

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)

SYNOPSIS

Establishes "Dietetics and Nutrition Licensing Act."

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Commerce Committee.



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 "Dietitian" or "Dietitian nutritionist" means a person licensed as a
35 licensed dietitian nutritionist pursuant to the provisions of P.L. , c.
36 (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 an
39 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 Affairs
44 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.

1 "Licensed dietitian nutritionist" means a person who is licensed as
2 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. , c. (C.)
6 (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 of
13 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, including
16 ordering laboratory tests to check and track nutrition status and
17 monitor effectiveness of dietary plans and orders; establishing
18 priorities, goals, and objectives that meet nutritional needs and are
19 consistent with available resources and constraints; providing nutrition
20 counseling in health and disease; developing, implementing, and
21 managing nutrition care systems; evaluating, making changes in, and
22 maintaining appropriate standards of quality in food and nutrition
23 services; and ordering therapeutic diets.

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

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

44 "Therapeutic diet" means a diet intervention prescribed by a
45 physician or other authorized non-physician practitioner that provides
46 food or nutrients via oral, enteral, and parenteral routes as part of
47 treatment of disease or diagnosed clinical conditions to modify,

1 eliminate, decrease, or increase identified micro-nutrients and macro-
2 nutrients in the diet.

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

44 The member of the board appointed from the public at large shall
45 be a citizen or permanent resident of the United States and a resident
46 of this State and shall not be any of the following: a dietitian
47 nutritionist or nutritionist; an agent or employee of a person engaged
48 in the profession of dietetics or nutrition; a licensed health care

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

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

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

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

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

1 member credentialed by either the Board for Certification of Nutrition
2 Specialists or the American Clinical Board of Nutrition who is not
3 eligible for registration with the Commission on Dietetic Registration.
4 If the chairperson holds registration with the Commission on Dietetic
5 Registration, the vice-chairperson shall be a member holding
6 registration with either the Board for Certification of Nutrition
7 Specialists or the American Clinical Board of Nutrition.

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

23
24 7. (New section) The board shall:

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

26 (2) adopt a code of ethics;

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

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

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

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

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

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

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

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

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

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

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

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

35 (5) prohibit any person providing medical weight control from
36 doing so through a program of instruction that has been approved in
37 writing by a licensed dietitian nutritionist or licensed nutritionist in this
38 State, a dietitian nutritionist or nutritionist licensed in another state that
39 has licensure requirements substantially equivalent to those of this
40 State, as determined by the board, a dietitian registered by the
41 Commission on Dietetic Registration, a nutritionist certified by the
42 Board for Certification of Nutrition Specialists, a Diplomate of the
43 American Clinical Board of Nutrition, or is part of a plan of care
44 overseen by a New Jersey State licensed health care provider who is
45 legally authorized to provide nutrition care services for the purpose of
46 treatment or management of a disease or medical condition;

1 (6) prohibit a nutrition and dietetic technician from providing
2 nutrition services under the supervision of a licensed dietitian
3 nutritionist or licensed nutritionist;

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

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

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

28 (1) the applicant has received a baccalaureate, master's or doctoral
29 degree with a major course of study in human nutrition, foods and
30 nutrition, dietetics, food systems management, nutrition education,
31 nutrition, nutrition science, clinical nutrition, applied clinical nutrition,
32 nutrition counseling, nutrition and functional medicine, nutritional
33 biochemistry, nutrition and integrative health, or an equivalent course
34 of study from:

35 (a) a college or university accredited at the time of graduation
36 from the appropriate regional accrediting agency recognized by the
37 Council on Higher Education Accreditation and the federal
38 Department of Education and that, as approved by the Board, meets
39 the competency requirements of an Accreditation Council for
40 Education in Nutrition and Dietetics accredited didactic program in
41 dietetics; or

42 (b) has an academic degree from a foreign country that has been
43 validated as equivalent to the baccalaureate or post-baccalaureate
44 degree conferred by a regionally accredited college or university in the
45 United States by a credential evaluation agency recognized by the
46 federal Department of Education and that, as approved by the board,
47 meets the competency requirements of an Accreditation Council for

1 Education in Nutrition and Dietetics accredited didactic program in
2 dietetics;

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

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

24 b. To be eligible to be licensed as a nutritionist, an applicant shall
25 be at least 18 years of age; be of good moral character; submit a
26 completed application as required by the board, submit any fees as
27 required by the board, and submit proof of completion of the following
28 educational, supervised practice experience, and examination
29 requirements:

