

**WEST VIRGINIA
SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION**

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Form #5

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: WV Board of Licensed Dietitians TITLE NUMBER: 31

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 01

TITLE OF RULE BEING PROPOSED: Code of Professional Ethics; Continuing
Education; and Examination, Licensure.

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) SB 269

SECTION Code Site 64-9-7 PASSED ON March 12, 1999

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON
THE FOLLOWING DATE: April 19, 1999


Authorized Signature

Chair - WV Board of Licensed Dietitians

\$3.20

FILED

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

31 CSR 1
TITLE 31
LEGISLATIVE RULES
WEST VIRGINIA BOARD OF LICENSED DIETITIANS

SERIES 1
CODE OF PROFESSIONAL ETHICS
CONTINUING EDUCATION AND STANDARDS
EXAMINATION, Licensure AND RENEWAL REQUIREMENTS

§31-1-1. General.

1.1. **Scope.** -- This rule establishes a code of professional ethics, continuing education requirements and standards, and examination, licensure and renewal requirements for licensees and applicants for licensure.

1.2. **Authority.** -- W. Va. Code §30-35-4

1.3. **Filing Date.** -- April 19, 1999

1.4. **Effective Date.** -- April 19, 1999

§31-1-2. Examination, licensure and renewal requirements of duly qualified applicants.

2.1. Each applicant for licensure shall pass a written examination demonstrating competence in the discipline of dietetics and nutrition. The board may supplement each examination with an oral examination.

2.2. The board shall issue a license to an applicant who successfully passes the examinations to engage in practice as a licensed dietitian.

2.3 The written examination administered by the board shall be the

examination offered by the Commission on Dietetic Registration.

2.4. The board shall administer examinations for licensure at least two times a year on dates and at locations determined by the board.

2.5. The board may waive examination requirements and issue a license to an applicant for licensure who is a dietitian registered by the Commission on Dietetic Registration or who has been duly licensed as a nutritionist or dietitian under the laws of another state if the standards for licensing in that state are no less stringent than those required in this state. The applicant shall pay the annual license fee of fifty dollars.

2.6. Any person applying for a dietitian license shall submit an application for examination and appropriate fee to the board at least 60 days prior to the date of examination for licensure.

2.7. A licensed dietitian shall renew his or her license annually on a renewal application form provided by the board.

§31-1-3. Continuing education requirements and standards.

3.1. Beginning the first day of July 1999, each licensed dietitian shall complete twenty (20) hours of continuing education every two (2) years.

3.2. Beginning the first day of July 2001, and every two (2) years thereafter, each licensed dietitian shall provide evidence of completion of continuing education during the previous two (2) year period on a form provided by the board and accompanied by a renewal application for licensure.

3.3. Continuing education shall be approved by the Commission on Dietetic Registration or the American Dietetic Association.

3.4. Upon receipt of written application and documented proof that a licensed dietitian has been unable to comply with the continuing education requirements of this section due to illness, injury or other documented reasons, the board may waive this continuing education requirement.

§31-1- 4. Code of ethics.

4.1. A licensed dietitian shall provide professional services with objectivity and with respect to the dietetic and nutritional needs and values of an individual.

4.2. A licensed dietitian shall avoid discrimination on the basis of factors that are irrelevant to provision of professional services, including, but not limited to: race, creed, sex, age or handicap.

4.3. A licensed dietitian shall accurately present professional qualifications and credentials.

4.4. A licensed dietitian shall permit the use of their name for the purpose of certifying that dietetic and nutritional services have been rendered only if the licensed dietitian has provided or supervised those services.

4.5. A licensed dietitian shall remain free of conflict of interest while fulfilling the objectives and maintaining the integrity of the dietetic profession.

4.6. A licensed dietitian shall advance and promote the profession while maintaining professional judgement, honesty, integrity and trust to colleagues,

clients, and the public.

4.7. A licensed dietitian shall promote or endorse products only in a manner that is true and not misleading.

4.8. A licensed dietitian shall evaluate the dietetic and nutritional needs of individuals and groups based upon appropriate biochemical, physical, and dietary data.

4.9. A licensed dietitian shall advise and assist individuals and groups on appropriate nutrition intake as components of preventive, curative, and restorative health care by integrating information about nutrition assessment with information on food and other sources of nutrition and meal preparation consistent with cultural background and socio-economic status.

4.10. A licensed dietitian shall integrate and apply scientific principles of food, nutrition, biochemistry, physiology and management, and the behavioral and social sciences in achieving and maintaining the health of people through the life cycle and in the treatment of disease.

4.11. A licensed dietitian shall implement methods of practice to include nutrition assessments; development, implementation, management and evaluation of nutrition care plans, nutrition counseling and education; and the development and administration of nutrition care standards and systems.

4.12. A licensed dietitian shall establish standards to include:

4.12.a. Assessing dietetic and nutritional needs of individuals and groups, and determining resources and constraints in the practice setting;

4.12.b. Establishing priorities, goals and objectives that meet dietetic and nutritional needs that are consistent with available resources and constraints;

4.12.c. Providing dietetic and nutritional counseling in health and disease;

4.12.d. Developing, implementing, managing and evaluating appropriate dietetic and nutritional care systems; and

4.12.e. Developing, evaluating, altering and maintaining appropriate standards of quality in food and dietetic and nutritional care services.

1 Bill-Dieti

0252

2

H. B. 2520

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(By Delegates Hunt, Linch, Compton, Faircloth,
4 Jenkins and Riggs)

5

[Introduced February 1, 1999; referred to the
6 Committee on Government Organization then the
7 Judiciary.]

7

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9

10 A BILL to amend article nine, chapter sixty-four of the
11 code of West Virginia, one thousand nine hundred
12 thirty-one, as amended, by adding thereto a new
13 section, designated section twenty-nine, relating to
14 authorizing the board of dietitians to promulgate a
15 legislative rule relating to a code of professional
16 ethics; continuing education; and examination,
17 licensure and renewal requirements.

18 *Be it enacted by the Legislature of West Virginia:*

19 That article nine, chapter sixty-four of the code of
20 West Virginia, one thousand nine hundred thirty-one, as
21 amended, be amended by adding thereto a new section,
22 designated section twenty-nine, to read as follows:

23 **ARTICLE 9. AUTHORIZATION FOR MISCELLANEOUS AGENCIES AND**

1 **BOARDS TO PROMULGATE LEGISLATIVE RULES.**

2 **§64-9-29. Board of dietitians.**

3 The legislative rule filed in the state register on
4 the twenty-ninth day of July, one thousand nine hundred
5 ninety-eight, under the authority of section four, article
6 thirty-five, chapter thirty, of this code, modified by the
7 board of dietitians to meet the objections of the
8 legislative rule-making review committee and refiled in the
9 state register on the second day of October, one thousand
10 nine hundred ninety-eight, relating to the board of
11 dietitians (code of professional ethics; continuing
12 education; and examination, licensure and renewal
13 requirements, 31 CSR 1), is authorized.

14

15 NOTE: The purpose of this bill is to authorize the
16 Board of Dietitians to promulgate a legislative rule
17 relating to a Code Of Professional Ethics; Continuing
18 Education; And Examination, Licensure And Renewal
19 Requirements.

20

21 This section is new; therefore, strike-throughs and
22 underscoring have been omitted.