

The following rules are being circulated for comments from interested parties. The proposed changes are highlighted below.

Definitions

4759-2-01 Definitions-Proposed to Amend

Licensing

4759-4-01 Applications-No Change

4759-4-02 Preprofessional Experience-Proposed to Amend

4759-4-03 Examination-No Change

4759-4-04 Continuing Education-No Change

4759-4-08 Limited Permit-No Change

4759-4-09 License Certificates and Permits-No Change

Supervision; Exemptions

4759-5-01 Supervision of Persons Claiming Exemption-Proposed to Amend

4759-5-02 Student Practice Exemption-No Change

4759-5-03 Plan of Treatment Exemption-No Change

4759-5-04 Additional Nutritional Activities Exemption-Proposed to Amend

4759-5-05 Distribution of Literature Exemption-No Change

4759-5-06 Weight Control Program Exemption-No Change

Professional Responsibility

4759-6-01 Standards of Practice in Nutrition Care-Proposed to Amend

4759-6-02 Standards of Professional Performance-Proposed to Amend

4759-6-03 Interpretation of Standards-Proposed to Amend

Severability of Rules

4759-9-01 Severability-No Change

4759-2-01, Definitions, is proposed to be amended to update definitions related to nutrition assessment, nutritional education, medical nutrition therapy, Council for Postsecondary

Accreditation, and Accreditation Council for Education in Nutrition and Dietetics of the Academy of Nutrition and Dietetics.

4759-4-02, Preprofessional Experience is proposed to be amended to clarify the accreditation by the Accreditation Council for Education in Nutrition and Dietetics (ACEND) of the Academy of Nutrition and Dietetics and to reflect the change in the number of hours required for graduate level competency based dietetic programs accredited by ACEND.

4759-5-01, Supervision of Persons Claiming Exemption, is proposed to be amended to clarify the role of the Accreditation Council for Education in Nutrition and Dietetics of the Academy of Nutrition and Dietetics.

4759-5-04, Additional Nutritional Activities Exemption, is proposed to be amended to eliminate the requirement for filing the designation with the State Medical Board.

4759-6-01, Standards of Practice in Nutrition Care, is proposed to be amended to reflect updates in the practice standards updated by the Revised Scope and Standards of Practice for the Registered Dietitian Nutritionist adopted by the Academy of Nutrition and Dietetics in January 2024.

4731-6-02, Standards of Professional Performance, is proposed to be amended to update information consistent with the 2024 Scope and Standards of Practice for the Registered Dietitian Nutritionist adopted by the Academy of Nutrition and Dietetics in January 2024.

4731-6-03, Interpretation of Standards, is proposed to be amended to update the reference to the Revised Scope and Standards of Practice for the Registered Dietitian Nutritionist adopted by the Academy of Nutrition and Dietetics in January 2024.

All other rules are proposed as no change rules at this time.

4759-2-01

Definitions.

The following meanings apply to all rules promulgated by the state medical board of Ohio, unless a specific paragraph explicitly defines or uses the word or term in a different manner.

(A) "~~Nutritional~~ Nutrition assessment" means the ~~integrative evaluation of nutritionally relevant data~~ systematic approach for collecting, classifying, and synthesizing relevant data to develop an individualized nutritional care plan. These data may include:

- (1) Nutrient intake;
- (2) Anthropometric measurements;
- (3) Biochemical values;
- (4) Physical and metabolic parameters;
- (5) Socio-economic factors;
- (6) Current medical diagnosis and medications; and
- (7) Pathophysiological processes.

The mere collection of these data for use in assessment is not nutritional assessment and does not require a dietitian licensed under section 4759.06 of the Revised Code. Nutrition assessment is an on-going dynamic process and includes re-assessment, analysis of client or community needs and provides the foundation for nutrition diagnosis and nutritional recommendations includin enteral and parenteral nutrition.

(B) "Nutritional counseling" means the advising of individuals or groups regarding nutritional intake by integrating information from the nutritional assessment with information on food and other sources of nutrients and meal preparation consistent with cultural background and socioeconomic status.

The distribution by an individual of written information prepared by a licensee is not nutritional counseling, and any person distributing the written information need not be licensed under section 4759.06 of the Revised Code.

