

2016 Regular Session

HOUSE BILL NO. 579

BY REPRESENTATIVE ROBERT JOHNSON

DIETITIANS: Provides relative to the delivery of nutrition services

## 1 AN ACT

2 To amend and reenact R.S. 37:3083(1)(a), relative to nutrition services; to authorize a  
3 licensed dietitian or nutritionist to directly order dietary plans; to authorize a licensed  
4 dietitian or nutritionist to directly request laboratory tests; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:3083(1)(a) is hereby amended and reenacted to read as follows:

8 §3083. Definitions

9 As used in this Chapter, the following definitions shall apply:

10 (1) "Dietetics/nutrition practice" means the integration and application of  
11 principles derived from the sciences of nutrition, biochemistry, food, physiology,  
12 management, behavioral, and social sciences to achieve and maintain client health  
13 through the provision of nutrition care services, which shall include:

14 (a) Assessing the nutritional needs of individuals and groups based upon  
15 appropriate biochemical, anthropometric, physical, and dietary data to determine  
16 nutrient needs and ~~recommend to the primary health care provider~~ ordering  
17 appropriate nutritional intake including enteral and parenteral nutrition or appropriate  
18 laboratory tests to monitor the effectiveness of dietary plans and orders, regardless  
19 of setting.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 579 Original

2016 Regular Session

Robert Johnson

**Abstract:** Authorizes a licensed dietitian or nutritionist to directly order dietary plans for patients and to request laboratory tests for monitoring the effectiveness of dietary plans.

Present law authorizes a licensed dietitian or nutritionist to assess nutritional needs and recommend a dietary plan to the patient's primary healthcare provider.

Proposed law authorizes the licensed dietitian or nutritionist to directly order the dietary plan and adds authorization for the dietitian or nutritionist to order appropriate laboratory tests to monitor the effectiveness of the dietary plan.

(Amends R.S. 37:3083(1)(a))

2016 Regular Session

HOUSE BILL NO. 595

BY REPRESENTATIVE ROBERT JOHNSON

DIETITIANS: Provides relative to the delivery of nutrition services through telehealth

1 AN ACT

2 To amend and reenact R.S. 40:1223.3(3), relative to dietetics and nutrition practice; to  
3 authorize the use of telehealth technology to provide nutrition services; and to  
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1223.3(3) is hereby amended and reenacted to read as follows:

7 §1223.3. Definitions

8 \* \* \*

9 (3) "Healthcare provider" means a person, partnership, limited liability  
10 partnership, limited liability company, corporation, facility, or institution licensed  
11 or certified by this state to provide health care or professional services as a physician  
12 assistant, hospital, nursing home, dentist, registered nurse, advanced practice  
13 registered nurse, licensed dietitian or nutritionist, licensed practical nurse, certified  
14 nurse assistant, offshore health service provider, ambulance service, licensed  
15 midwife, pharmacist, speech-language pathologist, audiologist, optometrist,  
16 podiatrist, chiropractor, physical therapist, occupational therapist, certified or  
17 licensed athletic trainer, psychologist, medical psychologist, social worker, licensed  
18 professional counselor, licensed perfusionist, licensed respiratory therapist, licensed  
19 radiologic technologist, or licensed clinical laboratory scientist.

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HB 595 Original

2016 Regular Session

Robert Johnson

**Abstract:** Adds licensed dietitian or nutritionist to the list of healthcare providers who may use telehealth technology.

Present law authorizes the use of telehealth technology to provide certain healthcare services.

Proposed law retains present law and adds licensed dietitian or nutritionist to the list of healthcare providers who may use telehealth technology subject to regulation by the appropriate licensing board.

(Amends R.S. 40:1223.3(3))

2016 Regular Session

HOUSE BILL NO. 642

BY REPRESENTATIVE ROBERT JOHNSON

DIETITIANS: Provides relative to the Louisiana State Board of Examiners in Dietetics and Nutrition

1 AN ACT

2 To amend and reenact the heading of R.S. 37:3084, 3087(A), and 3089, and to repeal  
3 R.S. 37:3084(F) relative to the Louisiana Board of Examiners in Dietetics and  
4 Nutrition; to repeal the domicile requirment; to provide for provisional licenses; to  
5 authorize the promulgation of licensing fees; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. The heading of R.S. 37:3084, 3087(A), and 3089 is hereby amended and  
8 reenacted to read as follows:

9 §3084. Louisiana State Board of Examiners in Dietetics and Nutrition; membership,  
10 terms, and vacancies; ~~domicile~~; officers; meetings; quorum; compensation

11 \* \* \*

12 §3087. Provisional license

13 A. The board may issue a provisional license to any ~~resident~~  
14 dietitian/nutritionist who presents evidence to the board of successful completion of  
15 the education requirements of R.S. 37:3086(C)(1) and (2) for licensure and who  
16 makes application for a provisional license upon the form and in the manner  
17 prescribed by the board, accompanied by applicable fees. A provisional license may  
18 be issued to such a person before he has taken the licensure examination prescribed  
19 by the board. A provisional license may be issued for a period not exceeding one  
20 year and may be renewed from year to year for a period not to exceed ~~five~~ two years

upon payment of a fee and presentation of evidence satisfactory to the board that the applicant is in the process of meeting the experience requirements in anticipation of taking the examination.

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§3089. Fees

~~A. Fees to be paid under this Chapter shall be as follows:~~

- ~~(1) Application fee. . . . . \$ 45.00~~
- ~~(2) Initial license fee. . . . . —45.00~~
- ~~(3) License renewal fee. . . . . —60.00~~
- ~~(4) Provisional license fee. . . . . —50.00~~
- ~~(5) Provisional license renewal fee. . . . . —30.00~~
- ~~(6) Late renewal fee. . . . . —25.00~~
- ~~(7) Reciprocity fee. . . . . —25.00~~
- ~~(8) Duplicate license fee. . . . . —25.00~~

A.(1) The board shall establish a reasonable fee schedule for applications, renewal, or reissuance of any license, certificate, or registration, or for any other administrative function provided for in this Chapter; and the receipts from the payment of the fees shall be used to carry out the purposes of this Chapter. The fee schedule may be modified from time to time as deemed necessary by the board. The fees shall be established and payable by rule adopted in accordance with the Administrative Procedure Act, R.S. 49:950 et. seq.

(2) The board is authorized to increase the fees in the fee schedule to not more than the following amounts:

- (a) One hundred fifty dollars per application for licensure.
- (b) One hundred dollars per renewal of any license, certificate, or registration.
- (c) Fifty dollars per reissuance of any license, certificate, or registration.

~~B. All fees collected pursuant to the provisions of this Chapter shall be paid to the secretary-treasurer and used by the board to administer the provisions of this Chapter. Such funds shall be subject to a periodic audit by the legislative auditor.~~

1           B. The fees established pursuant to this Section shall be paid to the  
2           secretary-treasurer of the board. The board shall retain all fees and other monies  
3           received by it. The funds may be expended by the board without appropriation for  
4           cost of administration and other expenses. Any funds remaining unexpended and  
5           unencumbered at the end of each fiscal year shall be retained by the board for  
6           expenditure in succeeding years and no part thereof shall revert to the state general  
7           fund.

8           Section 2. R.S. 37:3084(F) is hereby repealed in its entirety.

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HB 642 Original

2016 Regular Session

Robert Johnson

**Abstract:** Repeals the domicile of the La. Board of Examiners in Dietetics and Nutrition, limits the length of time the board may renew provisional licenses, and authorizes the promulgation of a fee schedule.

Present law requires the board to be domiciled in Baton Rouge.

Proposed law repeals present law.

Present law authorizes the board to issue a provisional license to any resident dietitian/nutritionist who presents evidence to the board of receipt of a baccalaureate or higher degree with a major course of study in human nutrition, food and nutrition, dietetics, or food systems management. Present law authorizes the board to renew the provisional license from year to year for a period not to exceed five years.

Proposed law removes the residency requirement, requires satisfactory completion of a program of experience of not less than 900 hours supervised by a licensed dietitian or nutritionist or registered dietitian, and limits the renewal to a maximum of two years.

Present law establishes a set fee schedule for license applications, renewals, and reissuances.

Proposed law repeals present law and authorizes the board to establish a reasonable fee schedule through administrative rule promulgation.

(Amends the heading of R.S. 37:3084, 3087(A), and 3089; Repeals 37:3084(F))