30 (1) the applicant has received a master's or doctoral nutrition
31 degree or, has an academic degree, from a foreign country, that has
32 been validated as equivalent to the masters or doctoral degree
33 conferred by a regionally accredited college or university in the United
34 States by a credential evaluation agency recognized by the federal
35 Department of Education, with a major in human nutrition, foods and
36 nutrition, community nutrition, public health nutrition, 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, or
40 a comparable titled major, or master's or doctoral degree or validated
41 foreign equivalent, in a field of clinical health care from a college or
42 university accredited at the time of graduation from the appropriate
43 regional accrediting agency recognized by the Council on Higher
44 Education Accreditation and the United States Department of
45 Education, and has completed coursework leading to competence in
46 medical nutrition therapy, which includes, but may not be limited to,
47 the following content areas:

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

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

6 (ii) the applicant must have completed a board approved
7 internship or a documented, supervised practice experience in nutrition
8 care services and the provision of medical nutrition therapy of not less
9 than 1000 hours involving at least 200 hours of nutrition assessment,
10 200 hours of nutrition intervention, education, counseling or
11 management, and 200 hours of nutrition monitoring or evaluation
12 under the supervision of a Certified Nutrition Specialist, a Diplomate
13 of the American Clinical Board Of Nutrition, a Registered Dietitian
14 Nutritionist, a licensed dietitian nutritionist or a licensed nutritionist in
15 this State, a State licensed health care provider whose scope of practice
16 includes the provision of nutrition care services for the purpose of
17 treatment or management of disease or medical condition, or an
18 individual with a doctoral degree conferred by a United States
19 regionally accredited college or university with a major course of
20 study in human nutrition, foods and nutrition, dietetics, 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 an equivalent course of study, with a reasonable threshold of academic
25 credits in nutrition and nutrition sciences as described in this section.
26 For purposes of this subparagraph, a supervisor shall be licensed in
27 this State if supervising an applicant providing medical nutrition
28 therapy to an individual located in this State. Supervisors who
29 obtained their doctoral degree outside the United States and its
30 territories must have their degrees validated as equivalent to the
31 doctoral degree conferred by a regionally accredited college or
32 university in the United States by a credential evaluation agency
33 recognized by the federal Department of Education. The applicant
34 shall complete this documented, supervised practice experience within
35 five years of completing the academic requirements specified in this
36 section, but the board, in its discretion, may grant a limited extension
37 to this time frame in the event of extraordinary circumstances, which
38 may include consideration for individuals who have been legally
39 providing medical nutrition therapy in another jurisdiction; and

40 (iii) The applicant meets one of the following examination
41 criteria:

42 the applicant has successfully passed either the examination
43 administered by the Board for Certification of Nutrition Specialists or
44 the examination administered by the American Clinical Board of
45 Nutrition; or

46 the applicant has either a valid current certification with the Board
47 for Certification of Nutrition Specialists that gives the applicant the
48 right to use the term "Certified Nutrition Specialist" or "CNS" or a

1 valid current certification with the American Clinical Board of
2 Nutrition that gives the applicant the right to use the term “Diplomate,
3 American Clinical Board of Nutrition” or “DACBN.”
4

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

9 Except in the case of a temporary license issued pursuant to section
10 14 of P.L. , c. (C.) (pending before the Legislature as this
11 bill), all licenses shall be issued for a two-year period upon the
12 payment of the licensure fee prescribed by the board, and shall be
13 renewed upon filing of a renewal application, the payment of a
14 licensure fee, and presentation of satisfactory evidence that the
15 renewal applicant has successfully completed the continuing education
16 requirements prescribed by the board by regulation.
17

18 11. (New section) Upon payment to the board of a fee and the
19 submission of a written application on forms provided by it, the board
20 shall license without examination a nutritionist or dietitian who is
21 licensed, registered or certified by another state or possession of the
22 United States or the District of Columbia which has standards
23 substantially equivalent to those of this State.
24

25 12. (New section) For a period of one year after the effective
26 date of P.L. , c. (C.) (pending before the Legislature as this
27 bill), any person who is practicing or residing in this State on the
28 effective date of P.L. , c. (C.) (pending before the Legislature
29 as this bill) may qualify as a licensed nutritionist upon application for
30 licensure and payment of the appropriate fee, provided the applicant
31 furnishes evidence satisfactory to the board that the applicant has
32 received a baccalaureate or higher academic degree from a United
33 States regionally accredited college or university with a minimum of
34 30 credit hours or a major concentration of study in human nutrition,
35 foods and nutrition, food systems management, nutritional science,
36 nutritional education, community nutrition, public health nutrition,
37 nutrition education, nutrition, nutrition science, clinical nutrition,
38 applied clinical nutrition, nutrition counseling, nutrition and functional
39 medicine, nutritional biochemistry, nutrition and integrative health, or
40 related coursework approved by the board; and has been employed at
41 least half-time as a nutritionist providing nutrition care services for the
42 purpose of treatment or management of a disease or medical condition
43 regularly for three of the last five years immediately preceding the
44 effective date of P.L. , c. (C.) (pending before the Legislature
45 as this bill).
46