(C) "Nutritional education" means a planned program based on learning objectives with expected outcomes designed to modify nutrition-related behaviors. This does not

prohibit an [unlicensed](#) individual from providing general non-medical nutrition information [as defined in paragraph \(M\) of rule 4759-2-01 of the Administrative Code](#) if the person does not violate division (B) of section 4759.02 of the Revised Code.

- (D) "Nutritional care standards" means policies and procedures pertaining to the provision of nutritional care in institutional and community settings.
- (E) "Nutritional care" means the application of the science of nutrition in the health and disease of people.
- (F) "Board" means the state medical board of Ohio.
- (G) "Commission" means "The Commission on Dietetic Registration."
- (H) "The Academy" means "The Academy of Nutrition and Dietetics."
- (I) "Medical nutrition therapy" means the [evidence-based application of the nutrition care and process and](#) use of specific nutrition services to treat, or rehabilitate an illness, injury, or condition. Medical nutrition therapy includes nutrition assessment [or re-assessment, nutrition diagnosis, nutrition](#); intervention, [nutrition monitoring and evaluation.](#) ~~education, and counseling.~~
- (J) "Council on postsecondary accreditation" is synonymous with [its successors the "Commission on recognition of post-secondary accreditation." and the "Council for higher education accreditation \("CHEA"\)."](#)
- (K) For purposes of division (B)(2) of section 4759.02 of the Revised Code, the terms "Nutritionist," "Nutrition counselor" and like terms tend to indicate the person is practicing dietetics.
- (L) "High nutritional risk" means, but is not limited to, an individual to whom one or more of the following apply:
 - (1) Has a diagnosis of or presence of risk factors for malnutrition, dehydration, anemia, malabsorption disorders, vitamin and mineral deficiencies;
 - (2) Receives enteral or parenteral nutrition;
 - (3) Has pressure ulcer(s), open wounds(s), or non-healing wound(s);

- (4) Significantly low albumin or hemoglobin levels, or elevated blood urea nitrogen and electrolyte imbalances;
- (5) Severe chewing or swallowing problems;
- (6) Consistently poor food/fluid intakes;
- (7) Individuals who are less than ninety per cent of standard weight for height, or who exhibit significant weight changes as defined by accepted practice guidelines;
- (8) Decreased activities of daily living (ADL);
- (9) Decreased cognitive ability;
- (10) A pregnant female who was fifteen years of age or less at the time of conception;
- (11) Infants who are small for gestational age, or a pre-term infant of low birth weight.

(M) "General non-medical nutrition information" means information on the following:

- (1) Principles of good nutrition and food preparation;
- (2) Food to be included in the normal daily diet;
- (3) The essential nutrients needed by the body;
- (4) Recommended amounts of the essential nutrients;
- (5) The actions of nutrients on the body;
- (6) The effects of deficiencies or excesses of nutrients; or
- (7) Food and supplements that are good sources of essential nutrients.

[\(N\) "Accreditation Council for Education in Nutrition and Dietetics \("ACEND"\)" of the Academy of Nutrition and Dietetics is the accrediting agency for didactic education](#)

and preprofessional experience programs that prepare students for careers as dietitians. Dietetics education programs voluntarily apply to the ACEND for program accreditation by submitting applications demonstrating compliance with the accreditation standards.

4759-4-01

Applications.

- (A) Each applicant for initial licensure or renewal of a license or limited permit shall submit to the board an application which demonstrates compliance with sections 4759.05 and 4759.06 of the Revised Code and this chapter. This application shall be submitted under oath in the manner determined by the board, and provide such other facts and materials as the board requires. No application shall be considered submitted to the board until the appropriate fee has been received by the board. Application fees are not refundable.
- (B) No application for a license or permit submitted to the board shall be considered complete until the applicant has complied with the requirements of rule 4731-4-02 of the Administrative Code and the board has received the results of the criminal records checks.
- (C) If an applicant fails to complete the application process within six months of initial application filing, the board may notify the applicant in writing of its intention to consider the application abandoned. If no response to that notice is received by the board within thirty days, the board shall consider the application as abandoned and no further processing shall be undertaken with respect to that application.
- (D) Each applicant who is not a registered dietitian (RD) must forward an academic transcript from all degree granting institutions of higher education directly to the board or submit an official "student issued" copy.
- (E) For the purpose of proving accreditation of a course of study at a foreign institution, an applicant shall have the applicant's academic credentials independently validated as equivalent by an accreditation agency that is recognized by the "Council for Higher Education Accreditation," or its predecessors, or have the applicant's academic credentials independently validated by an agency specializing in education evaluations which is acceptable to the board. A copy of the validation shall be attached to the application as part of the application.
- (F) A licensee shall notify the board of a change of address providing at least a new address, telephone number, and signed request for the change. A licensee shall notify the board of a change of name by providing legal evidence of the name change and a signed request for the change.
- (G) All applications, statements and documents submitted shall become the property of the board. No application being investigated under section 4759.07 of the Revised Code, may be withdrawn without approval of the board.

