



**S2625**

**SPONSOR'S STATEMENT:** (Begins on page 10 of introduced bill) Yes

**COMMITTEE STATEMENT:**

**ASSEMBLY:** No

**SENATE:** Yes Commerce  
Budget &  
Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

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**REPORTS:** No

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Rwh/CL

Title 45.  
Subtitle 1.  
Chapter  
16B.(New)  
Dietetics and  
Nutrition  
§§1-15 -  
C.45:16B-1 to  
45:16B-15  
§19 - Note

P.L. 2019, CHAPTER 331, *approved January 13, 2020*  
Assembly Committee Substitute (*Second Reprint*) for  
Assembly, No. 1582

1 **AN ACT** providing for the licensing of dietitian nutritionists and  
2 nutritionists, supplementing Title 45 of the Revised Statutes and  
3 amending P.L.1971, c.60, P.L.1974, c.46 and P.L.1978, c.73.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. (New section) This act shall be known and may be cited as the  
9 "Dietetics and Nutrition Licensing Act."

10

11 2. (New section) The Legislature finds and declares that the  
12 public interest requires the regulation of the practice of dietetics and  
13 nutrition and the establishment of clear licensure standards of  
14 competency and integrity for nutritionists and dietitian nutritionists to  
15 properly protect the health and safety of the citizenry and further, that  
16 the health and welfare of the residents of the State will be protected by  
17 identifying to the public those individuals who are qualified and  
18 legally authorized to practice dietetics and nutrition.

19

20 3. (New section) As used in P.L. , c. (C ) (pending  
21 before the Legislature as this bill):

22 "Board" means the State Board of Dietetics and Nutrition  
23 established pursuant to section 4 of P.L. , c. (C ) (pending  
24 before the Legislature as this bill).

25 "Board for Certification of Nutrition Specialists" means the  
26 entity that serves as the credentialing agency for Certified Nutrition  
27 Specialists.

28 "Certified Nutrition Specialist" means an individual certified as  
29 such by the Board for Certification of Nutrition Specialists that

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SCM committee amendments adopted November 14, 2019.

<sup>2</sup>Senate SBA committee amendments adopted December 5, 2019.

1 gives the individual the right to use the terms “Certified Nutrition  
2 Specialist” or “CNS”.

3 “Commission on Dietetic Registration” means the credentialing  
4 agency of the Academy of Nutrition and Dietetics.

5 <sup>1</sup>“Dietitian” or “Dietitian nutritionist” means a person licensed as  
6 a licensed dietitian nutritionist pursuant to the provisions of P.L. ,  
7 c. (C. ) (pending before the Legislature as this bill) who may be  
8 referred to as a nutritionist, a dietitian nutritionist or a dietician.<sup>1</sup>

9 “Diplomate of the American Clinical Board of Nutrition” means  
10 an individual certified as such by the American Clinical Board of  
11 Nutrition that gives the individual the right to use the terms  
12 “Diplomate of the American Clinical Board of Nutrition” or  
13 “DACBN.”

14 "Director" means the Director of the Division of Consumer  
15 Affairs in the Department of Law and Public Safety.

16 "Licensed dietitian nutritionist" means a person who is licensed  
17 as a licensed dietitian nutritionist pursuant to the provisions of  
18 P.L. , c. (C. ) (pending before the Legislature as this bill).

19 “Licensed nutritionist” means a person who is licensed as a  
20 licensed nutritionist pursuant to the provisions of P.L. ,  
21 c. (C. ) (pending before the Legislature as this bill).

22 “Medical nutrition therapy” means <sup>1</sup>**[a subset]** the provision<sup>1</sup> of  
23 nutrition care services for the <sup>1</sup>intended<sup>1</sup> purpose of treatment or  
24 management of <sup>1</sup>a diagnosed<sup>1</sup> disease or medical <sup>1</sup>**[conditions]**  
25 condition<sup>1</sup>.

26 "Medical weight control" means <sup>1</sup>medical<sup>1</sup> nutrition <sup>1</sup>**[care**  
27 **services]** therapy<sup>1</sup> for the purpose of reducing, maintaining, or  
28 gaining weight <sup>1</sup>**[that are indicated or contraindicated by an**  
29 **existing or diagnosed disease or medical condition]**<sup>1</sup>.

30 “Nutrition care services” means <sup>1</sup>the provision of<sup>1</sup> any part or all  
31 of the following <sup>1</sup>services within a systematic process<sup>1</sup>: assessing  
32 and evaluating the nutritional needs of individuals and groups, and  
33 determining resources and constraints in the practice setting,  
34 including ordering laboratory tests to check and track nutrition  
35 status and monitor effectiveness of dietary plans and orders;  
36 establishing priorities, goals, and objectives that meet nutritional  
37 needs and are consistent with available resources and constraints;  
38 providing nutrition counseling in health and disease; developing,  
39 implementing, and managing nutrition care systems; evaluating,  
40 making changes in, and maintaining appropriate standards of  
41 quality in food and nutrition services; and ordering therapeutic  
42 diets.

43 "Practice of dietetics and nutrition" means the integration and  
44 application of scientific principles derived from the study of food,  
45 nutrition, biochemistry, metabolism, nutrigenomics, physiology,  
46 food management, and from behavioral and social sciences in

1 achieving and maintaining health throughout the life span and in  
2 providing nutrition care services, including medical nutrition  
3 therapy, for the prevention, management, and treatment of disease.  
4 This term includes, but is not limited to, nutrition assessment;  
5 nutrition diagnosis; nutrition intervention; monitoring and  
6 evaluation of nutrition care plans; nutrition support, including the  
7 ordering of parenteral and enteral nutrition; dietary and nutritional  
8 counseling and education, including regarding food, nutrient and  
9 prescription drug interactions; and the development and  
10 administration of nutrition care standards and systems. The practice  
11 of dietetics and nutrition does not include the medical differential  
12 diagnosis of the health status of an individual.

13 “Registered Dietitian” or “registered dietitian nutritionist” means  
14 an individual registered as such with the Commission on Dietetic  
15 Registration that gives the applicant the right to use the term  
16 "registered dietitian nutritionist," “registered dietitian,” “RDN,” or  
17 “RD.”

18 “Therapeutic diet” means a diet intervention prescribed by a  
19 physician or other authorized non-physician practitioner that  
20 provides food or nutrients via oral, enteral, and parenteral routes as  
21 part of treatment of disease or diagnosed clinical conditions to  
22 modify, eliminate, decrease, or increase identified micro-nutrients  
23 and macro-nutrients in the diet.

24  
25 4. (New section) There is created in the Division of Consumer  
26 Affairs in the Department of Law and Public Safety the State Board of  
27 Dietetics and Nutrition. The board shall consist of seven members  
28 who are residents of the State, one of whom shall be a public member  
29 and one of whom shall be a State executive department member  
30 appointed pursuant to the provisions of P.L.1971, c.60 (C.45:1-2.1 et  
31 seq.). Of the remaining five members, four shall be, except for the  
32 members first appointed, licensed dietitian nutritionists or licensed  
33 nutritionists under the provisions of P.L. , c. (C. ) (pending  
34 before the Legislature as this bill) who shall have been actively  
35 engaged in the practice of dietetics and nutrition in the State for at  
36 least five years immediately preceding their appointment. At least  
37 three of the licensed dietitian nutritionist or licensed nutritionist  
38 members shall have been actively engaged in the provision of medical  
39 nutrition therapy in the State for at least five years immediately  
40 preceding their appointment. Of the four members licensed under  
41 P.L. , c. (C. ) (pending before the Legislature as this bill), and  
42 of the members first appointed one shall be a dietitian nutritionist or  
43 nutritionist whose primary practice is clinical nutrition; one shall be a  
44 dietitian nutritionist or nutritionist whose primary practice is  
45 community or public health nutrition; one shall be a dietitian  
46 nutritionist or nutritionist whose primary practice is management of  
47 clinical nutrition services or consulting in nutrition; and one shall be a

1 dietitian nutritionist or nutritionist who is an educator specializing in  
2 the field of dietetics or nutrition on the faculty of a college or  
3 university accredited at the time from the appropriate regional  
4 accrediting agency recognized by the Council on Higher Education  
5 Accreditation and the United States Department of Education,  
6 specializing in the field of dietetics or nutrition; and the remaining  
7 member shall be a physician licensed to practice medicine and surgery  
8 pursuant to chapter 9 of Title 45 of the Revised Statutes. Of the four  
9 professional members licensed under P.L. , c. (C. ) (pending  
10 before the Legislature as this bill) or of the members first appointed,  
11 three shall hold current registration as a registered dietitian nutritionist  
12 with the Commission on Dietetic Registration and not be eligible for  
13 certification with the Board for Certification of Nutrition Specialists or  
14 the American Clinical Board of Nutrition, and one shall hold current  
15 certification with either the Board for Certification of Nutrition  
16 Specialists or the American Clinical Board of Nutrition and not be  
17 eligible for registration with the Commission on Dietetic Registration.

18 The member of the board appointed from the public at large shall  
19 be a citizen or permanent resident of the United States and a resident  
20 of this State and shall not be any of the following: a dietitian  
21 nutritionist or nutritionist; an agent or employee of a person engaged  
22 in the profession of dietetics or nutrition; a licensed health care  
23 professional or enrolled in a program to become prepared to be a  
24 licensed health care professional; an agent or employee of a health  
25 care institution, a health care insurer, or a health care professional  
26 school; a member of any allied health profession or enrolled in a  
27 program to become prepared to be a member of an allied health  
28 profession; or the spouse or first degree relative, such as a parent, child  
29 or sibling, of an individual not eligible to serve as a public member of  
30 the board.

31 The Governor shall appoint the public member and the State  
32 executive department member and shall appoint the remaining five  
33 members with the advice and consent of the Senate. Each member,  
34 other than the State executive department member, shall be appointed  
35 for a term of three years, except that of the members first appointed  
36 whose terms shall be staggered as follows: of the three licensed  
37 dietitian nutritionist members holding current registration with the  
38 Commission on Dietetic Registration, one shall serve for a term of two  
39 years and one shall serve for a term of one year; the physician member  
40 shall serve for a term of one year.

41 Any vacancy in the membership of the board shall be filled for the  
42 unexpired term in the manner provided by the original appointment.  
43 Each member shall hold office until the member's successor has been  
44 appointed and seated. Notice of any vacancy and either the State's  
45 process for filling such vacancy or a link thereto shall be immediately  
46 publicly posted to the board's website. The board's website shall  
47 include the terms and expiration dates of all members and either a link

1 to apply for appointment to a vacant position or a description of the  
2 State's process for applying to serve on the board. No member of the  
3 board may serve more than two successive terms in addition to any  
4 unexpired term to which the member has been appointed. The  
5 Governor may remove any member of the board, other than the State  
6 executive department member, for cause.

7  
8 5. (New section) Notwithstanding the provisions of section 2 of  
9 P.L.1977, c.285 (C.45:1-2.5) or any other law to the contrary, the  
10 members of the board shall serve without compensation, and shall not  
11 be entitled to receive any pension or health benefits based upon their  
12 service as members of the board, but shall be reimbursed for expenses  
13 and provided with office and meeting facilities pursuant to section 2 of  
14 P.L.1977, c.285 (C.45:1-2.5).

15  
16 6. (New section) The board shall organize within 30 days after  
17 the appointment of its members and shall annually elect from among  
18 its members a chairperson and vice-chairperson, and elect a secretary  
19 who need not be a member of the board. The chairperson position  
20 shall rotate annually between: a member holding current registration  
21 with the Commission on Dietetic Registration who may not also be  
22 eligible for certification by either the Board for Certification of  
23 Nutrition Specialists or the American Clinical Board of Nutrition and a  
24 member credentialed by either the Board for Certification of Nutrition  
25 Specialists or the American Clinical Board of Nutrition who is not  
26 eligible for registration with the Commission on Dietetic Registration.  
27 If the chairperson holds registration with the Commission on Dietetic  
28 Registration, the vice-chairperson shall be a member holding  
29 registration with either the Board for Certification of Nutrition  
30 Specialists or the American Clinical Board of Nutrition.

31 The chairperson shall preside at all board meetings and perform all  
32 duties prescribed by law or board regulations. The vice-chairperson  
33 shall preside if the chairperson is absent or temporarily unable to  
34 discharge the duties of the chairperson, or the position of chairperson  
35 becomes vacant. The board shall meet at least once every two months  
36 in person or through remote technologies and may hold additional  
37 meetings as necessary to discharge its duties. The board shall publish  
38 a meeting schedule one year in advance and provide thirty days' notice  
39 of any changes thereto. A majority of the board membership shall  
40 constitute a quorum. The minutes of meetings, upon approval of the  
41 board shall constitute the official records of board meetings. The  
42 unapproved minutes of meetings shall be recorded and open to public  
43 inspection in the board office and posted publicly to the board website  
44 during normal business hours within ten business days of their  
45 recordation.

46  
47 7. (New section) The board shall:

- 1 (1) review the qualifications of applicants for licensure;
- 2 (2) adopt a code of ethics;
- 3 (3) ensure the proper conduct and standards of examinations;
- 4 (4) issue and renew biennial licenses for dietitian nutritionists and  
5 nutritionists pursuant to P.L. , c. (C. ) (pending before the  
6 Legislature as this bill);
- 7 (5) refuse to admit a person to an examination or refuse to issue or  
8 suspend, revoke, or fail to renew the license of a dietitian nutritionist  
9 or nutritionist pursuant to the provisions of P.L.1978, c.73 (C.45:1-14  
10 et seq.);
- 11 (6) maintain a record of every licensed dietitian nutritionist and  
12 licensed nutritionist licensed in this State, their place of business, place  
13 of residence, and the date and number of their license, and publish a  
14 list of the names and addresses of all licensees annually;
- 15 (7) prescribe or change the charges for examinations, licenses,  
16 renewals, and other services it performs pursuant to P.L.1974, c.46  
17 (C.45:1-3.1 et seq.), and set the passing score on any examination it  
18 adopts as a licensure examination;
- 19 (8) establish rules and regulations with respect to continuing  
20 education requirements. The board shall at a minimum accept as valid  
21 any continuing education approved by the American Clinical Board of  
22 Nutrition, the Board for Certification of Nutrition Specialists, and the  
23 Commission on Dietetic Registration; and
- 24 (9) adopt and promulgate rules and regulations pursuant to the  
25 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)  
26 necessary to effectuate the purposes of P.L. , c. (C ) (pending  
27 before the Legislature as this bill).
- 28
- 29 8. (New section) A person shall not provide medical nutrition  
30 therapy, whether compensated or not, unless the person holds a  
31 valid license issued pursuant to P.L. , c. (C. ) (pending  
32 before the Legislature as this bill) to practice in this State, except  
33 that nothing in P.L. , c. (C ) (pending before the Legislature  
34 as this bill) shall be construed to:
  - 35 (1) prohibit a person licensed to practice pursuant to Title 45 of  
36 the Revised Statutes from engaging in the practice or teaching of  
37 dietetics and nutrition within the scope of that person's license or  
38 any other person licensed to practice or certified to teach in this  
39 State under any other law from engaging in the practice or teaching  
40 for which that person is licensed, regulated, or certified;
  - 41 (2) prohibit a student <sup>1</sup>~~or~~<sup>1</sup> trainee, <sup>1</sup>or other individual<sup>1</sup>  
42 working under the supervision of an individual who is legally  
43 authorized to provide nutrition care services for the purpose of  
44 treatment or management of disease or medical condition and who  
45 meets the criteria outlined in section 9 of P.L. , c. (C )  
46 (pending before the Legislature as this bill) while fulfilling an



1 experience requirement or pursuing a course of study to meet  
2 requirements for licensures;

3 (3) prohibit any person from practicing dietetics and nutrition  
4 within the scope of the person's official duties when employed by a  
5 department, agency, bureau, division, or other unit of the federal  
6 government, serving in the Armed Forces of the United States, or  
7 employed by any State institution or facility;

8 (4) prohibit any person who does not hold himself or herself out  
9 to be a licensed dietitian nutritionist or licensed nutritionist from  
10 furnishing nutrition information<sup>2</sup>, providing evaluation, guidance,  
11 information, and education<sup>2</sup> as to the use of food, food materials, or  
12 dietary supplements, or from engaging in the explanation to persons  
13 as to the use of food or food products including dietary  
14 supplements;

15 (5) prohibit any person <sup>1</sup>involved in presenting a general  
16 program of instruction for providing<sup>1</sup> medical weight control from  
17 doing so <sup>1</sup>provided the through a<sup>1</sup> program <sup>1</sup>of instruction that<sup>1</sup>  
18 has been approved in writing by a licensed dietitian nutritionist or  
19 licensed nutritionist in this State, a dietitian nutritionist or  
20 nutritionist licensed in another state that has licensure requirements  
21 substantially equivalent to those of this State, as determined by the  
22 board, a dietitian registered by the Commission on Dietetic  
23 Registration, a nutritionist certified by the Board for Certification of  
24 Nutrition Specialists, a Diplomate of the American Clinical Board  
25 of Nutrition, or is part of a plan of care overseen by a <sup>1</sup>New Jersey  
26 State<sup>1</sup> licensed <sup>1</sup>physician health care provider who is legally  
27 authorized to provide nutrition care services for the purpose of  
28 treatment or management of a disease or medical condition<sup>1</sup>;

29 (6) prohibit a nutrition and dietetic technician from providing  
30 nutrition services under the supervision of a licensed dietitian  
31 nutritionist or licensed nutritionist;

32 (7) <sup>1</sup>prohibit an individual from providing nutrition care services  
33 while under the direct supervision of a New Jersey State licensed  
34 health care provider who is legally authorized to provide nutrition  
35 care services for the purpose of treatment or management of a  
36 disease or medical condition; or

37 (8)<sup>1</sup> prohibit any individual from providing nutrition  
38 information, guidance, encouragement, individualized nutrition  
39 recommendations, <sup>1</sup>or behavior change management, coaching,  
40 assessments,<sup>1</sup> weight control services<sup>1</sup>, or other nutrition care  
41 services<sup>1</sup> that do not constitute medical nutrition therapy as defined  
42 in section 3 of P.L. , c. (C. ) (pending before the Legislature  
43 as this bill), provided that the individual does not hold himself or  
44 herself out as a licensed dietitian nutritionist or licensed nutritionist  
45 <sup>1</sup>or as a provider of medical nutrition therapy<sup>1</sup> .

1       9. (New section) a. To be eligible to be licensed as a dietitian  
2 nutritionist, an applicant shall be at least 18 years of age; be of good  
3 moral character; and submit a completed application as required by  
4 the board, and submit any fees as required by the board. The  
5 applicant shall meet one of the following criteria: provide evidence  
6 of current, valid registration as a registered dietitian nutritionist  
7 with the Commission on Dietetic Registration; or submit proof of  
8 completion for all of the following educational, supervised practice  
9 experience, and examination requirements:

10       (1) the applicant has received a baccalaureate, master's or  
11 doctoral degree with a major course of study in human nutrition,  
12 foods and nutrition, dietetics, food systems management, nutrition  
13 education, nutrition, nutrition science, clinical nutrition, applied  
14 clinical nutrition, nutrition counseling, nutrition and functional  
15 medicine, nutritional biochemistry, nutrition and integrative health,  
16 or an equivalent course of study from:

17       (a) a college or university accredited at the time of graduation  
18 from the appropriate regional accrediting agency recognized by the  
19 Council on Higher Education Accreditation and the federal  
20 Department of Education and that, as approved by the Board, meets  
21 the competency requirements of an Accreditation Council for  
22 Education in Nutrition and Dietetics accredited didactic program in  
23 dietetics; or

24       (b) has an academic degree from a foreign country that has been  
25 validated as equivalent to the baccalaureate or post-baccalaureate  
26 degree conferred by a regionally accredited college or university in  
27 the United States by a credential evaluation agency recognized by  
28 the federal Department of Education and that, as approved by the  
29 board, meets the competency requirements of an Accreditation  
30 Council for Education in Nutrition and Dietetics accredited didactic  
31 program in dietetics;

32       (2) the applicant has successfully completed a planned clinical  
33 program in an approved practice of dietetics and nutrition that, as  
34 approved by the board, meets the competency requirements of an  
35 Accreditation Council for Education in Nutrition and Dietetics  
36 accredited supervised practice experience of not less than 1,200  
37 hours under the supervision of a dietitian nutritionist licensed in this  
38 State or licensed, registered, or certified in any other state having  
39 requirements for licensure, registration, or certification substantially  
40 similar to licensure requirements in this State, as approved by the  
41 board; or a registered dietitian nutritionist registered with the  
42 Commission on Dietetic Registration. Supervisors who obtained  
43 their doctoral degree outside the United States and its territories  
44 must have their degrees validated as equivalent to the doctoral  
45 degree conferred by a United States regionally accredited college or  
46 university by a credential evaluation agency recognized by the  
47 federal Department of Education; and

1 (3) the applicant has passed the registration examination for  
2 dietitian nutritionists administered by the Commission on Dietetic  
3 Registration, which shall be held by the board at least twice a year  
4 and may be administered by a national testing service, as  
5 determined by the board.

6 b. To be eligible to be licensed as a nutritionist, an applicant  
7 shall be at least 18 years of age; be of good moral character; submit  
8 a completed application as required by the board, submit any fees as  
9 required by the board, and submit proof of completion of the  
10 following educational, supervised practice experience, and  
11 examination requirements:

12 (1) the applicant has received a master's or doctoral nutrition  
13 degree or, has an academic degree, from a foreign country, that has  
14 been validated as equivalent to the masters or doctoral degree  
15 conferred by a regionally accredited college or university in the  
16 United States by a credential evaluation agency recognized by the  
17 federal Department of Education, with a major in human nutrition,  
18 foods and nutrition, community nutrition, public health nutrition,  
19 nutrition education, nutrition, nutrition science, clinical nutrition,  
20 applied clinical nutrition, nutrition counseling, nutrition and  
21 functional medicine, nutritional biochemistry, nutrition and  
22 integrative health, or a comparable titled major, or master's or  
23 doctoral degree or validated foreign equivalent, in a field of clinical  
24 health care from a college or university accredited at the time of  
25 graduation from the appropriate regional accrediting agency  
26 recognized by the Council on Higher Education Accreditation and  
27 the United States Department of Education, and has completed  
28 coursework leading to competence in medical nutrition therapy,  
29 which includes, but may not be limited to, the following content  
30 areas:

31 (a) 15 semester hours of clinical or life sciences, at least three  
32 semester hours must be in human anatomy and physiology or the  
33 equivalent;

34 (b) (i) 15 semester hours of nutrition and metabolism, at least six  
35 semester hours must be in biochemistry;

36 (ii) the applicant must have completed a board approved  
37 internship or a documented, supervised practice experience in  
38 nutrition care services and the provision of medical nutrition  
39 therapy of not less than 1000 hours involving at least 200 hours of  
40 nutrition assessment, 200 hours of nutrition intervention, education,  
41 counseling or management, and 200 hours of nutrition monitoring  
42 or evaluation under the supervision of a Certified Nutrition  
43 Specialist, a Diplomate of the American Clinical Board Of  
44 Nutrition, a Registered Dietitian Nutritionist, a licensed dietitian  
45 nutritionist or a licensed nutritionist in this State, a State licensed  
46 health care provider whose scope of practice includes the provision  
47 of nutrition care services for the purpose of treatment or

1 management of disease or medical condition, or an individual with  
2 a doctoral degree conferred by a United States regionally accredited  
3 college or university with a major course of study in human  
4 nutrition, foods and nutrition, dietetics, nutrition education,  
5 nutrition, nutrition science, clinical nutrition, applied clinical  
6 nutrition, nutrition counseling, nutrition and functional medicine,  
7 nutritional biochemistry, nutrition and integrative health, or an  
8 equivalent course of study, with a reasonable threshold of academic  
9 credits in nutrition and nutrition sciences as described in this  
10 section. <sup>1</sup>For purposes of this subparagraph, a supervisor shall be  
11 licensed in this State if supervising an applicant providing medical  
12 nutrition therapy to an individual located in this State.<sup>1</sup> Supervisors  
13 who obtained their doctoral degree outside the United States and its  
14 territories must have their degrees validated as equivalent to the  
15 doctoral degree conferred by a regionally accredited college or  
16 university in the United States by a credential evaluation agency  
17 recognized by the federal Department of Education. The applicant  
18 shall complete this documented, supervised practice experience  
19 within five years of completing the academic requirements specified  
20 in this section, but the board, in its discretion, may grant a limited  
21 extension to this time frame in the event of extraordinary  
22 circumstances, which may include consideration for individuals  
23 who have been legally providing medical nutrition therapy in  
24 another jurisdiction; and

25 (iii) The applicant meets one of the following examination  
26 criteria:

27 the applicant has successfully passed either the examination  
28 administered by the Board for Certification of Nutrition Specialists  
29 or the examination administered by the American Clinical Board of  
30 Nutrition; or

31 the applicant has either a valid current certification with the  
32 Board for Certification of Nutrition Specialists that gives the  
33 applicant the right to use the term "Certified Nutrition Specialist" or  
34 "CNS" or a valid current certification with the American Clinical  
35 Board of Nutrition that gives the applicant the right to use the term  
36 "Diplomate, American Clinical Board of Nutrition" or "DACBN."  
37

38 10. (New section) The board shall issue a license to any applicant  
39 who, in the opinion of the board, has satisfactorily met the  
40 requirements specified in section 9 of P.L. , c. (C. ) (pending  
41 before the Legislature as this bill).

42 Except in the case of a temporary license issued pursuant to section  
43 14 of P.L. , c. (C. ) (pending before the Legislature as this  
44 bill), all licenses shall be issued for a two-year period upon the  
45 payment of the licensure fee prescribed by the board, and shall be  
46 renewed upon filing of a renewal application, the payment of a  
47 licensure fee, and presentation of satisfactory evidence that the

1 renewal applicant has successfully completed the continuing education  
2 requirements prescribed by the board by regulation.

3  
4 11. (New section) Upon payment to the board of a fee and the  
5 submission of a written application on forms provided by it, the board  
6 shall license without examination a nutritionist or dietitian who is  
7 licensed, registered or certified by another state or possession of the  
8 United States or the District of Columbia which has standards  
9 substantially equivalent to those of this State.

10  
11 12. (New section) For a period of one year after the effective date  
12 of P.L. , c. (C. ) (pending before the Legislature as this bill),  
13 any person who is practicing or residing in this State on the effective  
14 date of P.L. , c. (C. ) (pending before the Legislature as this  
15 bill) may qualify as a licensed nutritionist upon application for  
16 licensure and payment of the appropriate fee, provided the applicant  
17 furnishes evidence satisfactory to the board that the applicant has  
18 received a baccalaureate or higher academic degree from a United  
19 States regionally accredited college or university with a minimum of  
20 30 credit hours or a major concentration of study in human nutrition,  
21 foods and nutrition, food systems management, nutritional science,  
22 nutritional education, community nutrition, public health nutrition,  
23 nutrition education, nutrition, nutrition science, clinical nutrition,  
24 applied clinical nutrition, nutrition counseling, nutrition and functional  
25 medicine, nutritional biochemistry, nutrition and integrative health, or  
26 related coursework approved by the board; and has been employed at  
27 least half-time as a nutritionist providing nutrition care services for the  
28 purpose of treatment or management of a disease or medical condition  
29 regularly for three of the last five years immediately preceding the  
30 effective date of P.L. , c. (C. ) (pending before the Legislature  
31 as this bill).

32  
33 13. (New section) No person, business entity or its employees,  
34 agents, or representatives shall use the titles, “dietitian nutritionist,”  
35 <sup>1</sup>["nutritionist,"] <sup>2</sup>"nutritionist,"<sup>2</sup> "dietitian," “dietician,” "nutrition  
36 counselor," <sup>1</sup>["nutrition consultant,"] <sup>1</sup> "nutrition specialist,"  
37 “LDN,” “LD,” “LN,” “nutritional therapy practitioner,” “nutritional  
38 therapy consultant,” “certified nutrition therapy practitioner,”  
39 “master nutrition therapist,” “licensed dietitian nutritionist,”  
40 “licensed nutritionist” or any other title, designation, words, letters,  
41 abbreviations, or insignia indicating <sup>1</sup>[that] <sup>1</sup> one <sup>1</sup>[is licensed for  
42 the practice of dietetics and nutrition or holds oneself out] <sup>1</sup> as a  
43 provider of medical nutrition therapy <sup>1</sup>or as licensed under P.L. ,  
44 c. (C. )(pending before the Legislature as this bill),<sup>1</sup> unless  
45 licensed to practice dietetics and nutrition under the provisions of  
46 P.L. , c. (C. ) (pending before the Legislature as this bill).

1 A dietitian registered by the Commission on Dietetic Registration  
2 may use the title registered dietitian or registered dietitian  
3 nutritionist and the designation RD or RDN, and a nutritionist  
4 certified by the Board for Certification of Nutrition Specialists may  
5 use the title Certified Nutrition Specialist and the designation CNS  
6 <sup>1</sup>, and an individual may use any lawfully earned federally  
7 trademarked title<sup>1</sup>.  
8

9 14. (New section) a. Upon payment to the board of a fee and the  
10 submission of a written application on forms provided by it, the board  
11 shall issue a temporary license to a person who has applied for  
12 licensure pursuant to P.L. , c. (C. ) (pending before the  
13 Legislature as this bill) and who, in the judgment of the board, is  
14 eligible for examination. A temporary license shall be available to an  
15 applicant with the applicant's initial application for examination and  
16 the applicant may practice only under the supervision of a supervisor  
17 specified in section 9 of P.L. , c. (C. ) (pending before the  
18 Legislature as this bill), consistent with State law. A temporary  
19 license shall expire automatically upon failure of the licensure  
20 examination but may be renewed until the date of the next examination  
21 at which time it shall automatically expire and be surrendered to the  
22 board.

23 b. Upon payment to the board of a fee and the submission of a  
24 written application on forms provided by it, the board may issue  
25 without examination a temporary license authorizing one to provide  
26 medical nutrition therapy and to hold oneself out as a dietitian  
27 nutritionist or nutritionist in this State to a person who provides  
28 evidence that the person is in the State on a temporary basis to assist in  
29 a medical emergency or engage in a special project or teaching  
30 assignment relating to the practice of dietetics and nutrition and the  
31 provision of medical nutrition therapy. A temporary license shall  
32 expire one year from its date of issuance, but may be renewed by the  
33 board for an additional one year period. This temporary license shall  
34 be surrendered to the board upon its expiration.  
35

36 15. (New section) a. Licensed dietitian nutritionists and licensed  
37 nutritionists shall provide nutrition care services using systematic,  
38 evidence-based, and problem-solving methods to critically think and  
39 make decisions to address nutrition related problems, providing safe,  
40 effective, quality nutrition services, and medical nutrition therapy for  
41 patients and clients in both clinical and community settings.

42 b. A licensed dietitian nutritionist or licensed nutritionist may  
43 accept or transmit oral, verbal, delegated, or electronically transmitted  
44 orders from the referring provider consistent with applicable laws and  
45 rules in conjunction with protocols established to implement medical  
46 nutrition therapy.

1 c. A licensed dietitian nutritionist or licensed nutritionist may  
2 order patient diets, including therapeutic diets, in accordance with the  
3 provisions of P.L. , c. (C. ) (pending before the Legislature as  
4 this bill). Therapeutic diets may include oral, enteral, or parenteral  
5 nutrition therapy. Enteral and parenteral nutrition therapy consist of  
6 specialized enteral or intravenous solutions and shall only be ordered  
7 by an individual licensed under P.L. , c. (C. ) (pending before  
8 the Legislature as this bill) who also meets one of the following  
9 criteria:

10 (1) the individual is a registered dietitian nutritionist registered  
11 with the Commission on Dietetic Registration;

12 (2) the individual is a Certified Nutrition Support Clinician  
13 certified by the National Board of Nutrition Support Certification; or

14 (3) the individual meets other requirements demonstrating  
15 competency at the novice level in evaluating and ordering enteral and  
16 parenteral therapy and administering enteral therapy, as published in  
17 the Revised 2017 Standards of Practice and Standards of Professional  
18 Performance for Registered Dietitian Nutritionists.

19 d. Nothing in this section shall be construed to limit the ability of  
20 any other licensed health care provider in this State to order  
21 therapeutic diets, so long as the order of therapeutic diets falls within  
22 the scope of the license held by the health care provider.

23  
24 16. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read as  
25 follows:

26 1. The provisions of this act shall apply to the following boards  
27 and commissions: the New Jersey State Board of Accountancy, the  
28 New Jersey State Board of Architects, the New Jersey State Board of  
29 Cosmetology and Hairstyling, the Board of Examiners of Electrical  
30 Contractors, the New Jersey State Board of Dentistry, the State Board  
31 of Mortuary Science of New Jersey, the State Board of Professional  
32 Engineers and Land Surveyors, the State Board of Marriage and  
33 Family Therapy Examiners, the State Board of Medical Examiners, the  
34 New Jersey Board of Nursing, the New Jersey State Board of  
35 Optometrists, the State Board of Examiners of Ophthalmic Dispensers  
36 and Ophthalmic Technicians, the Board of Pharmacy, the State Board  
37 of Professional Planners, the State Board of Psychological Examiners,  
38 the State Board of Examiners of Master Plumbers, the New Jersey  
39 Real Estate Commission, the State Board of Court Reporting, the State  
40 Board of Veterinary Medical Examiners, the Radiologic Technology  
41 Board of Examiners, the Acupuncture Examining Board, the State  
42 Board of Chiropractic Examiners, the State Board of Respiratory Care,  
43 the State Real Estate Appraiser Board, the State Board of Social Work  
44 Examiners, the State Board of Examiners of Heating, Ventilating, Air  
45 Conditioning and Refrigeration Contractors, the Elevator, Escalator,  
46 and Moving Walkway Mechanics Licensing Board, the State Board of  
47 Physical Therapy Examiners, the Orthotics and Prosthetics Board of

1 Examiners, the New Jersey Cemetery Board, the State Board of  
2 Polysomnography, the New Jersey Board of Massage and Bodywork  
3 Therapy, the Genetic Counseling Advisory Committee, the State  
4 Board of Dietetics and Nutrition, and any other entity hereafter created  
5 under Title 45 to license or otherwise regulate a profession or  
6 occupation.

7 (cf: P.L.2012, c.71, s.13)

8

9 17. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read as  
10 follows:

11 1. The provisions of this act shall apply to the following boards  
12 and commissions: the New Jersey State Board of Accountancy, the  
13 New Jersey State Board of Architects, the New Jersey State Board of  
14 Cosmetology and Hairstyling, the Board of Examiners of Electrical  
15 Contractors, the New Jersey State Board of Dentistry, the State Board  
16 of Mortuary Science of New Jersey, the State Board of Professional  
17 Engineers and Land Surveyors, the State Board of Marriage and  
18 Family Therapy Examiners, the State Board of Medical Examiners, the  
19 New Jersey Board of Nursing, the New Jersey State Board of  
20 Optometrists, the State Board of Examiners of Ophthalmic Dispensers  
21 and Ophthalmic Technicians, the Board of Pharmacy, the State Board  
22 of Professional Planners, the State Board of Psychological Examiners,  
23 the State Board of Examiners of Master Plumbers, the State Board of  
24 Court Reporting, the State Board of Veterinary Medical Examiners,  
25 the Radiologic Technology Board of Examiners, the Acupuncture  
26 Examining Board, the State Board of Chiropractic Examiners, the  
27 State Board of Respiratory Care, the State Real Estate Appraiser  
28 Board, the New Jersey Cemetery Board, the State Board of Social  
29 Work Examiners, the State Board of Examiners of Heating,  
30 Ventilating, Air Conditioning and Refrigeration Contractors, the  
31 Elevator, Escalator, and Moving Walkway Mechanics Licensing  
32 Board, the State Board of Physical Therapy Examiners, the State  
33 Board of Polysomnography, the Orthotics and Prosthetics Board of  
34 Examiners, the New Jersey Board of Massage and Bodywork Therapy,  
35 the Genetic Counseling Advisory Committee, the State Board of  
36 Dietetics and Nutrition, and any other entity hereafter created under  
37 Title 45 to license or otherwise regulate a profession or occupation.

38 (cf: P.L.2012, c.71, s.15)

39

40 18. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read as  
41 follows:

42 2. The provisions of this act shall apply to the following boards  
43 and all professions or occupations regulated by, through or with the  
44 advice of those boards: the New Jersey State Board of Accountancy,  
45 the New Jersey State Board of Architects, the New Jersey State Board  
46 of Cosmetology and Hairstyling, the Board of Examiners of Electrical  
47 Contractors, the New Jersey State Board of Dentistry, the State Board



1 of Mortuary Science of New Jersey, the State Board of Professional  
2 Engineers and Land Surveyors, the State Board of Marriage and  
3 Family Therapy Examiners, the State Board of Medical Examiners, the  
4 New Jersey Board of Nursing, the New Jersey State Board of  
5 Optometrists, the State Board of Examiners of Ophthalmic Dispensers  
6 and Ophthalmic Technicians, the Board of Pharmacy, the State Board  
7 of Professional Planners, the State Board of Psychological Examiners,  
8 the State Board of Examiners of Master Plumbers, the State Board of  
9 Court Reporting, the State Board of Veterinary Medical Examiners,  
10 the State Board of Chiropractic Examiners, the State Board of  
11 Respiratory Care, the State Real Estate Appraiser Board, the State  
12 Board of Social Work Examiners, the State Board of Examiners of  
13 Heating, Ventilating, Air Conditioning and Refrigeration Contractors,  
14 the Elevator, Escalator, and Moving Walkway Mechanics Licensing  
15 Board, the State Board of Physical Therapy Examiners, the State  
16 Board of Polysomnography, the Professional Counselor Examiners  
17 Committee, the New Jersey Cemetery Board, the Orthotics and  
18 Prosthetics Board of Examiners, the Occupational Therapy Advisory  
19 Council, the Electrologists Advisory Committee, the Acupuncture  
20 Advisory Committee, the Alcohol and Drug Counselor Committee, the  
21 Athletic Training Advisory Committee, the Certified Psychoanalysts  
22 Advisory Committee, the Fire Alarm, Burglar Alarm, and Locksmith  
23 Advisory Committee, the Home Inspection Advisory Committee, the  
24 Interior Design Examination and Evaluation Committee, the Hearing  
25 Aid Dispensers Examining Committee, the Perfusionists Advisory  
26 Committee, the Physician Assistant Advisory Committee, the  
27 Audiology and Speech-Language Pathology Advisory Committee, the  
28 New Jersey Board of Massage and Bodywork Therapy, the Genetic  
29 Counseling Advisory Committee, the State Board of Dietetics and  
30 Nutrition, and any other entity hereafter created under Title 45 to  
31 license or otherwise regulate a profession or occupation.  
32 (cf: P.L.2013, c.253, s.34)

33

34 19. This act shall take effect immediately, except that sections 8  
35 and 13 of this act shall take effect one year after the date of enactment.

36

37

38

39

40 Establishes “Dietetics and Nutrition Licensing Act.”

# ASSEMBLY, No. 1582

## STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman PAUL D. MORIARTY**

**District 4 (Camden and Gloucester)**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman NANCY J. PINKIN**

**District 18 (Middlesex)**

**Assemblyman THOMAS P. GIBLIN**

**District 34 (Essex and Passaic)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Co-Sponsored by:**

**Assemblymen McKeon, S.Kean, Mazzeo, Caputo, Danielsen and**

**Assemblywoman Tucker**

**SYNOPSIS**

"Dietitian/Nutritionist Licensing Act."

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



A1582 CONAWAY, MORIARTY

2

1 AN ACT providing for the licensing of dietitians/nutritionists,  
2 supplementing Title 45 of the Revised Statutes and amending  
3 P.L.1971, c.60, P.L.1974, c.46 and P.L.1978, c.73.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. (New section) This act shall be known and may be cited as  
9 the "Dietitian/Nutritionist Licensing Act."  
10

11 2. (New section) The Legislature finds and declares that the  
12 public interest requires the regulation of the practice of  
13 dietetics/nutrition and the establishment of clear licensure standards  
14 for nutritionists and dietitians; and that the health and welfare of the  
15 residents of the State will be protected by identifying to the public  
16 those individuals who are qualified and legally authorized to  
17 practice dietetics/nutrition.  
18

19 3. (New section) As used in this act:

20 "Board" means the State Board of Dietitians/Nutritionists  
21 established pursuant to section 4 of this act.

22 "Dietetics/nutrition" means the integration and application of  
23 scientific principles derived from the study of food, nutrition,  
24 biochemistry, physiology, food management, and from behavioral  
25 and social sciences in achieving and maintaining health throughout  
26 the life span and in providing medical nutrition therapy for the  
27 treatment of disease. It includes, but is not limited to: nutrition  
28 assessment; nutrition diagnosis; nutrition intervention; monitoring  
29 and evaluation of nutrition care plans; nutrition support, including  
30 parenteral and enteral nutrition; nutritional counseling and  
31 education; and the development and administration of nutrition care  
32 standards and systems.

33 "Director" means the Director of the Division of Consumer  
34 Affairs in the Department of Law and Public Safety.

35 "Licensed dietitian/nutritionist" means a person who is licensed  
36 pursuant to the provisions of this act. The terms, "dietitian" and  
37 "nutritionist," are used interchangeably in this act.

38 "Medical nutritional therapy" means nutritional diagnostic,  
39 therapeutic, and counseling services for the purpose of disease  
40 management.  
41

42 4. (New section) There is created within the Division of  
43 Consumer Affairs in the Department of Law and Public Safety the  
44 State Board of Dietitians/Nutritionists. The board shall consist of  
45 seven members who are residents of the State, one of whom shall be

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 a public member and one of whom shall be a State executive  
2 department member appointed pursuant to the provisions of  
3 P.L.1971, c.60 (C.45:1-2.1 et seq.). Of the remaining five  
4 members, four shall be, except for the members first appointed,  
5 licensed dietitians/nutritionists under the provisions of this act and  
6 shall have been actively engaged in the practice of  
7 dietetics/nutrition in the State for at least five years immediately  
8 preceding their appointment, as follows: one shall be a  
9 dietitian/nutritionist whose primary practice is clinical nutrition;  
10 one shall be a dietitian/nutritionist whose primary practice is  
11 community or public health nutrition; one shall be a  
12 dietitian/nutritionist whose primary practice is management of  
13 clinical nutritional services or consulting in nutrition; and one shall  
14 be a dietitian/nutritionist teaching in a college or university with an  
15 accredited dietetic education program; and the remaining member  
16 shall be a physician licensed to practice medicine and surgery  
17 pursuant to chapter 9 of Title 45 of the Revised Statutes.

18 The Governor shall appoint the public member and the State  
19 executive department member and shall appoint the remaining five  
20 members with the advice and consent of the Senate. Each member,  
21 other than the State executive department member, shall be  
22 appointed for a term of three years, except that of the  
23 dietitian/nutritionist members first appointed, two shall serve for a  
24 term of three years, one shall serve for a term of two years and one  
25 shall serve for a term of one year. Any vacancy in the membership  
26 of the board shall be filled for the unexpired term in the manner  
27 provided by the original appointment. No member of the board  
28 may serve more than two successive terms in addition to any  
29 unexpired term to which the member has been appointed.

30  
31 5. (New section) Notwithstanding the provisions of section 2  
32 of P.L.1977, c.285 (C.45:1-2.5) or any other law to the contrary, the  
33 members of the board shall serve without compensation, and shall  
34 not be entitled to receive any pension or health benefits based upon  
35 their service as members of the board, but shall be reimbursed for  
36 expenses and provided with office and meeting facilities pursuant to  
37 section 2 of P.L.1977, c.285 (C.45:1-2.5).

38  
39 6. (New section) The board shall organize within 30 days after  
40 the appointment of its members and shall annually elect from  
41 among its members a chairperson and vice-chairperson, and a  
42 secretary who need not be a member of the board. The board shall  
43 meet twice a year and may hold additional meetings as necessary to  
44 discharge its duties. A majority of the board membership shall  
45 constitute a quorum.

46  
47 7. (New section) The board shall:  
48 a. Review the qualifications of applicants for licensure;

- 1       b. Adopt a code of ethics;
- 2       c. Insure the proper conduct and standards of examinations;
- 3       d. Issue and renew biennial licenses for dietitians/nutritionists
- 4 pursuant to this act;
- 5       e. Refuse to admit a person to an examination or refuse to issue
- 6 or suspend, revoke, or fail to renew the license of a
- 7 dietitian/nutritionist pursuant to the provisions of P.L.1978, c.73
- 8 (C.45:1-14 et seq.);
- 9       f. Maintain a record of every dietitian/nutritionist licensed in
- 10 this State, their place of business, place of residence, and the date
- 11 and number of their license;
- 12       g. Prescribe or change the charges for examinations, licenses,
- 13 renewals, and other services it performs pursuant to P.L.1974, c.46
- 14 (C.45:1-3.1 et seq.), and set the passing score on any examination it
- 15 adopts as a licensure examination;
- 16       h. Establish rules and regulations with respect to continuing
- 17 education requirements; and
- 18       i. Adopt and promulgate rules and regulations pursuant to the
- 19 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
- 20 seq.) necessary to effectuate the purposes of this act.
- 21
- 22       8. (New section) A person shall not practice dietetics/nutrition,
- 23 whether compensated or not, unless the person holds a valid license
- 24 to practice in this State, except nothing in this act shall be construed
- 25 to:
- 26       a. Prohibit a person licensed to practice pursuant to Title 45 of
- 27 the Revised Statutes from engaging in the practice or teaching of
- 28 dietetics or nutrition within the scope of that person's license or any
- 29 other person licensed to practice or certified to teach in this State
- 30 under any other law from engaging in the practice or teaching for
- 31 which that person is licensed, regulated, or certified;
- 32       b. Prohibit any student enrolled in a school or post-graduate
- 33 course of dietetics/nutrition recognized by the board from
- 34 performing that which is necessary to the student's course of study;
- 35       c. Prohibit any person from practicing dietetics/nutrition within
- 36 the scope of the person's official duties when employed by a
- 37 department, agency, bureau, division, or other unit of the federal
- 38 government, serving in the Armed Forces of the United States, or
- 39 employed by any State institution or facility;
- 40       d. Prohibit any person who does not hold himself out to be a
- 41 dietitian/nutritionist from furnishing nutritional information as to
- 42 the use of food, food materials, or dietary supplements, or from
- 43 engaging in the explanation to persons as to the use of food or food
- 44 products including dietary supplements;
- 45       e. Prohibit any person involved in presenting a general
- 46 program of instruction for weight control from doing so, provided
- 47 the program has been approved in writing by a dietitian/nutritionist
- 48 licensed in this State, a dietitian/nutritionist licensed in another

1 state that has licensure requirements substantially equivalent to  
2 those of this State, as determined by the board, a dietitian registered  
3 by the Commission on Dietetic Registration, or a licensed  
4 physician; or

5 f. Prohibit a dietetic technician from providing nutrition  
6 services under the supervision of a licensed dietitian/nutritionist.

7  
8 9. (New section) To be eligible to be licensed as a  
9 dietitian/nutritionist, an applicant shall fulfill the following  
10 requirements:

11 a. Be at least 18 years of age;

12 b. Be of good moral character; and

13 c. (1) Provide evidence of current registration as a Registered  
14 Dietitian by the Commission on Dietetic Registration; or

15 (2) (a) Have received a minimum of a baccalaureate degree  
16 from a United States regionally accredited college or university  
17 with a major course of study in nutritional sciences, human  
18 nutrition, foods and nutrition, dietetics, community nutrition, public  
19 health nutrition, nutrition education, or an equivalent major course  
20 of study, as approved by the board, and have successfully  
21 completed minimum course requirements in food sciences, social  
22 and behavioral sciences, chemistry, biology, human nutrition, and  
23 medical nutrition therapy, as determined by the board; or in the case  
24 of an applicant who has obtained an education outside of the United  
25 States, shall have the applicant's academic degree validated by the  
26 board as being equivalent to a baccalaureate or master's degree  
27 conferred by a United States regionally accredited college or  
28 university; and

29 (b) Have successfully completed a planned clinical program in  
30 an approved practice of dietetics/nutrition of not less than 1,200  
31 hours under the supervision of: a dietitian/nutritionist licensed in  
32 this State or licensed, registered, or certified in any other state  
33 having requirements for licensure, registration, or certification  
34 substantially similar to licensure requirements in this State, as  
35 approved by the board; or a registered dietitian registered by the  
36 Commission on Dietetic Registration; and

37 (c) Have passed an examination given by the Commission on  
38 Dietetic Registration to practice dietetics/nutrition, which shall be  
39 held by the board at least twice a year and may be administered by a  
40 national testing service, as determined by the board; or

41 (3) (a) Have received from a United States regionally accredited  
42 college or university a master's degree or doctorate in  
43 dietetics/nutritional sciences, human nutrition, foods and nutrition,  
44 dietetics, community nutrition, public health nutrition, nutrition  
45 education, or an equivalent major course of study, as approved by  
46 the board, and have successfully completed minimum course  
47 requirements in food sciences, social and behavioral sciences,  
48 chemistry, biology, human nutrition, and medical nutrition therapy,

1 as determined by the board; or in the case of an applicant who has  
2 obtained an education outside of the United States, shall have the  
3 applicant's academic degree validated by the board as being  
4 equivalent to a master's degree or doctorate conferred by a United  
5 States regionally accredited college or university; and

6 (b) Have a documented supervised experience in the United  
7 States in the practice of dietetics/nutrition of not less than 1,200  
8 hours under the supervision of: a dietitian/nutritionist licensed in  
9 this State or licensed, registered, or certified in any other state  
10 having requirements for licensure, registration, or certification  
11 substantially similar to licensure requirements in this State, as  
12 approved by the board; a registered dietitian registered by the  
13 Commission on Dietetic Registration; or a licensed physician; and

14 (c) Have passed an examination given by the Commission on  
15 Dietetic Registration to practice dietetics/nutrition, as provided in  
16 subparagraph (c) of paragraph (2) of this subsection.

17

18 10. (New section) The board shall issue a license to any  
19 applicant who, in the opinion of the board, has satisfactorily met all  
20 the requirements of this act.

21 Except in the case of a temporary license issued pursuant to  
22 section 14 of this act, all licenses shall be issued for a two-year  
23 period upon the payment of the licensure fee prescribed by the  
24 board, and shall be renewed upon filing of a renewal application,  
25 the payment of a licensure fee, and presentation of satisfactory  
26 evidence that the renewal applicant has successfully completed the  
27 continuing education requirements prescribed by the board by  
28 regulation.

29

30 11. (New section) Upon payment to the board of a fee and the  
31 submission of a written application on forms provided by it, the  
32 board shall license without examination a nutritionist or dietitian  
33 who is licensed, registered or certified by another state or  
34 possession of the United States or the District of Columbia which  
35 has standards substantially equivalent to those of this State.

36

37 12. (New section) For a period of one year after the effective  
38 date of this act, any person who is practicing or residing in this  
39 State on the effective date of this act may qualify as a licensed  
40 dietitian/nutritionist upon application for licensure and payment of  
41 the appropriate fee, provided the applicant furnishes evidence  
42 satisfactory to the board that the applicant has received a  
43 baccalaureate or higher academic degree from a United States  
44 regionally accredited college or university with a minimum of 30  
45 credit hours or a major concentration of study in human nutrition,  
46 foods and nutrition, food systems management, nutritional science,  
47 nutritional education, or related courses approved by the board; and  
48 has been employed at least half-time as a dietitian/nutritionist for

1 three of the last five years immediately preceding the effective date  
2 of this act.

3  
4 13. (New section) No person, business entity or its employees,  
5 agents, or representatives shall use the titles, "dietitian/nutritionist,"  
6 "nutritionist," "dietitian," "dietician," "nutrition counselor,"  
7 "nutrition consultant," "nutrition specialist," "LDN," "LD," "LN,"  
8 or any other title, designation, words, letters, abbreviations, or  
9 insignia indicating the practice of dietetics/nutrition unless licensed  
10 to practice dietetics/nutrition under the provisions of this act.

11  
12 14. (New section) a. Upon payment to the board of a fee and  
13 the submission of a written application on forms provided by it, the  
14 board shall issue a temporary license to a person who has applied  
15 for licensure pursuant to this act and who, in the judgment of the  
16 board, is eligible for examination. A temporary license shall be  
17 available to an applicant with the applicant's initial application for  
18 examination and the applicant may practice only under the direct  
19 supervision of a licensed dietitian/nutritionist. A temporary license  
20 shall expire automatically upon failure of the licensure examination  
21 but may be renewed until the date of the next examination at which  
22 time it shall automatically expire and be surrendered to the board.

23 b. Upon payment to the board of a fee and the submission of a  
24 written application on forms provided by it, the board may issue  
25 without examination a temporary license to practice  
26 dietetics/nutrition in this State to a person who provides evidence  
27 that the person is in the State on a temporary basis to assist in a  
28 medical emergency or engage in a special project or teaching  
29 assignment relating to dietetics/nutrition. A temporary license shall  
30 expire one year from its date of issuance, but it may be renewed by  
31 the board for an additional one year period. This temporary license  
32 shall be surrendered to the board upon its expiration.

33  
34 15. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read  
35 as follows:

36 1. The provisions of this act shall apply to the following boards  
37 and commissions: the New Jersey State Board of Accountancy, the  
38 New Jersey State Board of Architects, the New Jersey State Board  
39 of Cosmetology and Hairstyling, the Board of Examiners of  
40 Electrical Contractors, the New Jersey State Board of Dentistry, the  
41 State Board of Mortuary Science of New Jersey, the State Board of  
42 Professional Engineers and Land Surveyors, the State Board of  
43 Marriage and Family Therapy Examiners, the State Board of  
44 Medical Examiners, the New Jersey Board of Nursing, the New  
45 Jersey State Board of Optometrists, the State Board of Examiners of  
46 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of  
47 Pharmacy, the State Board of Professional Planners, the State Board  
48 of Psychological Examiners, the State Board of Examiners of



1 Master Plumbers, the New Jersey Real Estate Commission, the  
2 State Board of Court Reporting, the State Board of Veterinary  
3 Medical Examiners, the Radiologic Technology Board of  
4 Examiners, the Acupuncture Examining Board, the State Board of  
5 Chiropractic Examiners, the State Board of Respiratory Care, the  
6 State Real Estate Appraiser Board, the State Board of Social Work  
7 Examiners, the State Board of Examiners of Heating, Ventilating,  
8 Air Conditioning and Refrigeration Contractors, the Elevator,  
9 Escalator, and Moving Walkway Mechanics Licensing Board, the  
10 State Board of Physical Therapy Examiners, the Orthotics and  
11 Prosthetics Board of Examiners, the New Jersey Cemetery Board,  
12 the State Board of Polysomnography, the New Jersey Board of  
13 Massage and Bodywork Therapy, the Genetic Counseling Advisory  
14 Committee, the State Board of Dietitians/Nutritionists, and any  
15 other entity hereafter created under Title 45 to license or otherwise  
16 regulate a profession or occupation.

17 (cf: P.L.2012, c.71, s.13)

18

19 16. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read  
20 as follows:

21 1. The provisions of this act shall apply to the following boards  
22 and commissions: the New Jersey State Board of Accountancy, the  
23 New Jersey State Board of Architects, the New Jersey State Board  
24 of Cosmetology and Hairstyling, the Board of Examiners of  
25 Electrical Contractors, the New Jersey State Board of Dentistry, the  
26 State Board of Mortuary Science of New Jersey, the State Board of  
27 Professional Engineers and Land Surveyors, the State Board of  
28 Marriage and Family Therapy Examiners, the State Board of  
29 Medical Examiners, the New Jersey Board of Nursing, the New  
30 Jersey State Board of Optometrists, the State Board of Examiners of  
31 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of  
32 Pharmacy, the State Board of Professional Planners, the State Board  
33 of Psychological Examiners, the State Board of Examiners of  
34 Master Plumbers, the State Board of Court Reporting, the State  
35 Board of Veterinary Medical Examiners, the Radiologic  
36 Technology Board of Examiners, the Acupuncture Examining  
37 Board, the State Board of Chiropractic Examiners, the State Board  
38 of Respiratory Care, the State Real Estate Appraiser Board, the New  
39 Jersey Cemetery Board, the State Board of Social Work Examiners,  
40 the State Board of Examiners of Heating, Ventilating, Air  
41 Conditioning and Refrigeration Contractors, the Elevator, Escalator,  
42 and Moving Walkway Mechanics Licensing Board, the State Board  
43 of Physical Therapy Examiners, the State Board of  
44 Polysomnography, the Orthotics and Prosthetics Board of  
45 Examiners, the New Jersey Board of Massage and Bodywork  
46 Therapy, the Genetic Counseling Advisory Committee, the State  
47 Board of Dietitians/Nutritionists, and any other entity hereafter

1 created under Title 45 to license or otherwise regulate a profession  
2 or occupation.

3 (cf: P.L.2012, c.71, s.15)

4

5 17. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read  
6 as follows:

7 2. The provisions of this act shall apply to the following boards  
8 and all professions or occupations regulated by, through or with the  
9 advice of those boards: the New Jersey State Board of  
10 Accountancy, the New Jersey State Board of Architects, the New  
11 Jersey State Board of Cosmetology and Hairstyling, the Board of  
12 Examiners of Electrical Contractors, the New Jersey State Board of  
13 Dentistry, the State Board of Mortuary Science of New Jersey, the  
14 State Board of Professional Engineers and Land Surveyors, the  
15 State Board of Marriage and Family Therapy Examiners, the State  
16 Board of Medical Examiners, the New Jersey Board of Nursing, the  
17 New Jersey State Board of Optometrists, the State Board of  
18 Examiners of Ophthalmic Dispensers and Ophthalmic Technicians,  
19 the Board of Pharmacy, the State Board of Professional Planners,  
20 the State Board of Psychological Examiners, the State Board of  
21 Examiners of Master Plumbers, the State Board of Court Reporting,  
22 the State Board of Veterinary Medical Examiners, the State Board  
23 of Chiropractic Examiners, the State Board of Respiratory Care, the  
24 State Real Estate Appraiser Board, the State Board of Social Work  
25 Examiners, the State Board of Examiners of Heating, Ventilating,  
26 Air Conditioning and Refrigeration Contractors, the Elevator,  
27 Escalator, and Moving Walkway Mechanics Licensing Board, the  
28 State Board of Physical Therapy Examiners, the State Board of  
29 Polysomnography, the Professional Counselor Examiners  
30 Committee, the New Jersey Cemetery Board, the Orthotics and  
31 Prosthetics Board of Examiners, the Occupational Therapy  
32 Advisory Council, the Electrologists Advisory Committee, the  
33 Acupuncture Advisory Committee, the Alcohol and Drug Counselor  
34 Committee, the Athletic Training Advisory Committee, the  
35 Certified Psychoanalysts Advisory Committee, the Fire Alarm,  
36 Burglar Alarm, and Locksmith Advisory Committee, the Home  
37 Inspection Advisory Committee, the Interior Design Examination  
38 and Evaluation Committee, the Hearing Aid Dispensers Examining  
39 Committee, the Perfusionists Advisory Committee, the Physician  
40 Assistant Advisory Committee, the Audiology and Speech-  
41 Language Pathology Advisory Committee, the New Jersey Board of  
42 Massage and Bodywork Therapy, the Genetic Counseling Advisory  
43 Committee, the State Board of Dietitians/Nutritionists, and any  
44 other entity hereafter created under Title 45 to license or otherwise  
45 regulate a profession or occupation.

46 (cf: P.L.2013, c.253, s.34)

1 18. This act shall take effect immediately, except that sections 8  
2 and 13 of this act shall take effect one year after the date of  
3 enactment.

4  
5  
6 STATEMENT

7  
8 This bill, which is designated the “Dietitian/Nutritionist  
9 Licensing Act,” provides for the licensure of dietitians/nutritionists  
10 in this State.

11 The bill establishes a seven-member State Board of  
12 Dietitians/Nutritionists (hereinafter referred to as “the board”), in  
13 the Division of Consumer Affairs in the Department of Law and  
14 Public Safety, to oversee the licensure of individuals practicing  
15 dietetics/nutrition, including: four licensed dietitians/nutritionists; a  
16 physician; a public member; and a State executive department  
17 member. The members of the board are to serve without  
18 compensation but be reimbursed for expenses and provided with  
19 office and meeting facilities.

20 The bill requires an applicant for licensure as a  
21 dietitian/nutritionist to be at least 18 years old and of good moral  
22 character, and to meet the following requirements:

23 (1) provide evidence of current registration as a Registered  
24 Dietitian by the Commission on Dietetic Registration, or

25 (2) have received a minimum of a baccalaureate degree from a  
26 United States regionally accredited college or university with a  
27 major course of study in a relevant field and have successfully  
28 completed minimum course requirements determined by the board;  
29 or in the case of an applicant who has obtained an education outside  
30 the United States, have an academic degree validated by the board  
31 as being the equivalent thereof; and have successfully completed a  
32 planned clinical program in an approved practice of  
33 dietetics/nutrition of not less than 1,200 hours under the supervision  
34 of a licensed, registered, or certified dietitian/nutritionist, or of a  
35 registered dietitian, as approved by the board; and have passed an  
36 examination given by the Commission on Dietetic Registration to  
37 practice dietetics/nutrition, to be held by the board at least twice a  
38 year and which may be administered by a national testing service,  
39 as determined by the board; or

40 (3) have received a master’s or doctoral degree in a relevant  
41 field of study from a United States regionally accredited college or  
42 university and have successfully completed minimum course  
43 requirements determined by the board; or in the case of an applicant  
44 who has obtained an education outside the United States, have an  
45 academic degree validated by the board as being the equivalent  
46 thereof; and have a documented supervised experience in the United  
47 States in the practice of dietetics/nutrition of not less than 1,200  
48 hours under the supervision of a licensed, registered, or certified

1 dietitian/nutritionist, as approved by the board, of a registered  
2 dietitian or a licensed physician; and have passed the Commission  
3 on Dietetic Registration examination referenced above.

4 The bill prohibits any person from practicing dietetics/nutrition  
5 in this State unless that person holds a valid license, but allows  
6 exceptions for: persons licensed to practice pursuant to Title 45 of  
7 the Revised Statutes who are engaged in the practice or teaching of  
8 dietetics or nutrition within the scope of their license or any other  
9 persons licensed to practice or certified to teach in this State under  
10 any other law who are engaged in the practice or teaching for which  
11 they are licensed, regulated, or certified; certain educational  
12 purposes; federal government employees, persons serving in the  
13 Armed Forces, and employees of any State institution or facility,  
14 who are practicing dietetics/nutrition within the scope of their  
15 official duties; certain persons who do not hold themselves out to be  
16 dietitians/nutritionists while furnishing general nutritional  
17 information; and dietetic technicians providing nutrition services  
18 under the supervision of a licensed dietitian/nutritionist.

19 For a period of one year after the effective date of the bill, a  
20 person who is practicing or residing in the State on the effective  
21 date of the bill may qualify as a licensed dietitian/nutritionist if:  
22 that person has a baccalaureate or higher academic degree from a  
23 United States regionally accredited college or university with a  
24 minimum of 30 credit hours or a major concentration of study in a  
25 relevant field approved by the board; and has been employed at  
26 least half-time as a dietitian/nutritionist for three of the last five  
27 years immediately preceding the effective date of the bill.

28 The bill provides for the licensure by the board of nutritionists or  
29 dietitians who have been licensed, registered, or certified in another  
30 state which has standards substantially equivalent to those of this  
31 State.

# ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1582

with committee amendments

# STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 2018

The Assembly Health and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 1582.

As amended, this bill, which is designated the “Dietitian/Nutritionist Licensing Act,” provides for the licensure of dietitians/nutritionists in this State.

The bill establishes a seven-member State Board of Dietitians/Nutritionists (hereinafter referred to as “the board”), in the Division of Consumer Affairs in the Department of Law and Public Safety, to oversee the licensure of individuals practicing dietetics/nutrition, including: four licensed dietitians/nutritionists; a physician; a public member; and a State executive department member. The members of the board are to serve without compensation but be reimbursed for expenses and provided with office and meeting facilities.

The bill requires an applicant for licensure as a dietitian/nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) provide evidence of current registration as a Registered Dietitian by the Commission on Dietetic Registration, or

(2) have received a minimum of a baccalaureate degree from a United States regionally accredited college or university with a major course of study in a relevant field and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained an education outside the United States, have an academic degree validated by the board as being the equivalent thereof; and have successfully completed a planned clinical program in an approved practice of dietetics/nutrition of not less than 1,200 hours under the supervision of a licensed, registered, or certified dietitian/nutritionist, or of a registered dietitian, as approved by the board; and have passed an examination given by the Commission on Dietetic Registration to practice dietetics/nutrition, to be held by the board at least twice a year and which may be administered by a national testing service, as determined by the board; or

(3) have received a master’s or doctoral degree in a relevant field of study from a United States regionally accredited college or

university and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained an education outside the United States, have an academic degree validated by the board as being the equivalent thereof; and have a documented supervised experience in the United States in the practice of dietetics/nutrition of not less than 1,200 hours under the supervision of a licensed, registered, or certified dietitian/nutritionist, as approved by the board, of a registered dietitian or a licensed physician; and have passed the Commission on Dietetic Registration examination referenced above.

The bill prohibits any person from practicing dietetics/nutrition in this State unless that person holds a valid license, but allows exceptions for: persons licensed to practice pursuant to Title 45 of the Revised Statutes who are engaged in the practice or teaching of dietetics or nutrition within the scope of their license or any other persons licensed to practice or certified to teach in this State under any other law who are engaged in the practice or teaching for which they are licensed, regulated, or certified; certain educational purposes; federal government employees, persons serving in the Armed Forces, and employees of any State institution or facility, who are practicing dietetics/nutrition within the scope of their official duties; certain persons who do not hold themselves out to be dietitians/nutritionists while furnishing general nutritional information; and dietetic technicians providing nutrition services under the supervision of a licensed dietitian/nutritionist.

For a period of one year after the effective date of the bill, a person who is practicing or residing in the State on the effective date of the bill may qualify as a licensed dietitian/nutritionist if: that person has a baccalaureate or higher academic degree from a United States regionally accredited college or university with a minimum of 30 credit hours or a major concentration of study in a relevant field approved by the board; and has been employed at least half-time as a dietitian/nutritionist for three of the last five years immediately preceding the effective date of the bill.

The bill provides for the licensure by the board of nutritionists or dietitians who have been licensed, registered, or certified in another state which has standards substantially equivalent to those of this State.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

#### COMMITTEE AMENDMENTS:

The committee amendments specify that the bill is not to prohibit any person involved in presenting a general program of instruction for weight control from doing so, provided the program is part of a plan of care overseen by a licensed physician. The amendments also provide that no person, business entity or its employees, agents, or

representatives are to use the titles, nutritional therapy practitioner, nutritional therapy consultant; certified nutrition therapy practitioner, or master nutrition therapist unless licensed to practice dietetics/nutrition under the bill's provisions.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 1582**

**STATE OF NEW JERSEY**

DATED: JUNE 13, 2019

The Assembly Appropriations Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 1582,

This substitute, designated as the “Dietetics and Nutrition Licensing Act,” provides for the licensure of nutritionists and dietitian nutritionists in this State.

The substitute establishes a seven-member State Board of Dietetics and Nutritionists (hereinafter referred to as “the board”), in the Division of Consumer Affairs in the Department of Law and Public Safety, to oversee the licensure of individuals practicing dietetics/nutrition, including: four licensed nutritionists or dietitian nutritionists; a physician; a public member; and a State executive department member. The members of the board are to serve without compensation but be reimbursed for expenses and provided with office and meeting facilities.

The substitute requires an applicant for licensure as a dietitian nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) provide evidence of current registration as a Registered Dietitian Nutritionist by the Commission on Dietetic Registration, or

(2) have received a minimum of a baccalaureate degree from a United States regionally accredited college or university with a major course of study in a relevant field and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have successfully completed a planned clinical program in an approved practice of dietetics and nutrition of not less than 1,200 hours under the supervision of a licensed, registered, or certified dietitian nutritionist, or a registered dietitian nutritionist registered with the Commission on Dietetic Registration; and have passed an examination given by the Commission on Dietetic Registration for dietitian nutritionists, to be held by the board at least twice a year and which may be administered a national testing service, as determined by the board.



The substitute requires an eligible applicant for licensure as a nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) have received a master's or doctoral degree in a relevant field of study from a United States regionally accredited college or university and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have completed coursework leading to competence in medical nutrition therapy, which includes, but may not be limited to 15 semester hours of clinical or life sciences, at least three of which must be in human anatomy and physiology or the equivalent, 15 semester hours of nutrition and metabolism, at least six of which must be in biochemistry; and a board approved internship or a documented, supervised practice experience in nutrition care services and the provision of medical nutrition therapy of not less than 1,000 hours, involving at least 200 hours of nutrition assessment, 200 hours of nutrition intervention, education, counseling, or management, and 200 hours of nutrition monitoring or evaluation under the supervision of a Certified Nutrition Specialist, a Diplomate of the American Clinical Board of Nutrition, a Registered Dietitian Nutritionist, a licensed dietitian nutritionist or a licensed nutritionist in this State, or an individual with a doctoral degree conferred by a United States regionally accredited college or university with a major course of study in the field of nutrition; and

(2) successfully passed the examination administered by either the Board for Certified Nutrition Specialists or the American Clinical Board of Nutrition or is currently certified by the Board for Certification of Nutrition Specialists " as a Certified Nutrition Specialist" or "CNS" is currently certified with the American Clinical Board of Nutrition as a Diplomate, American Clinical Board of Nutrition" or "DACBN."

The substitute prohibits any person from providing medical nutrition therapy unless that person holds a valid license, but allows exceptions for: persons licensed to practice pursuant to Title 45 of the Revised Statutes who are engaged in the practice or teaching of dietetics or nutrition within the scope of their license or any other persons licensed to practice or certified to teach in this State under any other law who are engaged in the practice or teaching for which they are licensed, regulated, or certified; certain educational purposes; federal government employees, persons serving in the Armed Forces, and employees of any State institution or facility, who are practicing dietetics/nutrition within the scope of their official duties; certain persons who do not hold themselves out to be dietitians/nutritionists while furnishing general nutritional information; dietetic technicians providing nutrition services under

the supervision of a licensed dietitian/nutritionist, and persons providing nutrition information, guidance, encouragement, individualized nutrition recommendations or weight control services that do not constitute medical nutrition therapy, provided that the person does not hold himself or herself out as a licensed dietitian nutritionist or licensed nutritionist.

For a period of one year after the effective date of the substitute, a person who is practicing or residing in the State on the effective date of the substitute may qualify as a licensed nutritionist if: that person has a baccalaureate or higher academic degree from a United States regionally accredited college or university with a minimum of 30 credit hours or a major concentration of study in a relevant field approved by the board; and has been employed at least half-time as a nutritionist providing nutrition care services for the purpose of treatment or management of a disease or medical condition regularly for three of the last five years immediately preceding the effective date of the substitute.

The substitute provides for the licensure by the board of nutritionists or dietitians who have been licensed, registered, or certified in another state which has standards substantially equivalent to those of this State.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this substitute would result in an indeterminate annual State expenditure increase related to the regulation of dietitians and nutritionists by the Division of Consumer Affairs in the Department of Law and Public Safety. The substitute would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections. The OLS estimates that the license and renewal fees paid by licensees may defray licensure, regulation, and enforcement costs.

# SENATE COMMERCE COMMITTEE

## STATEMENT TO

### ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 1582**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 14, 2019

The Senate Commerce Committee reports favorably and with committee amendments an Assembly Committee Substitute for Assembly Bill No. 1582.

As amended, this substitute, designated as the “Dietetics and Nutrition Licensing Act,” provides for the licensure of nutritionists and dietitian nutritionists in this State.

The substitute establishes a seven-member State Board of Dietetics and Nutritionists (hereinafter referred to as “the board”), in the Division of Consumer Affairs in the Department of Law and Public Safety, to oversee the licensure of individuals practicing dietetics/nutrition, including: four licensed nutritionists or dietitian nutritionists; a physician; a public member; and a State executive department member. The members of the board are to serve without compensation but be reimbursed for expenses and provided with office and meeting facilities.

The substitute requires an applicant for licensure as a dietitian nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) provide evidence of current registration as a Registered Dietitian Nutritionist by the Commission on Dietetic Registration, or

(2) have received a minimum of a baccalaureate degree from a United States regionally accredited college or university with a major course of study in a relevant field and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have successfully completed a planned clinical program in an approved practice of dietetics and nutrition of not less than 1,200 hours under the supervision of a licensed, registered, or certified dietitian nutritionist, or a registered dietitian nutritionist registered with the Commission on Dietetic Registration; and have passed an examination given by the Commission on Dietetic Registration for dietitian nutritionists, to be held by the board at least

twice a year and which may be administered a national testing service, as determined by the board.

The substitute requires an eligible applicant for licensure as a nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) have received a master's or doctoral degree in a relevant field of study from a United States regionally accredited college or university and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have completed coursework leading to competence in medical nutrition therapy, which includes, but may not be limited to 15 semester hours of clinical or life sciences, at least three of which must be in human anatomy and physiology or the equivalent, 15 semester hours of nutrition and metabolism, at least six of which must be in biochemistry; and a board approved internship or a documented, supervised practice experience in nutrition care services and the provision of medical nutrition therapy of not less than 1,000 hours, involving at least 200 hours of nutrition assessment, 200 hours of nutrition intervention, education, counseling, or management, and 200 hours of nutrition monitoring or evaluation under the supervision of a Certified Nutrition Specialist, a Diplomate of the American Clinical Board of Nutrition, a Registered Dietitian Nutritionist, a licensed dietitian nutritionist or a licensed nutritionist in this State, or an individual with a doctoral degree conferred by a United States regionally accredited college or university with a major course of study in the field of nutrition; and

(2) successfully passed the examination administered by either the Board for Certification of Nutrition Specialists or the American Clinical Board of Nutrition or is currently certified by the Board for Certification of Nutrition Specialists as a "Certified Nutrition Specialist" or "CNS" or by the American Clinical Board of Nutrition as a Diplomate, American Clinical Board of Nutrition" or "DACBN."

The substitute prohibits any person from providing medical nutrition therapy unless that person holds a valid license, but allows exceptions for: persons licensed to practice pursuant to Title 45 of the Revised Statutes who are engaged in the practice or teaching of dietetics or nutrition within the scope of their license or any other persons licensed to practice or certified to teach in this State under any other law who are engaged in the practice or teaching for which they are licensed, regulated, or certified; certain educational purposes; federal government employees, persons serving in the Armed Forces, and employees of any State institution or facility, who are practicing dietetics/nutrition within the scope of their official duties; certain persons who do not hold themselves out to be dietitians/nutritionists while furnishing general nutritional

information; dietetic technicians providing nutrition services under the supervision of a licensed dietitian/nutritionist, and persons providing nutrition information, guidance, encouragement, individualized nutrition recommendations or weight control services that do not constitute medical nutrition therapy, provided that the person does not hold himself or herself out as a licensed dietitian nutritionist or licensed nutritionist.

For a period of one year after the effective date of the substitute, a person who is practicing or residing in the State on the effective date of the substitute may qualify as a licensed nutritionist if: that person has a baccalaureate or higher academic degree from a United States regionally accredited college or university with a minimum of 30 credit hours or a major concentration of study in a relevant field approved by the board; and has been employed at least half-time as a nutritionist providing nutrition care services for the purpose of treatment or management of a disease or medical condition regularly for three of the last five years immediately preceding the effective date of the substitute.

The substitute provides for the licensure by the board of nutritionists or dietitians who have been licensed, registered, or certified in another state which has standards substantially equivalent to those of this State.

As amended and reported, the substitute is identical to Senate Committee Substitute for Senate Bill No. 2625, as also reported by the committee.

Committee Amendments:

The committee amendments clarify certain definitions, add a definition for “dietitian” or “dietitian nutritionist,” and make certain grammatical revisions.

In addition, the amendments revise the exceptions to the provisions of the substitute, with regard to certain health care providers, and add an exception for individuals providing nutrition care services while under the direct supervision of a New Jersey State licensed health care provider who is legally authorized to provide nutrition care services for the purpose of treatment or management of a disease or medical condition.

Lastly, the amendments remove “nutritionist” and “nutrition consultant” from the list of titles prohibited for use by persons unlicensed to practice dietetics and nutrition.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

### ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 1582**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 5, 2019

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1582 (1R) ACS.

As amended, this substitute, designated as the “Dietetics and Nutrition Licensing Act,” provides for the licensure of nutritionists and dietitian nutritionists in this State.

The substitute establishes a seven-member State Board of Dietetics and Nutritionists (hereinafter referred to as “the board”), in the Division of Consumer Affairs in the Department of Law and Public Safety, to oversee the licensure of individuals practicing dietetics/nutrition, including: four licensed nutritionists or dietitian nutritionists; a physician; a public member; and a State executive department member. The members of the board are to serve without compensation but be reimbursed for expenses and provided with office and meeting facilities.

The substitute requires an applicant for licensure as a dietitian nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) provide evidence of current registration as a Registered Dietitian Nutritionist by the Commission on Dietetic Registration, or

(2) have received a minimum of a baccalaureate degree from a United States regionally accredited college or university with a major course of study in a relevant field and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have successfully completed a planned clinical program in an approved practice of dietetics and nutrition of not less than 1,200 hours under the supervision of a licensed, registered, or certified dietitian nutritionist, or a registered dietitian nutritionist registered with the Commission on Dietetic Registration; and have passed an examination given by the Commission on Dietetic Registration for dietitian nutritionists, to be held by the board at least

twice a year and which may be administered a national testing service, as determined by the board.

The substitute requires an eligible applicant for licensure as a nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) have received a master's or doctoral degree in a relevant field of study from a United States regionally accredited college or university and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have completed coursework leading to competence in medical nutrition therapy, which includes, but may not be limited to 15 semester hours of clinical or life sciences, at least three of which must be in human anatomy and physiology or the equivalent, 15 semester hours of nutrition and metabolism, at least six of which must be in biochemistry; and a board approved internship or a documented, supervised practice experience in nutrition care services and the provision of medical nutrition therapy of not less than 1,000 hours, involving at least 200 hours of nutrition assessment, 200 hours of nutrition intervention, education, counseling, or management, and 200 hours of nutrition monitoring or evaluation under the supervision of a Certified Nutrition Specialist, a Diplomate of the American Clinical Board of Nutrition, a Registered Dietitian Nutritionist, a licensed dietitian nutritionist or a licensed nutritionist in this State, or an individual with a doctoral degree conferred by a United States regionally accredited college or university with a major course of study in the field of nutrition; and

(2) successfully passed the examination administered by either the Board for Certification of Nutrition Specialists or the American Clinical Board of Nutrition or is currently certified by the Board for Certification of Nutrition Specialists as a "Certified Nutrition Specialist" or "CNS" or by the American Clinical Board of Nutrition as a Diplomate, American Clinical Board of Nutrition" or "DACBN."

The substitute prohibits any person from providing medical nutrition therapy unless that person holds a valid license, but allows exceptions for: persons licensed to practice pursuant to Title 45 of the Revised Statutes who are engaged in the practice or teaching of dietetics or nutrition within the scope of their license or any other persons licensed to practice or certified to teach in this State under any other law who are engaged in the practice or teaching for which they are licensed, regulated, or certified; certain educational purposes; federal government employees, persons serving in the Armed Forces, and employees of any State institution or facility, who are practicing dietetics/nutrition within the scope of their official duties; certain persons who do not hold themselves out to be dietitians/nutritionists while furnishing general nutritional

information; dietetic technicians providing nutrition services under the supervision of a licensed dietitian/nutritionist, and persons providing nutrition information, guidance, encouragement, individualized nutrition recommendations or weight control services that do not constitute medical nutrition therapy, provided that the person does not hold himself or herself out as a licensed dietitian nutritionist or licensed nutritionist.

For a period of one year after the effective date of the substitute, a person who is practicing or residing in the State on the effective date of the substitute may qualify as a licensed nutritionist if: that person has a baccalaureate or higher academic degree from a United States regionally accredited college or university with a minimum of 30 credit hours or a major concentration of study in a relevant field approved by the board; and has been employed at least half-time as a nutritionist providing nutrition care services for the purpose of treatment or management of a disease or medical condition regularly for three of the last five years immediately preceding the effective date of the substitute.

The substitute provides for the licensure by the board of nutritionists or dietitians who have been licensed, registered, or certified in another state which has standards substantially equivalent to those of this State.

As amended and reported, the substitute is identical to Senate Committee Substitute for Senate Bill No. 2625, as also amended and reported by the committee.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

1) provide that the bill does not prohibit persons who do not hold themselves out to be licensed dietitian nutritionists or licensed nutritionists from providing evaluation, guidance, information, and education as to the use of food, food materials, or dietary supplements; and

2) include the title "nutritionist" in the list of titles that no person, business entity or its employees, agents, or representatives may use unless licensed to practice dietetics and nutrition under the provisions of the bill.

#### FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of dietitians and nutritionists by the Division of Consumer Affairs in the Department of Law and Public Safety.

The bill would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections.



**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY COMMITTEE SUBSTITUTE FOR**  
**ASSEMBLY, No. 1582**  
**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

DATED: JUNE 24, 2019

**SUMMARY**

- Synopsis:** Establishes “Dietetics and Nutrition Licensing Act of 2019.”
- Type of Impact:** Annual increase in State expenditures and revenue; General Fund.
- Agencies Affected:** Department of Law and Public Safety, Division of Consumer Affairs.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<u><b>Year 1</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>State Cost Increase</b>		Indeterminate	
<b>State Revenue Increase</b>		Indeterminate	

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- The bill would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections.

**BILL DESCRIPTION**

This bill provides for the licensure of dietitians and nutritionists in the State.

The bill:

- Establishes a seven-member State Board of Dietetics and Nutrition in the Division of Consumer Affairs in the Department of Law and Public Safety to oversee their licensure. The board members are not to be compensated, but would be reimbursed for expenses related to their position;
- Authorizes the division to establish fees for nutritionist examinations, licenses, and renewals;

- Requires that all licenses be issued for a two-year period, except in cases of issued temporary licenses;
- Establishes licensure criteria for a dietitian/nutritionist; and
- Establishes that no person, with certain exceptions, may practice dietetics/nutrition in the State unless that person holds a valid license.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of dietitians and nutritionists by the Division of Consumer Affairs in the Department of Law and Public Safety. The bill would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections. The OLS estimates that the license and renewal fees paid by licensees may defray licensure, regulation, and enforcement costs.

The New Jersey Academy of Nutrition and Dietetics indicated serving over 2,300 New Jersey association members. As there are no current regulations in New Jersey for being a dietitian or nutritionist, the OLS is uncertain how many of the members would qualify for a license under the proposed bill.

In the surrounding states of Pennsylvania and New York, dietitians and nutritionists are currently licensed and regulated. In 2019, the Pennsylvania Academy of Nutrition and Dietetics indicated there were 3,700 dietitians and nutritionists with association memberships. In Pennsylvania, the application fee as of 2019 was \$45 and the renewal fee was \$65. In New York, the certification and initial registration fee is \$294. The New York State Academy of Nutrition and Dietetics cites having over 5,000 registered Dietetics and Nutrition Registered Licensees.

In a fiscal note on a similar bill in 2004 (Assembly Bill No. 2777 of 2004), the Department of Law and Public Safety indicated there were approximately 3,000 nutritionists and dietitians who would be subject to the provisions of that bill.

At the time of the 2004 estimate, the department estimated that nutritionists and dietitians subject to the provisions of this bill would be required to pay a fee to offset costs associated with the licensure. At the time of analysis, the department estimated that nutritionists and dietitians subject to the provisions of this bill would be required to pay a \$50 application fee and a \$175 initial licensure fee and a biennial registration fee.

In 2004, the department estimated that based on the operating costs of similar licensing programs, the cost of the bill during the first and second year after enactment would total \$50,000 annually. This figure included: \$23,000 for a minimal percentage of the salaries and fringe benefits of an executive director and principal clerk; \$1,000 for materials and supplies; \$4,000 for data processing; \$20,000 for travel, telephone, postage, and other services; and \$2,000 for equipment.

FE to ACS for A1582

3

*Section: Law and Public Safety*

*Analyst: Ian Siracusa  
Deputy Counsel*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR

**ASSEMBLY, No. 1582**

**STATE OF NEW JERSEY**

**218th LEGISLATURE**

DATED: DECEMBER 4, 2019

## SUMMARY

- Synopsis:** Establishes “Dietetics and Nutrition Licensing Act.”
- Type of Impact:** Annual increase in State expenditures and revenue; General Fund.
- Agencies Affected:** Department of Law and Public Safety, Division of Consumer Affairs.

### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
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*Section: Law and Public Safety*

*Analyst: Ian Siracusa  
Deputy Counsel*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

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**LEGISLATIVE FISCAL ESTIMATE**  
 [Second Reprint]  
 ASSEMBLY COMMITTEE SUBSTITUTE FOR  
**ASSEMBLY, No. 1582**  
**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

DATED: DECEMBER 17, 2019

**SUMMARY**

- Synopsis:** Establishes “Dietetics and Nutrition Licensing Act.”
- Type of Impact:** Annual increase in State expenditures and revenue; General Fund.
- Agencies Affected:** Department of Law and Public Safety, Division of Consumer Affairs.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<u><b>Year 1</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
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*Section: Law and Public Safety*

*Analyst: Ian Siracusa  
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**SENATE, No. 2625**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED JUNE 4, 2018

**Sponsored by:**  
**Senator LORETTA WEINBERG**  
**District 37 (Bergen)**

**SYNOPSIS**

"Dietitian/Nutritionist Licensing Act."

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT providing for the licensing of dietitians/nutritionists,  
2 supplementing Title 45 of the Revised Statutes and amending  
3 P.L.1971, c.60, P.L.1974, c.46 and P.L.1978, c.73.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. (New section) This act shall be known and may be cited as  
9 the "Dietitian/Nutritionist Licensing Act."

10  
11 2. (New section) The Legislature finds and declares that the  
12 public interest requires the regulation of the practice of  
13 dietetics/nutrition and the establishment of clear licensure standards  
14 for nutritionists and dietitians; and that the health and welfare of the  
15 residents of the State will be protected by identifying to the public  
16 those individuals who are qualified and legally authorized to  
17 practice dietetics/nutrition.

18  
19 3. (New section) As used in this act:

20 "Board" means the State Board of Dietitians/Nutritionists  
21 established pursuant to section 4 of this act.

22 "Dietetics/nutrition" means the integration and application of  
23 scientific principles derived from the study of food, nutrition,  
24 biochemistry, physiology, food management, and from behavioral  
25 and social sciences in achieving and maintaining health throughout  
26 the life span and in providing medical nutrition therapy for the  
27 treatment of disease. It includes, but is not limited to: nutrition  
28 assessment; nutrition diagnosis; nutrition intervention; monitoring  
29 and evaluation of nutrition care plans; nutrition support, including  
30 parenteral and enteral nutrition; nutritional counseling and  
31 education; and the development and administration of nutrition care  
32 standards and systems.

33 "Director" means the Director of the Division of Consumer  
34 Affairs in the Department of Law and Public Safety.

35 "Licensed dietitian/nutritionist" means a person who is licensed  
36 pursuant to the provisions of this act. The terms, "dietitian" and  
37 "nutritionist," are used interchangeably in this act.

38 "Medical nutritional therapy" means nutritional diagnostic,  
39 therapeutic, and counseling services for the purpose of disease  
40 management.

41  
42 4. (New section) There is created within the Division of  
43 Consumer Affairs in the Department of Law and Public Safety the  
44 State Board of Dietitians/Nutritionists. The board shall consist of  
45 seven members who are residents of the State, one of whom shall be

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 a public member and one of whom shall be a State executive  
2 department member appointed pursuant to the provisions of  
3 P.L.1971, c.60 (C.45:1-2.1 et seq.). Of the remaining five  
4 members, four shall be, except for the members first appointed,  
5 licensed dietitians/nutritionists under the provisions of this act and  
6 shall have been actively engaged in the practice of  
7 dietetics/nutrition in the State for at least five years immediately  
8 preceding their appointment, as follows: one shall be a  
9 dietitian/nutritionist whose primary practice is clinical nutrition;  
10 one shall be a dietitian/nutritionist whose primary practice is  
11 community or public health nutrition; one shall be a  
12 dietitian/nutritionist whose primary practice is management of  
13 clinical nutritional services or consulting in nutrition; and one shall  
14 be a dietitian/nutritionist teaching in a college or university with an  
15 accredited dietetic education program; and the remaining member  
16 shall be a physician licensed to practice medicine and surgery  
17 pursuant to chapter 9 of Title 45 of the Revised Statutes.

18 The Governor shall appoint the public member and the State  
19 executive department member and shall appoint the remaining five  
20 members with the advice and consent of the Senate. Each member,  
21 other than the State executive department member, shall be  
22 appointed for a term of three years, except that of the  
23 dietitian/nutritionist members first appointed, two shall serve for a  
24 term of three years, one shall serve for a term of two years and one  
25 shall serve for a term of one year. Any vacancy in the membership  
26 of the board shall be filled for the unexpired term in the manner  
27 provided by the original appointment. No member of the board  
28 may serve more than two successive terms in addition to any  
29 unexpired term to which the member has been appointed.

30  
31 5. (New section) Notwithstanding the provisions of section 2  
32 of P.L.1977, c.285 (C.45:1-2.5) or any other law to the contrary, the  
33 members of the board shall serve without compensation, and shall  
34 not be entitled to receive any pension or health benefits based upon  
35 their service as members of the board, but shall be reimbursed for  
36 expenses and provided with office and meeting facilities pursuant to  
37 section 2 of P.L.1977, c.285 (C.45:1-2.5).

38  
39 6. (New section) The board shall organize within 30 days after  
40 the appointment of its members and shall annually elect from  
41 among its members a chairperson and vice-chairperson, and a  
42 secretary who need not be a member of the board. The board shall  
43 meet twice a year and may hold additional meetings as necessary to  
44 discharge its duties. A majority of the board membership shall  
45 constitute a quorum.

46  
47 7. (New section) The board shall:  
48 a. Review the qualifications of applicants for licensure;

- 1       b. Adopt a code of ethics;
- 2       c. Insure the proper conduct and standards of examinations;
- 3       d. Issue and renew biennial licenses for dietitians/nutritionists  
4 pursuant to this act;
- 5       e. Refuse to admit a person to an examination or refuse to issue  
6 or suspend, revoke, or fail to renew the license of a  
7 dietitian/nutritionist pursuant to the provisions of P.L.1978, c.73  
8 (C.45:1-14 et seq.);
- 9       f. Maintain a record of every dietitian/nutritionist licensed in  
10 this State, their place of business, place of residence, and the date  
11 and number of their license;
- 12       g. Prescribe or change the charges for examinations, licenses,  
13 renewals, and other services it performs pursuant to P.L.1974, c.46  
14 (C.45:1-3.1 et seq.), and set the passing score on any examination it  
15 adopts as a licensure examination;
- 16       h. Establish rules and regulations with respect to continuing  
17 education requirements; and
- 18       i. Adopt and promulgate rules and regulations pursuant to the  
19 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
20 seq.) necessary to effectuate the purposes of this act.
- 21
- 22       8. (New section) A person shall not practice dietetics/nutrition,  
23 whether compensated or not, unless the person holds a valid license  
24 to practice in this State, except nothing in this act shall be construed  
25 to:
- 26       a. Prohibit a person licensed to practice pursuant to Title 45 of  
27 the Revised Statutes from engaging in the practice or teaching of  
28 dietetics or nutrition within the scope of that person's license or any  
29 other person licensed to practice or certified to teach in this State  
30 under any other law from engaging in the practice or teaching for  
31 which that person is licensed, regulated, or certified;
- 32       b. Prohibit any student enrolled in a school or post-graduate  
33 course of dietetics/nutrition recognized by the board from  
34 performing that which is necessary to the student's course of study;
- 35       c. Prohibit any person from practicing dietetics/nutrition within  
36 the scope of the person's official duties when employed by a  
37 department, agency, bureau, division, or other unit of the federal  
38 government, serving in the Armed Forces of the United States, or  
39 employed by any State institution or facility;
- 40       d. Prohibit any person who does not hold himself out to be a  
41 dietitian/nutritionist from furnishing nutritional information as to  
42 the use of food, food materials, or dietary supplements, or from  
43 engaging in the explanation to persons as to the use of food or food  
44 products including dietary supplements;
- 45       e. Prohibit any person involved in presenting a general  
46 program of instruction for weight control from doing so, provided  
47 the program has been approved in writing by a dietitian/nutritionist  
48 licensed in this State, a dietitian/nutritionist licensed in another

1 state that has licensure requirements substantially equivalent to  
2 those of this State, as determined by the board, a dietitian registered  
3 by the Commission on Dietetic Registration, or a licensed  
4 physician; or

5 f. Prohibit a dietetic technician from providing nutrition  
6 services under the supervision of a licensed dietitian/nutritionist.

7

8 9. (New section) To be eligible to be licensed as a  
9 dietitian/nutritionist, an applicant shall fulfill the following  
10 requirements:

11 a. Be at least 18 years of age;

12 b. Be of good moral character; and

13 c. (1) Provide evidence of current registration as a Registered  
14 Dietitian by the Commission on Dietetic Registration; or

15 (2) (a) Have received a minimum of a baccalaureate degree  
16 from a United States regionally accredited college or university  
17 with a major course of study in nutritional sciences, human  
18 nutrition, foods and nutrition, dietetics, community nutrition, public  
19 health nutrition, nutrition education, or an equivalent major course  
20 of study, as approved by the board, and have successfully  
21 completed minimum course requirements in food sciences, social  
22 and behavioral sciences, chemistry, biology, human nutrition, and  
23 medical nutrition therapy, as determined by the board; or in the case  
24 of an applicant who has obtained an education outside of the United  
25 States, shall have the applicant's academic degree validated by the  
26 board as being equivalent to a baccalaureate or master's degree  
27 conferred by a United States regionally accredited college or  
28 university; and

29 (b) Have successfully completed a planned clinical program in  
30 an approved practice of dietetics/nutrition of not less than 1,200  
31 hours under the supervision of: a dietitian/nutritionist licensed in  
32 this State or licensed, registered, or certified in any other state  
33 having requirements for licensure, registration, or certification  
34 substantially similar to licensure requirements in this State, as  
35 approved by the board; or a registered dietitian registered by the  
36 Commission on Dietetic Registration; and

37 (c) Have passed an examination given by the Commission on  
38 Dietetic Registration to practice dietetics/nutrition, which shall be  
39 held by the board at least twice a year and may be administered by a  
40 national testing service, as determined by the board; or

41 (3) (a) Have received from a United States regionally accredited  
42 college or university a master's degree or doctorate in  
43 dietetics/nutritional sciences, human nutrition, foods and nutrition,  
44 dietetics, community nutrition, public health nutrition, nutrition  
45 education, or an equivalent major course of study, as approved by  
46 the board, and have successfully completed minimum course  
47 requirements in food sciences, social and behavioral sciences,  
48 chemistry, biology, human nutrition, and medical nutrition therapy,

1 as determined by the board; or in the case of an applicant who has  
2 obtained an education outside of the United States, shall have the  
3 applicant's academic degree validated by the board as being  
4 equivalent to a master's degree or doctorate conferred by a United  
5 States regionally accredited college or university; and

6 (b) Have a documented supervised experience in the United  
7 States in the practice of dietetics/nutrition of not less than 1,200  
8 hours under the supervision of: a dietitian/nutritionist licensed in  
9 this State or licensed, registered, or certified in any other state  
10 having requirements for licensure, registration, or certification  
11 substantially similar to licensure requirements in this State, as  
12 approved by the board; a registered dietitian registered by the  
13 Commission on Dietetic Registration; or a licensed physician; and

14 (c) Have passed an examination given by the Commission on  
15 Dietetic Registration to practice dietetics/nutrition, as provided in  
16 subparagraph (c) of paragraph (2) of this subsection.

17

18 10. (New section) The board shall issue a license to any  
19 applicant who, in the opinion of the board, has satisfactorily met all  
20 the requirements of this act.

21 Except in the case of a temporary license issued pursuant to  
22 section 14 of this act, all licenses shall be issued for a two-year  
23 period upon the payment of the licensure fee prescribed by the  
24 board, and shall be renewed upon filing of a renewal application,  
25 the payment of a licensure fee, and presentation of satisfactory  
26 evidence that the renewal applicant has successfully completed the  
27 continuing education requirements prescribed by the board by  
28 regulation.

29

30 11. (New section) Upon payment to the board of a fee and the  
31 submission of a written application on forms provided by it, the  
32 board shall license without examination a nutritionist or dietitian  
33 who is licensed, registered or certified by another state or  
34 possession of the United States or the District of Columbia which  
35 has standards substantially equivalent to those of this State.

36

37 12. (New section) For a period of one year after the effective  
38 date of this act, any person who is practicing or residing in this  
39 State on the effective date of this act may qualify as a licensed  
40 dietitian/nutritionist upon application for licensure and payment of  
41 the appropriate fee, provided the applicant furnishes evidence  
42 satisfactory to the board that the applicant has received a  
43 baccalaureate or higher academic degree from a United States  
44 regionally accredited college or university with a minimum of 30  
45 credit hours or a major concentration of study in human nutrition,  
46 foods and nutrition, food systems management, nutritional science,  
47 nutritional education, or related courses approved by the board; and  
48 has been employed at least half-time as a dietitian/nutritionist for

1 three of the last five years immediately preceding the effective date  
2 of this act.

3  
4 13. (New section) No person, business entity or its employees,  
5 agents, or representatives shall use the titles, "dietitian/nutritionist,"  
6 "nutritionist," "dietitian," "dietician," "nutrition counselor,"  
7 "nutrition consultant," "nutrition specialist," "LDN," "LD," "LN,"  
8 or any other title, designation, words, letters, abbreviations, or  
9 insignia indicating the practice of dietetics/nutrition unless licensed  
10 to practice dietetics/nutrition under the provisions of this act.

11  
12 14. (New section) a. Upon payment to the board of a fee and  
13 the submission of a written application on forms provided by it, the  
14 board shall issue a temporary license to a person who has applied  
15 for licensure pursuant to this act and who, in the judgment of the  
16 board, is eligible for examination. A temporary license shall be  
17 available to an applicant with the applicant's initial application for  
18 examination and the applicant may practice only under the direct  
19 supervision of a licensed dietitian/nutritionist. A temporary license  
20 shall expire automatically upon failure of the licensure examination  
21 but may be renewed until the date of the next examination at which  
22 time it shall automatically expire and be surrendered to the board.

23 b. Upon payment to the board of a fee and the submission of a  
24 written application on forms provided by it, the board may issue  
25 without examination a temporary license to practice  
26 dietetics/nutrition in this State to a person who provides evidence  
27 that the person is in the State on a temporary basis to assist in a  
28 medical emergency or engage in a special project or teaching  
29 assignment relating to dietetics/nutrition. A temporary license shall  
30 expire one year from its date of issuance, but it may be renewed by  
31 the board for an additional one year period. This temporary license  
32 shall be surrendered to the board upon its expiration.

33  
34 15. Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read  
35 as follows:

36 1. The provisions of this act shall apply to the following boards  
37 and commissions: the New Jersey State Board of Accountancy, the  
38 New Jersey State Board of Architects, the New Jersey State Board  
39 of Cosmetology and Hairstyling, the Board of Examiners of  
40 Electrical Contractors, the New Jersey State Board of Dentistry, the  
41 State Board of Mortuary Science of New Jersey, the State Board of  
42 Professional Engineers and Land Surveyors, the State Board of  
43 Marriage and Family Therapy Examiners, the State Board of  
44 Medical Examiners, the New Jersey Board of Nursing, the New  
45 Jersey State Board of Optometrists, the State Board of Examiners of  
46 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of  
47 Pharmacy, the State Board of Professional Planners, the State Board  
48 of Psychological Examiners, the State Board of Examiners of



1 Master Plumbers, the New Jersey Real Estate Commission, the  
2 State Board of Court Reporting, the State Board of Veterinary  
3 Medical Examiners, the Radiologic Technology Board of  
4 Examiners, the Acupuncture Examining Board, the State Board of  
5 Chiropractic Examiners, the State Board of Respiratory Care, the  
6 State Real Estate Appraiser Board, the State Board of Social Work  
7 Examiners, the State Board of Examiners of Heating, Ventilating,  
8 Air Conditioning and Refrigeration Contractors, the Elevator,  
9 Escalator, and Moving Walkway Mechanics Licensing Board, the  
10 State Board of Physical Therapy Examiners, the Orthotics and  
11 Prosthetics Board of Examiners, the New Jersey Cemetery Board,  
12 the State Board of Polysomnography, the New Jersey Board of  
13 Massage and Bodywork Therapy, the Genetic Counseling Advisory  
14 Committee, the State Board of Dietitians/Nutritionists, and any  
15 other entity hereafter created under Title 45 to license or otherwise  
16 regulate a profession or occupation.

17 (cf: P.L.2012, c.71, s.13)

18

19 16. