

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

Form #3

Do Not Mark In This Box

FILED

AUG 7 4 22 PM '00

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE  
AND  
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: WEST VIRGINIA BOARD OF LICENSED DIETITIANS TITLE NUMBER: 31

CITE AUTHORITY: W.VA. CODE 30-35-4

AMENDMENT TO AN EXISTING RULE: YES  NO

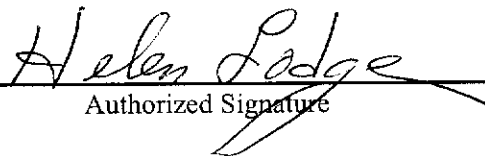
IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 2

TITLE OF RULE BEING PROPOSED: CODE OF PROFESSIONAL ETHICS

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

  
Authorized Signature

## **CODE OF PROFESSIONAL ETHICS PROPOSED RULE**

W. Va. Code §§30-35 established the West Virginia Board of Licensed Dietitians (Board). The legislature subsequently approved regulations that included the Board's code of professional ethics, continuing education and standards examination and licensure and renewal requirements. The Office of the Legislative Auditor conducted a performance review of the Board in 1999 and made several suggestions. The Board has re-written its regulations based on the findings and recommendations of the legislative auditor.

The purpose of this rule is to define the code of professional ethics for dietitians. The licensure and renewal requirements and continuing professional education requirements are outlined in separate rules.

□  
APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: CODE OF PROFESSIONAL ETHICS

Type of Rule:  Legislative     Interpretive     Procedural

Agency: WEST VIRGINIA BOARD OF LICENSED DIETITIANS

Address: 54 TWIN VIEW LANE

HUNTINGTON, WV 25704

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<b>ESTIMATED TOTAL COST</b>	0	0	0	0	0
<b>PERSONAL SERVICES</b>	0	0	0	0	0
<b>CURRENT EXPENSE</b>	0	0	0	0	0
<b>REPAIRS &amp; ALTERATIONS</b>	0	0	0	0	0
<b>EQUIPMENT</b>	0	0	0	0	0
<b>OTHER</b>	0	0	0	0	0

2. Explanation of Above Estimates:

N/A

3. Objectives of These Rules:

TO DEFINE THE CODE OF PROFESSIONAL ETHICS FOR LICENSED DIETITIANS.

Rule Title: CODE OF PROFESSIONAL ETHICS

4. Explanation of Overall Economic Impact of Proposed Rule:

A. Economic Impact on State Government:

N/A

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:

N/A

C. Economic Impact on Citizens/Public at Large.

N/A

Date: JULY 3, 2000

Signature of Agency Head or Authorized Representative:

Helen Lodge

**QUESTIONNAIRE**

*(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)*

DATE: AUGUST 7, 2000

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) BOARD OF LICENSED DIETITIANS

LEGISLATIVE RULE TITLE: CODE OF PROFESSIONAL ETHICS

1. Authorizing statute(s) citation w.VA. CODE 30-35-4

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
JULY 3, 2000

b. What other notice, including advertising, did you give of the hearing?  
NOTICE WAS PLACED IN BOARD OF LICENSED DIETITIANS NEWSLETTER WHICH GOES TO ALL LICENSED DIETITIANS. COPIES OF THE PROPOSED REGULATIONS WERE SENT TO DISTRICT DIETETIC ASSOCIATIONS AND THE PRESIDENT OF THE WEST VIRGINIA DIETETIC ASSOCIATION.

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
AUGUST 2, 2000

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_ No comments received     X

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

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- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

HELEN LODGE, PRESIDENT  
54 TWIN VIEW LANE  
HUNTINGTON, WV 25704

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- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

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- 3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

NOT APPLICABLE

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b. Date of hearing or comment period:

NOT APPLICABLE

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c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

NOT APPLICABLE

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d. Attach findings and determinations and reasons:

Attached

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FILED

TITLE 31  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF LICENSED DIETITIANS

AUG 7 4 25 PM '00

SERIES 2  
CODE OF PROFESSIONAL ETHICS

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**§31-2-1. General.**

1.1. Scope. -- This rule establishes 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. Code of Ethics.**

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

2.2. 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.

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

2.4. 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.

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

2.6. A licensed dietitian shall advance and promote the profession while maintaining profes-

sional judgement, honesty, integrity and trust to colleagues, clients, and the public.

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

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

2.9. 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.

2.10. 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.

2.11. 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.

2.12. A licensed dietitian shall establish standards to include:

2.12.a. Assessing dietetic and nutritional needs of individuals and groups, and determining

resources and constraints in the practice setting;

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

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

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

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