4759-4-02

Preprofessional experience.

(A) An applicant shall successfully complete a preprofessional practice dietetic experience in dietetics that is accredited approved by the Accreditation Council for Education in Nutrition and Dietetics ("ACEND") of "The Academy of Nutrition and Dietetics" and is at least equivalent to the requirement for such programs adopted by "The Commission On Dietetic Registration."

(B) Doctoral degree alternative.

As an alternative to the requirements in paragraph (A) of this rule, the holder of a doctoral degree may meet the preprofessional dietetic experience requirement by successfully completing a planned program of continuous experience in dietetic practice of not less than ~~nine hundred~~ one thousand hours under the supervision of a licensed dietitian in this state or a registered dietitian provided all the following conditions are satisfied:

- (1) The applicant holds the doctoral degree from an accredited institution;
- (2) The applicant has, as part of successfully completing either a baccalaureate or higher degree from an accredited institution, a major in any of the following subjects: human nutrition, food and nutrition, dietetics, food systems management, or public health nutrition;
- (3) The applicant has submitted the program to the board for its approval and received approval prior to engaging in the planned program;
- (4) The experience meets requirements that are at least equivalent to the requirements adopted by "The Commission On Dietetic Registration"; and
- (5) Following completion of the program, the applicant shall submit a certificate of completion signed by the dietitian who supervised the program.

For purposes of this paragraph, an "accredited institution" is either: an institution accredited to grant the degree described in this paragraph by an accrediting agency that is recognized by the "Council for Higher Education Accreditation" or its predecessors; or an institution in a foreign country when the applicant presents evidence that the doctoral degree has been validated as equivalent to a degree under this paragraph by an institution accredited for such degrees in accordance with this paragraph or; by an agency specializing in educational credential evaluations which is acceptable to the board.

4759-4-03

Examination.

- (A) As a prerequisite to the issuance of an initial license, the applicant shall provide evidence of passing the examination designated in paragraph (B) of this rule.
- (B) The board selects and approves of the examination for dietitians offered by "The Commission On Dietetic Registration."

4759-4-04

Continuing education.

(A) An applicant for renewal or restoration of a license shall demonstrate compliance with the continuing education/professional development requirements of this rule.

(B) An applicant for license renewal or restoration shall:

(1) If licensee is a registered dietitian, certify completion of the continuing education required to hold current registration with the commission on dietetic registration, and complete one hour of ethics or laws, rules, and regulations governing the practice of dietetics in the two-year renewal period. These continuing education hours shall be from activities approved by the commission on dietetic registration, academy of nutrition and dietetics, or the Ohio academy of nutrition and dietetics; or

(2) If licensee is not a registered dietitian, certify the completion of thirty hours of continuing education completed during the two-year renewal period. At least one hour in each renewal period shall relate to ethics or laws, rules, and regulations governing the practice of dietetics. These continuing education hours shall be from activities approved by the commission on dietetic registration, academy of nutrition and dietetics, or the Ohio academy of nutrition and dietetics.

In addition for each biennial renewal period, a licensee that is not a registered dietitian shall use and document a learning process for that renewal period that is consistent with the commission on dietetic registration. Specifically, the licensee that is not a registered dietitian shall document the following: self-reflection on competencies and learning needs, development of a learning plan with goals to maintain and improve on existing competencies and/or develop competencies in new areas or areas of learning deficiency; and progress on the learning plan documented through successful completion of activities in the areas specified in the learning plan. This learning plan must be documented and available to the board upon request pursuant to the audit and disciplinary provisions of divisions (E) and (F) of section 4759.06 of the Revised Code.