47 13. (New section) No person, business entity or its employees,
48 agents, or representatives shall use the titles, “dietitian nutritionist,”

1 "dietitian," "dietician," "nutrition counselor," "nutrition specialist,"
2 "LDN," "LD," "LN," "nutritional therapy practitioner," "nutritional
3 therapy consultant," "certified nutrition therapy practitioner," "master
4 nutrition therapist," "licensed dietitian nutritionist," "licensed
5 nutritionist" or any other title, designation, words, letters,
6 abbreviations, or insignia indicating one as a provider of medical
7 nutrition therapy or as licensed under P.L. , c. (C.)(pending
8 before the Legislature as this bill) unless licensed to practice dietetics
9 and nutrition under the provisions of P.L. , c. (C.)(pending
10 before the Legislature as this bill). A dietitian registered by the
11 Commission on Dietetic Registration may use the title registered
12 dietitian or registered dietitian nutritionist and the designation RD or
13 RDN, and a nutritionist certified by the Board for Certification of
14 Nutrition Specialists may use the title Certified Nutrition Specialist
15 and the designation CNS, and an individual may use any lawfully
16 earned federally trademarked title.

17
18 14. (New section) a. Upon payment to the board of a fee and the
19 submission of a written application on forms provided by it, the board
20 shall issue a temporary license to a person who has applied for
21 licensure pursuant to P.L. , c. (C.)(pending before the
22 Legislature as this bill) and who, in the judgment of the board, is
23 eligible for examination. A temporary license shall be available to an
24 applicant with the applicant's initial application for examination and
25 the applicant may practice only under the supervision of a supervisor
26 specified in section 9 of P.L. , c. (C.)(pending before the
27 Legislature as this bill), consistent with State law. A temporary
28 license shall expire automatically upon failure of the licensure
29 examination but may be renewed until the date of the next examination
30 at which time it shall automatically expire and be surrendered to the
31 board.

32 b. Upon payment to the board of a fee and the submission of a
33 written application on forms provided by it, the board may issue
34 without examination a temporary license authorizing one to provide
35 medical nutrition therapy and to hold oneself out as a dietitian
36 nutritionist or nutritionist in this State to a person who provides
37 evidence that the person is in the State on a temporary basis to assist in
38 a medical emergency or engage in a special project or teaching
39 assignment relating to the practice of dietetics and nutrition and the
40 provision of medical nutrition therapy. A temporary license shall
41 expire one year from its date of issuance, but may be renewed by the
42 board for an additional one year period. This temporary license shall
43 be surrendered to the board upon its expiration.

44
45 15. (New section) a. Licensed dietitian nutritionists and licensed
46 nutritionists shall provide nutrition care services using systematic,
47 evidence-based, and problem-solving methods to critically think and
48 make decisions to address nutrition related problems, providing safe,

1 effective, quality nutrition services, and medical nutrition therapy for
2 patients and clients in both clinical and community settings.

3 b. A licensed dietitian nutritionist or licensed nutritionist may
4 accept or transmit oral, verbal, delegated, or electronically transmitted
5 orders from the referring provider consistent with applicable laws and
6 rules in conjunction with protocols established to implement medical
7 nutrition therapy.

8 c. A licensed dietitian nutritionist or licensed nutritionist may
9 order patient diets, including therapeutic diets, in accordance with the
10 provisions of P.L. , c. (C.) (pending before the Legislature as
11 this bill). Therapeutic diets may include oral, enteral, or parenteral
12 nutrition therapy. Enteral and parenteral nutrition therapy consist of
13 specialized enteral or intravenous solutions and shall only be ordered
14 by an individual licensed under P.L. , c. (C.) (pending before
15 the Legislature as this bill) who also meets one of the following
16 criteria:

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

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

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

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

30
31 16. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read
32 as follows:

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

1 Board of Chiropractic Examiners, the State Board of Respiratory Care,
2 the State Real Estate Appraiser Board, the State Board of Social Work
3 Examiners, 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 of
6 Physical Therapy Examiners, the Orthotics and Prosthetics Board of
7 Examiners, the New Jersey Cemetery Board, the State Board of
8 Polysomnography, 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 created
11 under Title 45 to license or otherwise regulate a profession or
12 occupation.
13 (cf: P.L.2012, c.71, s.13)
14

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

17 1. The provisions of this act shall apply to the following boards
18 and commissions: the New Jersey State Board of Accountancy, the
19 New Jersey State Board of Architects, the New Jersey State Board of
20 Cosmetology and Hairstyling, the Board of Examiners of Electrical
21 Contractors, the New Jersey State Board of Dentistry, the State Board
22 of Mortuary Science of New Jersey, the State Board of Professional
23 Engineers and Land Surveyors, the State Board of Marriage and
24 Family Therapy Examiners, the State Board of Medical Examiners, the
25 New Jersey Board of Nursing, the New Jersey State Board of
26 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
27 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
28 of Professional Planners, the State Board of Psychological Examiners,
29 the State Board of Examiners of Master Plumbers, the State Board of
30 Court Reporting, the State Board of Veterinary Medical Examiners,
31 the Radiologic Technology Board of Examiners, the Acupuncture
32 Examining Board, the State Board of Chiropractic Examiners, the
33 State Board of Respiratory Care, the State Real Estate Appraiser
34 Board, the New Jersey Cemetery Board, the State Board of Social
35 Work Examiners, the State Board of Examiners of Heating,
36 Ventilating, Air Conditioning and Refrigeration Contractors, the
37 Elevator, Escalator, and Moving Walkway Mechanics Licensing
38 Board, the State Board of Physical Therapy Examiners, the State
39 Board of Polysomnography, the Orthotics and Prosthetics Board of
40 Examiners, the New Jersey Board of Massage and Bodywork Therapy,
41 the Genetic Counseling Advisory Committee, the State Board of
42 Dietetics and Nutrition, and any other entity hereafter created under
43 Title 45 to license or otherwise regulate a profession or occupation.
44 (cf: P.L.2012, c.71, s.15)
45

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

1 2. The provisions of this act shall apply to the following boards
2 and all professions or occupations regulated by, through or with the
3 advice of those boards: the New Jersey State Board of Accountancy,
4 the New Jersey State Board of Architects, the New Jersey State Board
5 of Cosmetology and Hairstyling, the Board of Examiners of Electrical
6 Contractors, the New Jersey State Board of Dentistry, the State Board
7 of Mortuary Science of New Jersey, the State Board of Professional
8 Engineers and Land Surveyors, the State Board of Marriage and
9 Family Therapy Examiners, the State Board of Medical Examiners, the
10 New Jersey Board of Nursing, the New Jersey State Board of
11 Optometrists, the State Board of Examiners of Ophthalmic Dispensers
12 and Ophthalmic Technicians, the Board of Pharmacy, the State Board
13 of Professional Planners, the State Board of Psychological Examiners,
14 the State Board of Examiners of Master Plumbers, the State Board of
15 Court Reporting, the State Board of Veterinary Medical Examiners,
16 the State Board of Chiropractic Examiners, the State Board of
17 Respiratory Care, the State Real Estate Appraiser Board, the State
18 Board of Social Work Examiners, the State Board of Examiners of
19 Heating, Ventilating, Air Conditioning and Refrigeration Contractors,
20 the Elevator, Escalator, and Moving Walkway Mechanics Licensing
21 Board, the State Board of Physical Therapy Examiners, the State
22 Board of Polysomnography, the Professional Counselor Examiners
23 Committee, the New Jersey Cemetery Board, the Orthotics and
24 Prosthetics Board of Examiners, the Occupational Therapy Advisory
25 Council, the Electrologists Advisory Committee, the Acupuncture
26 Advisory Committee, the Alcohol and Drug Counselor Committee, the
27 Athletic Training Advisory Committee, the Certified Psychoanalysts
28 Advisory Committee, the Fire Alarm, Burglar Alarm, and Locksmith
29 Advisory Committee, the Home Inspection Advisory Committee, the
30 Interior Design Examination and Evaluation Committee, the Hearing
31 Aid Dispensers Examining Committee, the Perfusionists Advisory
32 Committee, the Physician Assistant Advisory Committee, the
33 Audiology and Speech-Language Pathology Advisory Committee, the
34 New Jersey Board of Massage and Bodywork Therapy, the Genetic
35 Counseling Advisory Committee, the State Board of Dietetics and
36 Nutrition, and any other entity hereafter created under Title 45 to
37 license or otherwise regulate a profession or occupation.

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

39
40 19. This act shall take effect immediately, except that sections 8
41 and 13 of this act shall take effect one year after the date of enactment.