediately preceding the
24 effective date of P.L. , c. (C.) (pending before the Legislature
25 as this bill).
26

27 13. (New section) No person, business entity or its employees,
28 agents, or representatives shall use the titles, "dietitian nutritionist,"
29 "nutritionist," "dietitian," "dietician," "nutrition counselor," "nutrition
30 consultant," "nutrition specialist," "LDN," "LD," "LN," "nutritional
31 therapy practitioner," "nutritional therapy consultant," "certified
32 nutrition therapy practitioner," "master nutrition therapist," "licensed
33 dietitian nutritionist," "licensed nutritionist" or any other title,
34 designation, words, letters, abbreviations, or insignia indicating that
35 one is licensed for the practice of dietetics and nutrition or holds
36 oneself out as a provider of medical nutrition therapy unless licensed
37 to practice dietetics and nutrition under the provisions of P.L. ,
38 c. (C.) (pending before the Legislature as this bill). A dietitian
39 registered by the Commission on Dietetic Registration may use the
40 title registered dietitian or registered dietitian nutritionist and the
41 designation RD or RDN, and a nutritionist certified by the Board for
42 Certification of Nutrition Specialists may use the title Certified
43 Nutrition Specialist and the designation CNS.
44

45 14. (New section) a. Upon payment to the board of a fee and the
46 submission of a written application on forms provided by it, the board
47 shall issue a temporary license to a person who has applied for
48 licensure pursuant to P.L. , c. (C.) (pending before the

1 Legislature as this bill) and who, in the judgment of the board, is
2 eligible for examination. A temporary license shall be available to an
3 applicant with the applicant's initial application for examination and
4 the applicant may practice only under the supervision of a supervisor
5 specified in section 9 of P.L. , c. (C.) (pending before the
6 Legislature as this bill), consistent with State law. A temporary
7 license shall expire automatically upon failure of the licensure
8 examination but may be renewed until the date of the next examination
9 at which time it shall automatically expire and be surrendered to the
10 board.

11 b. Upon payment to the board of a fee and the submission of a
12 written application on forms provided by it, the board may issue
13 without examination a temporary license authorizing one to provide
14 medical nutrition therapy and to hold oneself out as a dietitian
15 nutritionist or nutritionist in this State to a person who provides
16 evidence that the person is in the State on a temporary basis to assist in
17 a medical emergency or engage in a special project or teaching
18 assignment relating to the practice of dietetics and nutrition and the
19 provision of medical nutrition therapy. A temporary license shall
20 expire one year from its date of issuance, but may be renewed by the
21 board for an additional one year period. This temporary license shall
22 be surrendered to the board upon its expiration.

23
24 15. (New section) a. Licensed dietitian nutritionists and licensed
25 nutritionists shall provide nutrition care services using systematic,
26 evidence-based, and problem-solving methods to critically think and
27 make decisions to address nutrition related problems, providing safe,
28 effective, quality nutrition services, and medical nutrition therapy for
29 patients and clients in both clinical and community settings.

30 b. A licensed dietitian nutritionist or licensed nutritionist may
31 accept or transmit oral, verbal, delegated, or electronically transmitted
32 orders from the referring provider consistent with applicable laws and
33 rules in conjunction with protocols established to implement medical
34 nutrition therapy.

35 c. A licensed dietitian nutritionist or licensed nutritionist may
36 order patient diets, including therapeutic diets, in accordance with the
37 provisions of P.L. , c. (C.) (pending before the Legislature as
38 this bill). Therapeutic diets may include oral, enteral, or parenteral
39 nutrition therapy. Enteral and parenteral nutrition therapy consist of
40 specialized enteral or intravenous solutions and shall only be ordered
41 by an individual licensed under P.L. , c. (C.) (pending before
42 the Legislature as this bill) who also meets one of the following
43 criteria:

44 (1) the individual is a registered dietitian nutritionist registered
45 with the Commission on Dietetic Registration;

46 (2) the individual is a Certified Nutrition Support Clinician
47 certified by the National Board of Nutrition Support Certification; or

1 (3) the individual meets other requirements demonstrating
2 competency at the novice level in evaluating and ordering enteral and
3 parenteral therapy and administering enteral therapy, as published in
4 the Revised 2017 Standards of Practice and Standards of Professional
5 Performance for Registered Dietitian Nutritionists.

6 d. Nothing in this section shall be construed to limit the ability of
7 any other licensed health care provider in this State to order
8 therapeutic diets, so long as the order of therapeutic diets falls within
9 the scope of the license held by the health care provider.

10
11 16. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read as
12 follows:

13 1. The provisions of this act shall apply to the following boards
14 and commissions: the New Jersey State Board of Accountancy, the
15 New Jersey State Board of Architects, the New Jersey State Board of
16 Cosmetology and Hairstyling, the Board of Examiners of Electrical
17 Contractors, the New Jersey State Board of Dentistry, the State Board
18 of Mortuary Science of New Jersey, the State Board of Professional
19 Engineers and Land Surveyors, the State Board of Marriage and
20 Family Therapy Examiners, the State Board of Medical Examiners, the
21 New Jersey Board of Nursing, the New Jersey State Board of
22 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
23 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
24 of Professional Planners, the State Board of Psychological Examiners,
25 the State Board of Examiners of Master Plumbers, the New Jersey
26 Real Estate Commission, the State Board of Court Reporting, the State
27 Board of Veterinary Medical Examiners, the Radiologic Technology
28 Board of Examiners, the Acupuncture Examining Board, the State
29 Board of Chiropractic Examiners, the State Board of Respiratory Care,
30 the State Real Estate Appraiser Board, the State Board of Social Work
31 Examiners, the State Board of Examiners of Heating, Ventilating, Air
32 Conditioning and Refrigeration Contractors, the Elevator, Escalator,
33 and Moving Walkway Mechanics Licensing Board, the State Board of
34 Physical Therapy Examiners, the Orthotics and Prosthetics Board of
35 Examiners, the New Jersey Cemetery Board, the State Board of
36 Polysomnography, the New Jersey Board of Massage and Bodywork
37 Therapy, the Genetic Counseling Advisory Committee, the State
38 Board of Dietetics and Nutrition, and any other entity hereafter created
39 under Title 45 to license or otherwise regulate a profession or
40 occupation.

41 (cf: P.L.2012, c.71, s.13)

42
43 17. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read as
44 follows:

45 1. The provisions of this act shall apply to the following boards
46 and commissions: the New Jersey State Board of Accountancy, the
47 New Jersey State Board of Architects, the New Jersey State Board of
48 Cosmetology and Hairstyling, the Board of Examiners of Electrical

1 Contractors, the New Jersey State Board of Dentistry, the State Board
2 of Mortuary Science of New Jersey, the State Board of Professional
3 Engineers and Land Surveyors, the State Board of Marriage and
4 Family Therapy Examiners, the State Board of Medical Examiners, the
5 New Jersey Board of Nursing, the New Jersey State Board of
6 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
7 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
8 of Professional Planners, the State Board of Psychological Examiners,
9 the State Board of Examiners of Master Plumbers, the State Board of
10 Court Reporting, the State Board of Veterinary Medical Examiners,
11 the Radiologic Technology Board of Examiners, the Acupuncture
12 Examining Board, the State Board of Chiropractic Examiners, the
13 State Board of Respiratory Care, the State Real Estate Appraiser
14 Board, the New Jersey Cemetery Board, the State Board of Social
15 Work Examiners, the State Board of Examiners of Heating,
16 Ventilating, Air Conditioning and Refrigeration Contractors, the
17 Elevator, Escalator, and Moving Walkway Mechanics Licensing
18 Board, the State Board of Physical Therapy Examiners, the State
19 Board of Polysomnography, the Orthotics and Prosthetics Board of
20 Examiners, the New Jersey Board of Massage and Bodywork Therapy,
21 the Genetic Counseling Advisory Committee, the State Board of
22 Dietetics and Nutrition, and any other entity hereafter created under
23 Title 45 to license or otherwise regulate a profession or occupation.
24 (cf: P.L.2012, c.71, s.15)
25

26 18. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read as
27 follows:

28 2. The provisions of this act shall apply to the following boards
29 and all professions or occupations regulated by, through or with the
30 advice of those boards: the New Jersey State Board of Accountancy,
31 the New Jersey State Board of Architects, the New Jersey State Board
32 of Cosmetology and Hairstyling, the Board of Examiners of Electrical
33 Contractors, the New Jersey State Board of Dentistry, the State Board
34 of Mortuary Science of New Jersey, the State Board of Professional
35 Engineers and Land Surveyors, the State Board of Marriage and
36 Family Therapy Examiners, the State Board of Medical Examiners, the
37 New Jersey Board of Nursing, the New Jersey State Board of
38 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
39 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
40 of Professional Planners, the State Board of Psychological Examiners,
41 the State Board of Examiners of Master Plumbers, the State Board of
42 Court Reporting, the State Board of Veterinary Medical Examiners,
43 the State Board of Chiropractic Examiners, the State Board of
44 Respiratory Care, the State Real Estate Appraiser Board, the State
45 Board of Social Work Examiners, the State Board of Examiners of
46 Heating, Ventilating, Air Conditioning and Refrigeration Contractors,
47 the Elevator, Escalator, and Moving Walkway Mechanics Licensing
48 Board, the State Board of Physical Therapy Examiners, the State

1 Board of Polysomnography, the Professional Counselor Examiners
2 Committee, the New Jersey Cemetery Board, the Orthotics and
3 Prosthetics Board of Examiners, the Occupational Therapy Advisory
4 Council, the Electrologists Advisory Committee, the Acupuncture
5 Advisory Committee, the Alcohol and Drug Counselor Committee, the
6 Athletic Training Advisory Committee, the Certified Psychoanalysts
7 Advisory Committee, the Fire Alarm, Burglar Alarm, and Locksmith
8 Advisory Committee, the Home Inspection Advisory Committee, the
9 Interior Design Examination and Evaluation Committee, the Hearing
10 Aid Dispensers Examining Committee, the Perfusionists Advisory
11 Committee, the Physician Assistant Advisory Committee, the
12 Audiology and Speech-Language Pathology Advisory Committee, the
13 New Jersey Board of Massage and Bodywork Therapy, the Genetic
14 Counseling Advisory Committee, the State Board of Dietetics and
15 Nutrition, and any other entity hereafter created under Title 45 to
16 license or otherwise regulate a profession or occupation.

17 (cf: P.L.2013, c.253, s.34)

18

19 19. This act shall take effect immediately, except that sections 8
20 and 13 of this act shall take effect one year after the date of enactment.