(C) All licensees are subject to the audit and disciplinary provisions of divisions (E) and (F) of section 4759.06 of the Revised Code for failure to comply with this rule. Licensees are responsible for retaining records of completion of the continuing education hours required.

4759-4-08

Limited permit.

- (A) The board may grant a limited permit to a person who has completed the education and preprofessional requirements for licensure upon the following conditions:
- (1) The person has filed a completed application for a limited permit and paid the appropriate fee;
 - (2) The application contains any required statements or transcripts verifying completion of the academic and preprofessional requirements in order to qualify to take the examination for licensure; and
 - (3) The applicant indicates intent to take the examination for licensure within six months of the issuance of the limited permit.
- (B) The permit shall expire if the permit holder fails to take the examination in a timely manner or fails the examination twice.
- (C) Limited permits shall expire six months after the date of issuance.
- (D) A limited permit may be renewed once.
- (E) A limited permit holder who fails the examination must report the results to the board office immediately.
- (1) The first time the limited permit holder fails, the limited permit holder shall practice only under the direct supervision of an Ohio licensed dietitian.
 - (2) The second time the limited permit holder fails, the limited permit expires immediately.
- (F) A limited permit shall not be issued to a person who has failed the examination two or more times.
- (G) The licensed dietitian who provides direct supervision of a person who has failed the examination and holds a limited permit shall provide sufficient guidance and direction to enable the person to perform competently and to protect the public.
- (1) The licensed dietitian shall document a supervision plan for the limited permit holder to include specific goals and strategies for assuring competent entry level practice. The supervising dietitian shall periodically document the limited permit holder's progress. Documentation shall include, but is not

limited to, dates of conferences, supervisory notes, written evaluations and recommendations. Documentation should be maintained in the licensed dietitian's records and be available upon request of the board.

(2) Direct supervision means that the licensee providing the supervision needs to be readily available by telecommunication, or in person and the licensee must review the work of the supervisee at least every seven days. When reviewing the work of a supervisee, the licensee shall comply with standards for professional responsibility and practice set forth in Chapter 4759-6 of the Administrative Code.

(H) It is the licensed dietitian's responsibility to supervise the limited permit holder and to adequately document that supervision. Failure to do so shall be considered a violation of the minimal standards of care for the licensed dietitian and may result in discipline of the licensed dietitian by the state medical board.

4759-4-09

License certificates and permits.

- (A) The board shall prepare and provide to each new licensee and limited permit holder a certificate signed by the board's president and secretary, and attested by its seal.
- (B) Neither the holder nor anyone else shall make any alteration on a certificate issued by the board.
- (C) Official verification letters will be issued by the board upon request only and with payment of the license verification fee specified in section 4759.08 of the Revised Code. Electronic verification of license or limited permit status shall be considered a primary source verification and shall be made available by the board.

4759-5-01

Supervision of persons claiming exemption.

For the purposes of the supervision requirement contained in divisions (B) and (E) of section 4759.10 of the Revised Code the dietitian who provides supervision shall be responsible for the supervision of the person claiming exemption from licensure as a dietetic technician, or dietetic technician registered, or nutrition associate and shall provide sufficient guidance and direction as to enable the person to perform competently. These individuals have completed at least a two-year associates degree or higher from a program in dietetic technology or dietetics that has been ~~approved~~accredited by the ~~commission on accreditation~~"Accreditation Council for Education in Nutrition and dietetics Dietetics education" of the "Academy of Nutrition and Dietetics." Dietetic technicians registered have also passed the national written examination administered by the commission on dietetic registration and maintain professional development / continuing education requirements for on-going registration.

The licensed dietitian is responsible and accountable for the nutrition care of patients / clients in all healthcare settings and must answer to patients, employers, licensure boards and the legal system if care is compromised.

The licensee shall not delegate the nutrition care process, but may assign tasks within the process to competent exempt practitioners for the purpose of providing the licensee with needed information and communicating with and educating patients / clients.

When supervising a person claiming exemption the licensee shall:

- (A) Verify the credentials and competence of each individual exempt practitioner being supervised in the areas of dietetic practice as defined in section 4759.10 of the Revised Code. Those exempt practitioners who are competent to practice beyond minimum standards should be expected to demonstrate initial and on-going competence annually with documentation of successful audits.

The supervising dietitian can establish initial and on-going competency by individual means including but not limited to testing, evaluations, use of decision tree models and peer competency assessment. Engaging in on-going dietetics related continuing education is vital to competent practice.

- (B) Provide the person being supervised with guidelines for appropriate assignments as part of the nutritional care process;
- (C) Periodically establish performance criteria for the exempt practitioner, then assign tasks appropriately, direct and monitor the individual's practice. The supervising dietitian should compare actual performance with expected performance, document results and take appropriate action;
- (D) Maintain written documentation of the initial and on-going competency assessment of the exempt practitioner, supervision being provided and performance of the

individual, including participation in professional development / continuing education equivalent to the requirements of the commission on dietetic registration for dietetic technicians registered.

Documentation shall include, but is not limited to, dates of conferences, supervisory anecdotal notes, written evaluations and recommendations. Documentation should be maintained in the licensee's records and be available upon request of the board.

- (E) The licensee shall provide supervision in a manner that protects the public. Direct supervision may be provided on-site, or supervision may be provided indirectly, as long as the licensee is immediately available by phone, e-mail, facsimile or other reliable means.

4759-5-02

Student practice exemption.

- (A) For purposes of divisions (D)(1) and (D)(2) of section 4759.02 of the Revised Code, a student dietitian may only engage in dietetic practice as defined in division (A) of section 4759.01 of the Revised Code that is a part of the academic or pre-professional program.

- (B) In order for student dietetic technicians to become qualified under the exemption for dietetic technicians contained in division (B) of section 4759.10 of the Revised Code, the board recognizes that pre-professional experiences are necessary. For this reason, dietetic practice by a student dietetic technician enrolled in a program that complies with the requirements in division (B) of section 4759.10 of the Revised Code, may be performed provided the student is actively pursuing the degree and the activity is performed under the supervision of a licensed dietitian or registered dietitian. A student dietetic technician may only engage in dietetic practice as defined in division (A) of section 4759.01 of the Revised Code that is a part of the academic or pre-professional program.

- (C) When supervising a student dietitian, a dietetic intern, or a student dietetic technician the licensee is responsible for providing appropriate training and guidelines for the student's clinical experiences, including ongoing close review of medical records and monitoring of student work performance. Documentation of such should be maintained in the licensee's records.

4759-5-03

Plan of treatment exemption.

For purposes of the exemption from licensure contained in division (F) of section 4759.10 of the Revised Code, a person when acting under the direction and supervision of a professional licensed under Title 47 of the Revised Code, need not be a licensed dietitian if the person is executing a plan of treatment authorized by and within the scope of practice of the supervising licensed professional. The written plan of treatment shall include orders, goals, objectives, and appropriate treatments. Frequency of treatment and response to interventions shall be monitored and reviewed by the licensed practitioner. The licensed practitioner shall initiate the treatment plan and shall be on site when the plan is carried out by the unlicensed person.

*** DRAFT - NOT YET FILED ***

4759-5-04

Additional nutritional activities exemption.

For purposes of division (D) of section 4759.10 of the Revised Code, the board hereby permits the woman, infant, and children's program which is part of the Ohio department of health and known as "W.I.C.", to designate a person to engage in providing such additional nutritional activities as are necessary to operate its programs, providing reasonable efforts to obtain the services of a licensee have failed. ~~The department shall file the designation indicating the time period with the board. The designation shall expire at the end of one hundred eighty days. The designation may be renewed for additional one hundred eighty-day periods by action of the board.~~

*** DRAFT - NOT YET FILED ***

4759-5-05

Distribution of literature exemption.

For purposes of division (G) of section 4759.10 of the Revised Code, the free distribution of literature includes its sale.

4759-5-06

Weight control program exemption.

For purposes of the exemption from licensure contained in division (J) of section 4759.10 of the Revised Code, a person presenting a general program of instruction for weight control need not be a licensed dietitian provided the general program of weight control is approved in writing by a licensed dietitian, physician licensed under Chapter 4731. of the Revised Code to practice medicine or surgery or osteopathic medicine or surgery, a person licensed in another state and approved by the board as having substantially equivalent licensure requirements as Ohio, or a registered dietitian.

A "general program of weight control" is a program designed for one or more population groups in order to achieve or maintain a healthy weight. It is not based on an individual nutrition assessment and does not provide medical nutrition therapy (MNT) as defined in rule 4759-2-01 of the Administrative Code. The program includes the diet plan and any information provided to customers including written guidelines for instruction to customers.

Persons presenting an approved general program of weight control are to adhere to the approved program content. The program shall be reviewed for re-approval in writing at least every two years.

4759-6-01

Standards of practice in nutrition care.

The standards of practice in nutrition care provide a common understanding about the profession's minimum expectations for practice, and form a basis for self-evaluation and improvement and an expectation about nutritional care and service delivery. The standards of practice in nutrition care are comprised of four standards representing the four steps of the nutrition care process.

The "nutrition care process" is a systematic problem-solving method that dietitians may use to critically think and make decisions when providing medical nutrition therapy or to address nutrition related problems and provide safe, effective, high quality nutrition care.

The nutrition care process shall consist of four distinct, but interrelated steps including nutrition assessment, nutrition diagnosis, nutrition intervention and nutrition monitoring and evaluation.

(A) The licensee uses accurate and relevant data and information to perform nutrition assessment and identify nutrition-related problems, as the foundation for nutrition diagnosis, the second step of the nutrition care process.

- (1) "Nutrition assessment" means the same as "nutritional assessment" defined in paragraph (A) of rule 4759-2-01 of the Administrative Code.
- (2) A nutrition assessment is initiated by referral and / or screening of individuals or groups for nutrition risk factors.
- (3) The licensee systematically obtains, verifies and interprets data in order to make decisions about the nature and cause of nutrition-related problems.
- (4) Nutrition assessment is an ongoing, dynamic process that involves not only initial data collection, but also reassessment and analysis of client or community needs.
- (5) Problems that require consultation with or referral to another provider are recognized.
- (6) Documentation and communication of nutritional assessment shall be complete, relevant, accurate and timely.

(B) The licensee determines a nutrition diagnosis to identify and label specific nutrition problem(s) that the dietitian is responsible for treating.

- (1) "Nutrition diagnosis" is the identification and labeling that describes an actual occurrence, risk of, or potential for developing, a nutritional problem that

dietetics practitioners are responsible for treating independently.

- (2) The nutrition diagnosis is not a medical diagnosis. It results following nutrition assessment and the clustering, analysis, and synthesis of data and demonstrates a link to determining goals for outcomes, selecting appropriate interventions and tracking progress in attaining expected outcomes.
 - (3) Documentation of nutrition diagnosis(es) shall be relevant, accurate and timely and shall be revised and updated as additional assessment data become available.
- (C) The licensee utilizes nutrition intervention as the third step in the nutrition care process to identify and implement appropriate, purposefully planned actions designed with the intent of changing a nutrition-related behavior, risk factor, environmental condition or aspect of health status for an individual, target group, or the community at large.
- (1) "Nutrition Intervention" is a specific set of activities and associated materials used to address the problem; purposely planned actions designed with the intent of changing a nutrition-related behavior, risk factor, environmental condition, or aspect of health status for an individual, target group, or the community at large. It involves selection, planning, and implementing appropriate actions to meet patient / client / group's nutrition needs.
 - (2) "Intervention planning" involves prioritizing the nutrition diagnoses, conferring with the patient / client / and / or others, reviewing practice guides and policies, and setting goals and defining the specific nutrition intervention strategy.
 - (3) "Implementation of the nutrition intervention" is the action phase that includes carrying out and communicating the plan of care, continuing data collection, and revising the nutrition intervention strategy, as warranted, based on the patient / client response.
 - (4) The licensee performs the interventions or assigns the nutrition care that other competent practitioners may provide in accordance with federal, state and local laws and regulations.
- (D) The licensee monitors and evaluates indicators and outcomes data directly related to the nutrition diagnosis, goals and intervention strategies to determine the progress made in achieving desired outcomes of nutrition care and whether planned interventions should be continued or revised.

- (1) "Nutrition monitoring and evaluation" is the fourth step of the nutrition care process. ~~Monitoring~~ Nutrition monitoring specifically refers to the review and measurement of the patient / client / group's status at a scheduled (preplanned) follow-up point with regard to the nutrition diagnosis, intervention plans / goals and outcomes. ~~whereas evaluation~~ Evaluation is the systematic comparison of current findings with previous status, intervention goals, or a reference standard. Monitoring and evaluation use selected outcome indicators (markers) that are relevant to the patient / client / group's defined needs, nutrition diagnosis, nutrition goals, and disease state.
- (2) The licensee uses standard nutrition care outcome indicator(s) to measure outcomes.
- (3) Monitoring data should be compared with the nutrition prescription / goals / or reference standards to evaluate impact of the sum of all interventions on overall patient / client health outcomes.
- (4) Documentation of nutrition monitoring and evaluation shall be comprehensive, specific, accurate, relevant and timely and reflect the indicators measured, results and method for obtaining measurement. The criteria to which the indicator is compared and factors facilitating or hampering progress should be referenced in support of positive or negative outcomes. ~~Future plans~~ Plans for nutrition care, monitoring and follow-up or discharge should be included.
- (5) Ensures communication of nutrition plan of care and transfer of nutrition-related data between care settings as needed including acute care, home healthcare, ambulatory care, community care, and long-term care facility.

4759-6-02

Standards of professional performance.

Every licensee shall comply with the following standards of professional performance consistent with the June 1, 2018 "Code of Ethics for the Nutrition and Dietetics Profession" [and "2024 Scope and Standards of Practice for the Registered Dietitian Nutritionist"](#) adopted by the academy of nutrition and dietetics which ~~are~~^{is} available from the website of the state medical board at the following link: <https://med.ohio.gov>.

(A) Credentials.

- (1) The licensee shall accurately present professional qualifications and credentials.
- (2) The licensee shall permit use of that licensee's name for the purpose of certifying that dietetic services have been rendered only if the licensee has provided or supervised those services.

(B) Provision of service.

The licensee shall provide professional service based on client expectations and needs. Quality service is provided, facilitated and promoted based on the licensee's knowledge, experience and understanding of client needs and expectations.

- (1) The licensee shall avoid discrimination on the basis of factors that are irrelevant to the provision of professional services, including, but not limited to [cultural differences](#), race, creed, sex, age, or handicap.
- (2) The licensee shall [make evidence-based practice decisions, taking into account the unique values and circumstances of the patient or client and community, in combination with the licensee's expertise and judgment.](#) ~~assure that sufficient information is available to enable a client to establish mutual goals and make informed decisions.~~

(C) Quality in practice.

- (1) The licensee shall systematically evaluate the quality of service and improve practice based on evaluation results.
- (2) Quality practice requires regular performance evaluation and continuous improvement.
- (3) The licensee shall adhere to acceptable standards for that licensee's area of practice and be designated to deliver services as approved by their facility. The authority and privilege to practice within the scope shall be consistent

with all state and federal laws and rules governing the practice of dietetics.

- (4) The licensee shall generate, interpret and effectively apply evidence based interventions substantiated by research.

(5) The licensee recognizes the value of health equity in all forms of interaction when delivery, care or services to colleagues, customers, students and interns and when contracting with stake holders.

(D) Competence and accountability.

- (1) The licensee shall assume and maintain responsibility and accountability for personal competence in practice and engage in lifelong learning. Competent and accountable practice includes continuous acquisition of knowledge and skill development.

- (a) The licensee shall establish performance criteria, compare actual performance with expected performance, document results and take appropriate action.

- (b) The licensee shall conduct self-assessment of strengths and weaknesses at regular intervals and develop, implement and evaluate an individual plan for practice based on assessment of client needs, current knowledge, and clinical experience, formal and informal input from colleagues, interprofessional teams, and supervisors.

~~(2) The licensee shall maintain knowledge and skills required for continued professional competence.~~

~~(3)~~(2) The licensee shall recognize the limits of that licensee's qualifications and collaborate with an interprofessional team to facilitate referrals when individual needs exceed the licensee's scope of practice. ~~seek counsel or make referrals as appropriate.~~

(E) Conflict.

- (1) The licensee shall remain free of conflict of interest while fulfilling the objectives and maintaining the integrity of the dietetic profession.

