MAINE STATE LEGISLATURE

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1	L.D. 473
2	(Filing No. S- $_{rac{1}{2}}$ 72)
_	GENERAL OF MALVE
3 4	STATE OF MAINE SENATE
5	113TH LEGISLATURE
6	FIRST REGULAR SESSION
7	COMMITTEE AMENDMENT "A" to S.P. 169, L.D. 473,
8	Bill, "AN ACT Making Changes to the Dietitian Regis-
9	tration Act."
10	Amend the bill in section 3 in that part desig-
11	nated "\$9903." in subsection 1 in the 7th line from
12 13	the end (page 2, line 34 in L.D.) by striking out the following: "either a dietitian or" and inserting in
14	its place the following: 'either-a-dietitian-or'
15	Further amend the bill in section 5 in that part
16 17	designated "§9906." by striking out all of subsection 1 (page 4, lines 33 to 38 in L.D.) and inserting in
18	its place the following:
19	'l. Licensing required. No person may practice
20	'l. <u>Licensing required.</u> No person may <u>practice</u> dietetics or hold himself out to be a registered
21	dietitian or a registered dietetic technician oruse
22	relatedtermsorwords7 unless he is registered
23	licensed in accordance with this chapter.'
24	Further amend the bill in section 5 in that part
25	designated "§9907." in subsection 1 in paragraph B in
26 27	the 7th and 8th lines (page 5, lines 25 and 26 in L.D.) by striking out the following: "Such a program
2 <i>7</i> 28	includes" and inserting in its place the following:
29	'Such-a-program-includes As part of his professional
30	education an applicant shall have completed'
31	Further amend the bill in section 5 in that part
32	designated "§9907." in subsection 2 by adding at the
33	end the following:
34	'C. An applicant shall submit to the board evi-
35	dence of having successfully completed a 2-month
36	work experience approved by the board. That ex-
27	perience shall have been acquired during or with-

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1	in 5 years from completion of the academic requirements in paragraph B and not more than 5
2	quirements in paragraph B and not more than 5
3	years from the date of license application.
4	D. The applicant must have successfully com-
5	pleted an examination given by the American
6	pleted an examination given by the American Dietetic Association or its equivalent as deter-
7	mined by the board.'
8	Further amend the bill in section 5 in that part
9	designated "§9908." in the last line (page 6, line 25
10	in L.D.) by inserting after the word and punctuation
11	"fee." the following: 'Persons currently registered
12	shall be allowed to continue to practice dietetics
13	until their registration is due for renewal. At that
14	time, they shall be required to meet all the require-
15	ments of section 9907 in order to receive the license
16	required for the practice of dietetics.'
17	Further amend the bill by striking out all of
18	section 9 and inserting in its place the following:
19	' Sec. 9. 32 MRSA \$\$9913, 9914 and 9915 are en-
20	acted to read:
21	§9913. Equivalent requirements
22	The board shall adopt rules, as it determines
23	necessary and appropriate, to indicate what require-
24	ments will be considered the equivalent of the specific education, experience and examination required
25	cific education, experience and examination required
26	by section 9907.
27	§9914. Temporary license
28	The board shall adopt rules establishing require-
29	ments for a temporary license within the scope of
30	this chapter.
31	§9915. Persons and practices exempt
32	Nothing in this chapter prevents the activities

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1	of:
2	1. Licensed persons. Any person licensed or
3	registered in this State under any other law from en-
4	gaging in the profession or occupation for which he
5	is licensed or registered;
6	2. Persons giving general nutrition-related in-
7	formation. Individuals who give general
8	nutrition-related information;
9	 State and federal employees. State and fed-
10	eral employees in state or federally funded coopera-
11	tive extension food and nutrition programs and sup-
12	tive extension food and nutrition programs and supplemental food and nutrition programs for women, in-
13	fants and children;
14	4. Persons marketing or distributing food products. Persons who market or distribute food, food
15	products. Persons who market or distribute food, food
16	materials or dietary supplements or any person who
17	engages in the explanation of the use of those
18	products or the preparation of those products; and
	produces or the preparation of those produces, and
19	5. Persons providing weight control services.
20	Any person who provides weight control services, pro-
21	vided that:
22	A. The weight control program either recommends
23	physician consultation generally or has in place
24	procedures which require physician referral when
25	physician consultation generally or has in place procedures which require physician referral when medical conditions, such as heart disease, can-
26	cer, diabetes, hypoglycemia, morbid obesity and
27	pregnancy exist; and
28	B. The program has been reviewed by, consulta-
29	tion is available from and no program change may
30	be initiated without prior approval by:
31	(1) A licensed dietitian;
32	(2) A dietitian licensed in another state
33	
23	that has licensure requirements determined

26 27

law.

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1 2	by the board to be equal to the requirements of this chapter; or
3 4 5 6	(3) A dietitian in another state without licensing who is registered by the Commission on Dietetic Registration of the American Dietetic Association.
7	STATEMENT OF FACT
8 9 10 11 12 13 14 15	This amendment incorporates the changes proposed in the original bill, including the prohibiting of practicing dietetics without a license, an examination for becoming licensed and provisions for temporary licenses, including scope of practice and authorization for the board to adopt rules. An examination is required of all applicants, including those who currently are registered.
16 17 18 19 20 21 22 23	In addition, it includes changes proposed at the public hearing, including exemptions for persons giving out general nutrition-related information, persons marketing food products or dietary supplements, weight loss programs and other licensed professionals. It establishes an experience requirement, 2 months, and an examination requirement for dietetic technicians, as suggested by the board.
24 25 26	It clarifies that one member of the board shall be a dietetic technician and conforms the licensing language to the statement of purpose currently in the

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The committee has determined that the provisions of this bill do not constitute substantially expanding the scope of the Board of Registration of Dietetic Practice within the meaning of the Maine Revised Statutes, Title 5, section 12015, subsection 3.

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Reported by Senator Baldacci for the Committee Business Legislation. Reproduced and Distributed Pursuant to Senate Rule 12. (6/1/87) (Filing No. S-112)