

**WEST VIRGINIA  
SECRETARY OF STATE  
JOE MANCHIN, III  
ADMINISTRATIVE LAW DIVISION**

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2002 JUN 26 P 4: 08

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

Form #6

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

AGENCY: BOARD OF LICENSED DIETITIANS TITLE NUMBER: 31

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

TITLE OF RULE BEING AMENDED: CODE OF PROFESSIONAL ETHICS

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

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

AUTHORIZATION IS CITED IN (house or senate bill number) SB 2001

SECTION SECTION 64-9-6(b), PASSED ON JUNE 10, 2002

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE  
FOLLOWING DATE: JULY 1, 2002

Helen Lodge  
Authorized Signature

**SCANNED**

FILED

TITLE 31  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF LICENSED DIETITIANS

JUN 26 P 4: 08

SERIES 2  
CODE OF PROFESSIONAL ETHICS

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**§31-2-1. General.**

1.1. Scope. -- This rule establishes the definitions for the scope of practice for licensees and a code of professional ethics for licensees and applicants for licensure.

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

1.3. Filing Date. --

1.4. Effective Date. --

**§31-2-2. Scope of practice definitions.**

2.1. "Nutrition counseling services" means the development of an individualized nutrition plan for the purpose of disease management, based on a nutritional diagnostic assessment, to achieve optimal nutritional status. It can contain recommendation of an appropriate diet and supplementation program, including but not limited to micro-nutrients, macro-nutrients, vitamins and minerals.

2.2 "Nutritional diagnostic assessment" means the evaluation of an individual's nutritional needs for the purpose of disease management to determine factors necessary to restore or maintain optimal nutritional status. The term may include, but is not limited to the following modalities:

- 2.2.1. Medical history;
- 2.2.2. Diet/lifestyle history;
- 2.2.3. Anthropometric measurements;
- 2.2.4. Physical signs; and
- 2.2.5 Biochemical data, including

laboratory tests.

2.3 "Nutrition therapy" means the intervention and treatment of a disease or medical condition through the modification of nutrient or whole-food intake to achieve optimal clinical outcomes and includes specialized nutrition therapy and nutrition counseling services.

2.4 "Other nutritional services" means nutrition related services to promote the general health, well;-being and the primary prevention of chronic diseases or conditions based on sound scientific findings and/or research.

**§31-2-3. Code of Ethics.**

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

3.2. 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.

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

3.4. A licensed dietitian shall permit the use of his or her 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.

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

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

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

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

3.9. 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 the individual's or group's cultural background and socioeconomic status.

3.10. 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.

3.11. 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.

3.12. A licensed dietitian shall establish standards to include:

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

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

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

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

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