- (2) The licensee shall advance and promote the profession while maintaining professional judgment, honesty, integrity, loyalty, and trust to colleagues,

clients and the public.

(F) Endorsement.

The licensee shall promote or endorse products only in a manner that is true and not misleading, and shall disclose any financial interests in products or services that are recommended.

(G) Communication and application of knowledge.

The licensee shall effectively apply knowledge and communicate with others to achieve common goals by effective sharing and application of their unique knowledge and skills in food, human nutrition and management services. The licensee communicates consistent with the Health Insurance Portability and Accountability Act of 1996, Pub.L.No. 104-191.

(H) Utilization and management of resources.

The licensee shall provide quality services ~~use resources~~ effectively and efficiently.

The licensee shall use a systematic approach to identify, monitor, analyze and justify the use of time, money, facilities, staff and other resources while considering safety, effectiveness and cost in planning and delivering interventions.

(I) Approval of a general program of weight control.

A "general program of weight control" as defined in rule 4759-5-06 of the Administrative Code must be approved by either a registered or licensed dietitian or physician licensed in Ohio. For purposes of division (J) of section 4759.10 of the Revised Code, the licensee shall provide written approval of all components of the general program of weight control and assume responsibility for the following:

- (1) Guidelines for instruction: program content and written step-by-step information that the presenter provides to customers to enable them to follow the meal plan and other aspects of a general program of weight control.
- (2) Meal plans: general categories or groups of foods and suggested combinations of specific foods. Meal plans shall not be individualized for specific persons, conditions, or disease states.
- (3) Handouts: any information distributed in conjunction with the general program of weight control.

- (4) Supplements: products, including vitamins, minerals, herbs and other substances used as part of, or an enhancement to, a general program of weight control. The use of these products shall be substantiated by current scientific evidence.

(J) Supervision.

When providing supervision of another for purposes of division (G) of section 4759.06 and divisions (B) and (E) of section 4759.10 of the Revised Code, and rule 4759-5-02 of the Administrative Code, a licensee shall assume responsibility for the supervision in a manner that protects the public.

(K) Compliance.

The licensee shall comply with all laws and regulations concerning the profession, but shall seek to change them if the laws or regulations are inconsistent with the best interest of the public and the profession. The licensee:

- (1) Shall accept the obligation to protect society and the profession by upholding the standards of practice and standards of professional performance; and
- (2) Shall report alleged violations of the laws, rules and standards to the state medical board.

(L) Interpretation of information and application of research.

- (1) The licensee shall present substantiated information and interpret controversial information, including limitations, potential bias, and reliability without personal bias, recognizing that a legitimate difference of opinion may exist.
- (2) The licensee shall apply, participate in, or generate research to enhance practice and to improve safety and quality of dietetic practice and services.

(M) Confidentiality.

The licensee shall maintain information consistent with legal obligations and client confidentiality.

(N) Professional conduct.

- (1) The licensee shall conduct all practices with honesty, integrity, and fairness; and

- (2) The licensee shall make and fulfill professional commitments in good faith; and
 - (3) The licensee shall inform the public and colleagues of services by use of factual information.
 - (4) The licensee shall make reasonable efforts to avoid bias in professional evaluation.
- (O) A violation of any provision of this rule, as determined by the board, shall constitute “a departure from, or failure to conform to, minimal standards of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established” as that clause is used in division (A)(11) of section 4759.07 of the Revised Code.

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4759-6-03

Interpretation of standards.

The standards in this chapter are interpreted in a manner consistent with the "Revised ~~2017~~ [2024 Scope and Standards of Practice in Nutrition Care and Standards of Professional Performance](#) for [the Registered Dietitian Nutritionists](#)" adopted by ~~the academy of nutrition and dietetics~~, "[The Academy of Nutrition and Dietetics](#)", which is available from the website of the state medical board at the following link: <https://www.med.ohio.gov>.

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4759-9-01

Severability.

Each rule of Chapters 4759-1 to 4759-10 of the Administrative Code, and every part of each rule is declared to be an independent rule, and the holding of any rule or part thereof to be unconstitutional, void, or ineffective for any cause shall not affect the validity or constitutionality of any other rule or part thereof.