

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2625

STATE OF NEW JERSEY
218th LEGISLATURE

ADOPTED NOVEMBER 14, 2019

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator M. TERESA RUIZ

District 29 (Essex)

Co-Sponsored by:

Senator Madden

SYNOPSIS

Establishes "Dietetics and Nutrition Licensing Act."

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on December 5, 2019, with amendments.



(Sponsorship Updated As Of: 12/17/2019)

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
9 the "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
15 to properly protect the health and safety of the citizenry and further,
16 that the health and welfare of the residents of the State will be
17 protected by identifying to the public those individuals who are
18 qualified and legally authorized to practice dietetics and nutrition.
19

20 3. (New section) As used in P.L. , c. (C) (pending
21 before 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
26 entity 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
30 gives the individual the right to use the terms "Certified Nutrition
31 Specialist" or "CNS".

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

34 "Dietitian" or "Dietitian nutritionist" means a person licensed as
35 a licensed dietitian nutritionist pursuant to the provisions of P.L. ,
36 c. (C.) (pending before the Legislature as this bill) who may be
37 referred to as a nutritionist, a dietitian nutritionist or a dietician.

38 "Diplomate of the American Clinical Board of Nutrition" means
39 an individual certified as such by the American Clinical Board of
40 Nutrition that gives the individual the right to use the terms
41 "Diplomate of the American Clinical Board of Nutrition" or
42 "DACBN."

43 "Director" means the Director of the Division of Consumer
44 Affairs in the Department of Law and Public Safety.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted December 5, 2019.

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

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

7 "Medical nutrition therapy" means the provision of nutrition care
8 services for the intended purpose of treatment or management of a
9 diagnosed disease or medical condition.

10 "Medical weight control" means medical nutrition therapy for the
11 purpose of reducing, maintaining, or gaining weight.

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

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

41 "Registered Dietitian" or "registered dietitian nutritionist" means
42 an individual registered as such with the Commission on Dietetic
43 Registration that gives the applicant the right to use the term
44 "registered dietitian nutritionist," "registered dietitian," "RDN," or
45 "RD."

46 "Therapeutic diet" means a diet intervention prescribed by a
47 physician or other authorized non-physician practitioner that
48 provides food or nutrients via oral, enteral, and parenteral routes as

1 part of treatment of disease or diagnosed clinical conditions to
2 modify, eliminate, decrease, or increase identified micro-nutrients
3 and macro-nutrients in the diet.
4

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

1 and a resident of this State and shall not be any of the following: a
2 dietitian nutritionist or nutritionist; an agent or employee of a
3 person engaged in the profession of dietetics or nutrition; a licensed
4 health care professional or enrolled in a program to become
5 prepared to be a licensed health care professional; an agent or
6 employee of a health care institution, a health care insurer, or a
7 health care professional school; a member of any allied health
8 profession or enrolled in a program to become prepared to be a
9 member of an allied health profession; or the spouse or first degree
10 relative, such as a parent, child or sibling, of an individual not
11 eligible to serve as a public member of the board.

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

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

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

44
45 6. (New section) The board shall organize within 30 days after
46 the appointment of its members and shall annually elect from
47 among its members a chairperson and vice-chairperson, and elect a
48 secretary who need not be a member of the board. The chairperson

1 position shall rotate annually between: a member holding current
2 registration with the Commission on Dietetic Registration who may
3 not also be eligible for certification by either the Board for
4 Certification of Nutrition Specialists or the American Clinical
5 Board of Nutrition and a member credentialed by either the Board
6 for Certification of Nutrition Specialists or the American Clinical
7 Board of Nutrition who is not eligible for registration with the
8 Commission on Dietetic Registration. If the chairperson holds
9 registration with the Commission on Dietetic Registration, the vice-
10 chairperson shall be a member holding registration with either the
11 Board for Certification of Nutrition Specialists or the American
12 Clinical Board of Nutrition.

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

28

29 7. (New section) The board shall:

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

31 (2) adopt a code of ethics;

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

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

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

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

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

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

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

10

11 8. (New section) A person shall not provide medical nutrition
12 therapy, whether compensated or not, unless the person holds a
13 valid license issued pursuant to P.L. , c. (C) (pending
14 before the Legislature as this bill) to practice in this State, except
15 that nothing in P.L. , c. (C) (pending before the Legislature
16 as this bill) shall be construed to:

17 (1) prohibit a person licensed to practice pursuant to Title 45 of
18 the Revised Statutes from engaging in the practice or teaching of
19 dietetics and nutrition within the scope of that person's license or
20 any other person licensed to practice or certified to teach in this
21 State under any other law from engaging in the practice or teaching
22 for which that person is licensed, regulated, or certified;

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

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

35 (4) prohibit any person who does not hold himself or herself out
36 to be a licensed dietitian nutritionist or licensed nutritionist from
37 furnishing nutrition information¹, providing evaluation, guidance,
38 information, and education¹ as to the use of food, food materials, or
39 dietary supplements, or from engaging in the explanation to persons
40 as to the use of food or food products including dietary
41 supplements;

42 (5) prohibit any person providing medical weight control from
43 doing so through a program of instruction that has been approved in
44 writing by a licensed dietitian nutritionist or licensed nutritionist in
45 this State, a dietitian nutritionist or nutritionist licensed in another
46 state that has licensure requirements substantially equivalent to
47 those of this State, as determined by the board, a dietitian registered
48 by the Commission on Dietetic Registration, a nutritionist certified

1 by the Board for Certification of Nutrition Specialists, a Diplomate
2 of the American Clinical Board of Nutrition, or is part of a plan of
3 care overseen by a New Jersey State licensed health care provider
4 who is legally authorized to provide nutrition care services for the
5 purpose of treatment or management of a disease or medical
6 condition;

7 (6) prohibit a nutrition and dietetic technician from providing
8 nutrition services under the supervision of a licensed dietitian
9 nutritionist or licensed nutritionist;

10 (7) prohibit an individual from providing nutrition care services
11 while under the direct supervision of a New Jersey State licensed
12 health care provider who is legally authorized to provide nutrition
13 care services for the purpose of treatment or management of a
14 disease or medical condition; or

15 (8) prohibit any individual from providing nutrition information,
16 guidance, encouragement, individualized nutrition
17 recommendations, behavior change management, coaching,
18 assessments, weight control services, or other nutrition care services
19 that do not constitute medical nutrition therapy as defined in section
20 3 of P.L. , c. (C.) (pending before the Legislature as this
21 bill), provided that the individual does not hold himself or herself
22 out as a licensed dietitian nutritionist or licensed nutritionist or as a
23 provider of medical nutrition therapy.

24

25 9. (New section) a. To be eligible to be licensed as a dietitian
26 nutritionist, an applicant shall be at least 18 years of age; be of good
27 moral character; and submit a completed application as required by
28 the board, and submit any fees as required by the board. The
29 applicant shall meet one of the following criteria: provide evidence
30 of current, valid registration as a registered dietitian nutritionist
31 with the Commission on Dietetic Registration; or submit proof of
32 completion for all of the following educational, supervised practice
33 experience, and examination requirements:

34 (1) the applicant has received a baccalaureate, master's or
35 doctoral degree with a major course of study in human nutrition,
36 foods and nutrition, dietetics, food systems management, nutrition
37 education, nutrition, nutrition science, clinical nutrition, applied
38 clinical nutrition, nutrition counseling, nutrition and functional
39 medicine, nutritional biochemistry, nutrition and integrative health,
40 or an equivalent course of study from:

41 (a) a college or university accredited at the time of graduation
42 from the appropriate regional accrediting agency recognized by the
43 Council on Higher Education Accreditation and the federal
44 Department of Education and that, as approved by the Board, meets
45 the competency requirements of an Accreditation Council for
46 Education in Nutrition and Dietetics accredited didactic program in
47 dietetics; or

1 (b) has an academic degree from a foreign country that has been
2 validated as equivalent to the baccalaureate or post-baccalaureate
3 degree conferred by a regionally accredited college or university in
4 the United States by a credential evaluation agency recognized by
5 the federal Department of Education and that, as approved by the
6 board, meets the competency requirements of an Accreditation
7 Council for Education in Nutrition and Dietetics accredited didactic
8 program in dietetics;

9 (2) the applicant has successfully completed a planned clinical
10 program in an approved practice of dietetics and nutrition that, as
11 approved by the board, meets the competency requirements of an
12 Accreditation Council for Education in Nutrition and Dietetics
13 accredited supervised practice experience of not less than 1,200
14 hours under the supervision of a dietitian nutritionist licensed in this
15 State or licensed, registered, or certified in any other state having
16 requirements for licensure, registration, or certification substantially
17 similar to licensure requirements in this State, as approved by the
18 board; or a registered dietitian nutritionist registered with the
19 Commission on Dietetic Registration. Supervisors who obtained
20 their doctoral degree outside the United States and its territories
21 must have their degrees validated as equivalent to the doctoral
22 degree conferred by a United States regionally accredited college or
23 university by a credential evaluation agency recognized by the
24 federal Department of Education; and

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

30 b. To be eligible to be licensed as a nutritionist, an applicant
31 shall be at least 18 years of age; be of good moral character; submit
32 a completed application as required by the board, submit any fees as
33 required by the board, and submit proof of completion of the
34 following educational, supervised practice experience, and
35 examination requirements:

36 (1) the applicant has received a master's or doctoral nutrition
37 degree or, has an academic degree, from a foreign country, that has
38 been validated as equivalent to the masters or doctoral degree
39 conferred by a regionally accredited college or university in the
40 United States by a credential evaluation agency recognized by the
41 federal Department of Education, with a major in human nutrition,
42 foods and nutrition, community nutrition, public health nutrition,
43 nutrition education, nutrition, nutrition science, clinical nutrition,
44 applied clinical nutrition, nutrition counseling, nutrition and
45 functional medicine, nutritional biochemistry, nutrition and
46 integrative health, or a comparable titled major, or master's or
47 doctoral degree or validated foreign equivalent, in a field of clinical
48 health care from a college or university accredited at the time of

1 graduation from the appropriate regional accrediting agency
2 recognized by the Council on Higher Education Accreditation and
3 the United States Department of Education, and has completed
4 coursework leading to competence in medical nutrition therapy,
5 which includes, but may not be limited to, the following content
6 areas:

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

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

12 (ii) the applicant must have completed a board approved
13 internship or a documented, supervised practice experience in
14 nutrition care services and the provision of medical nutrition
15 therapy of not less than 1000 hours involving at least 200 hours of
16 nutrition assessment, 200 hours of nutrition intervention, education,
17 counseling or management, and 200 hours of nutrition monitoring
18 or evaluation under the supervision of a Certified Nutrition
19 Specialist, a Diplomate of the American Clinical Board Of
20 Nutrition, a Registered Dietitian Nutritionist, a licensed dietitian
21 nutritionist or a licensed nutritionist in this State, a State licensed
22 health care provider whose scope of practice includes the provision
23 of nutrition care services for the purpose of treatment or
24 management of disease or medical condition, or an individual with
25 a doctoral degree conferred by a United States regionally accredited
26 college or university with a major course of study in human
27 nutrition, foods and nutrition, dietetics, nutrition education,
28 nutrition, nutrition science, clinical nutrition, applied clinical
29 nutrition, nutrition counseling, nutrition and functional medicine,
30 nutritional biochemistry, nutrition and integrative health, or an
31 equivalent course of study, with a reasonable threshold of academic
32 credits in nutrition and nutrition sciences as described in this
33 section. For purposes of this subparagraph, a supervisor shall be
34 licensed in this State if supervising an applicant providing medical
35 nutrition therapy to an individual located in this State. Supervisors
36 who obtained their doctoral degree outside the United States and its
37 territories must have their degrees validated as equivalent to the
38 doctoral degree conferred by a regionally accredited college or
39 university in the United States by a credential evaluation agency
40 recognized by the federal Department of Education. The applicant
41 shall complete this documented, supervised practice experience
42 within five years of completing the academic requirements specified
43 in this section, but the board, in its discretion, may grant a limited
44 extension to this time frame in the event of extraordinary
45 circumstances, which may include consideration for individuals
46 who have been legally providing medical nutrition therapy in
47 another jurisdiction; and

1 (iii) The applicant meets one of the following examination
2 criteria:

3 the applicant has successfully passed either the examination
4 administered by the Board for Certification of Nutrition Specialists
5 or the examination administered by the American Clinical Board of
6 Nutrition; or

7 the applicant has either a valid current certification with the
8 Board for Certification of Nutrition Specialists that gives the
9 applicant the right to use the term "Certified Nutrition Specialist" or
10 "CNS" or a valid current certification with the American Clinical
11 Board of Nutrition that gives the applicant the right to use the term
12 "Diplomate, American Clinical Board of Nutrition" or "DACBN."
13

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

18 Except in the case of a temporary license issued pursuant to
19 section 14 of P.L. , c. (C.) (pending before the Legislature
20 as this bill), all licenses shall be issued for a two-year period upon
21 the payment of the licensure fee prescribed by the board, and shall
22 be renewed upon filing of a renewal application, the payment of a
23 licensure fee, and presentation of satisfactory evidence that the
24 renewal applicant has successfully completed the continuing
25 education requirements prescribed by the board by regulation.
26

27 11. (New section) Upon payment to the board of a fee and the
28 submission of a written application on forms provided by it, the
29 board shall license without examination a nutritionist or dietitian
30 who is licensed, registered or certified by another state or
31 possession of the United States or the District of Columbia which
32 has standards substantially equivalent to those of this State.
33

34 12. (New section) For a period of one year after the effective
35 date of P.L. , c. (C.) (pending before the Legislature as this
36 bill), any person who is practicing or residing in this State on the
37 effective date of P.L. , c. (C.) (pending before the
38 Legislature as this bill) may qualify as a licensed nutritionist upon
39 application for licensure and payment of the appropriate fee,
40 provided the applicant furnishes evidence satisfactory to the board
41 that the applicant has received a baccalaureate or higher academic
42 degree from a United States regionally accredited college or
43 university with a minimum of 30 credit hours or a major
44 concentration of study in human nutrition, foods and nutrition, food
45 systems management, nutritional science, nutritional education,
46 community nutrition, public health nutrition, nutrition education,
47 nutrition, nutrition science, clinical nutrition, applied clinical
48 nutrition, nutrition counseling, nutrition and functional medicine,

1 nutritional biochemistry, nutrition and integrative health, or related
2 coursework approved by the board; and has been employed at least
3 half-time as a nutritionist providing nutrition care services for the
4 purpose of treatment or management of a disease or medical
5 condition regularly for three of the last five years immediately
6 preceding the effective date of P.L. , c. (C) (pending before
7 the Legislature as this bill).

8
9 13. (New section) No person, business entity or its employees,
10 agents, or representatives shall use the titles, “dietitian nutritionist,”
11 “nutritionist,”¹ “dietitian,” “dietician,” “nutrition counselor,”
12 “nutrition specialist,” “LDN,” “LD,” “LN,” “nutritional therapy
13 practitioner,” “nutritional therapy consultant,” “certified nutrition
14 therapy practitioner,” “master nutrition therapist,” “licensed
15 dietitian nutritionist,” “licensed nutritionist” or any other title,
16 designation, words, letters, abbreviations, or insignia indicating one
17 as a provider of medical nutrition therapy or as licensed under
18 P.L. , c. (C.)(pending before the Legislature as this bill)
19 unless licensed to practice dietetics and nutrition under the
20 provisions of P.L. , c. (C.)(pending before the Legislature
21 as this bill). A dietitian registered by the Commission on Dietetic
22 Registration may use the title registered dietitian or registered
23 dietitian nutritionist and the designation RD or RDN, and a
24 nutritionist certified by the Board for Certification of Nutrition
25 Specialists may use the title Certified Nutrition Specialist and the
26 designation CNS, and an individual may use any lawfully earned
27 federally trademarked title.

28
29 14. (New section) a. Upon payment to the board of a fee and
30 the submission of a written application on forms provided by it, the
31 board shall issue a temporary license to a person who has applied
32 for licensure pursuant to P.L. , c. (C.)(pending before the
33 Legislature as this bill) and who, in the judgment of the board, is
34 eligible for examination. A temporary license shall be available to
35 an applicant with the applicant’s initial application for examination
36 and the applicant may practice only under the supervision of a
37 supervisor specified in section 9 of P.L. , c. (C.)(pending
38 before the Legislature as this bill), consistent with State law. A
39 temporary license shall expire automatically upon failure of the
40 licensure examination but may be renewed until the date of the next
41 examination at which time it shall automatically expire and be
42 surrendered to the board.

43 b. Upon payment to the board of a fee and the submission of a
44 written application on forms provided by it, the board may issue
45 without examination a temporary license authorizing one to provide
46 medical nutrition therapy and to hold oneself out as a dietitian
47 nutritionist or nutritionist in this State to a person who provides
48 evidence that the person is in the State on a temporary basis to

1 assist in a medical emergency or engage in a special project or
2 teaching assignment relating to the practice of dietetics and
3 nutrition and the provision of medical nutrition therapy. A
4 temporary license shall expire one year from its date of issuance,
5 but may be renewed by the board for an additional one year period.
6 This temporary license shall be surrendered to the board upon its
7 expiration.

8

9 15. (New section) a. Licensed dietitian nutritionists and
10 licensed nutritionists shall provide nutrition care services using
11 systematic, evidence-based, and problem-solving methods to
12 critically think and make decisions to address nutrition related
13 problems, providing safe, effective, quality nutrition services, and
14 medical nutrition therapy for patients and clients in both clinical
15 and community settings.

16 b. A licensed dietitian nutritionist or licensed nutritionist may
17 accept or transmit oral, verbal, delegated, or electronically
18 transmitted orders from the referring provider consistent with
19 applicable laws and rules in conjunction with protocols established
20 to implement medical nutrition therapy.

21 c. A licensed dietitian nutritionist or licensed nutritionist may
22 order patient diets, including therapeutic diets, in accordance with
23 the provisions of P.L. , c. (C.) (pending before the
24 Legislature as this bill). Therapeutic diets may include oral, enteral,
25 or parenteral nutrition therapy. Enteral and parenteral nutrition
26 therapy consist of specialized enteral or intravenous solutions and
27 shall only be ordered by an individual licensed under P.L. ,
28 c. (C.) (pending before the Legislature as this bill) who also
29 meets one of the following criteria:

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

32 (2) the individual is a Certified Nutrition Support Clinician
33 certified by the National Board of Nutrition Support Certification;
34 or

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

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

44

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

47 1. The provisions of this act shall apply to the following boards
48 and commissions: the New Jersey State Board of Accountancy, the

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

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

29

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

32 1. The provisions of this act shall apply to the following boards
33 and commissions: the New Jersey State Board of Accountancy, the
34 New Jersey State Board of Architects, the New Jersey State Board
35 of Cosmetology and Hairstyling, the Board of Examiners of
36 Electrical Contractors, the New Jersey State Board of Dentistry, the
37 State Board of Mortuary Science of New Jersey, the State Board of
38 Professional Engineers and Land Surveyors, the State Board of
39 Marriage and Family Therapy Examiners, the State Board of
40 Medical Examiners, the New Jersey Board of Nursing, the New
41 Jersey State Board of Optometrists, the State Board of Examiners of
42 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of
43 Pharmacy, the State Board of Professional Planners, the State Board
44 of Psychological Examiners, the State Board of Examiners of
45 Master Plumbers, the State Board of Court Reporting, the State
46 Board of Veterinary Medical Examiners, the Radiologic
47 Technology Board of Examiners, the Acupuncture Examining
48 Board, the State Board of Chiropractic Examiners, the State Board

1 of Respiratory Care, the State Real Estate Appraiser Board, the New
2 Jersey Cemetery Board, the State Board of Social Work Examiners,
3 the State Board of Examiners of Heating, Ventilating, Air
4 Conditioning and Refrigeration Contractors, the Elevator, Escalator,
5 and Moving Walkway Mechanics Licensing Board, the State Board
6 of Physical Therapy Examiners, the State Board of
7 Polysomnography, the Orthotics and Prosthetics Board of
8 Examiners, the New Jersey Board of Massage and Bodywork
9 Therapy, the Genetic Counseling Advisory Committee, the State
10 Board of Dietetics and Nutrition, and any other entity hereafter
11 created under Title 45 to license or otherwise regulate a profession
12 or occupation.

13 (cf: P.L.2012, c.71, s.15)

14

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

17 2. The provisions of this act shall apply to the following boards
18 and all professions or occupations regulated by, through or with the
19 advice of those boards: the New Jersey State Board of
20 Accountancy, the New Jersey State Board of Architects, the New
21 Jersey State Board of Cosmetology and Hairstyling, the Board of
22 Examiners of Electrical Contractors, the New Jersey State Board of
23 Dentistry, the State Board of Mortuary Science of New Jersey, the
24 State Board of Professional Engineers and Land Surveyors, the
25 State Board of Marriage and Family Therapy Examiners, the State
26 Board of Medical Examiners, the New Jersey Board of Nursing, the
27 New Jersey State Board of Optometrists, the State Board of
28 Examiners of Ophthalmic Dispensers and Ophthalmic Technicians,
29 the Board of Pharmacy, the State Board of Professional Planners,
30 the State Board of Psychological Examiners, the State Board of
31 Examiners of Master Plumbers, the State Board of Court Reporting,
32 the State Board of Veterinary Medical Examiners, the State Board
33 of Chiropractic Examiners, the State Board of Respiratory Care, the
34 State Real Estate Appraiser Board, the State Board of Social Work
35 Examiners, the State Board of Examiners of Heating, Ventilating,
36 Air Conditioning and Refrigeration Contractors, the Elevator,
37 Escalator, and Moving Walkway Mechanics Licensing Board, the
38 State Board of Physical Therapy Examiners, the State Board of
39 Polysomnography, the Professional Counselor Examiners
40 Committee, the New Jersey Cemetery Board, the Orthotics and
41 Prosthetics Board of Examiners, the Occupational Therapy
42 Advisory Council, the Electrologists Advisory Committee, the
43 Acupuncture Advisory Committee, the Alcohol and Drug Counselor
44 Committee, the Athletic Training Advisory Committee, the
45 Certified Psychoanalysts Advisory Committee, the Fire Alarm,
46 Burglar Alarm, and Locksmith Advisory Committee, the Home
47 Inspection Advisory Committee, the Interior Design Examination
48 and Evaluation Committee, the Hearing Aid Dispensers Examining

1 Committee, the Perfusionists Advisory Committee, the Physician
2 Assistant Advisory Committee, the Audiology and Speech-
3 Language Pathology Advisory Committee, the New Jersey Board of
4 Massage and Bodywork Therapy, the Genetic Counseling Advisory
5 Committee, the State Board of Dietetics and Nutrition, and any
6 other entity hereafter created under Title 45 to license or otherwise
7 regulate a profession or occupation.
8 (cf: P.L.2013, c.253, s.34)

9
10 19. This act shall take effect immediately, except that sections 8
11 and 13 of this act shall take effect one year after the date of
12 enactment.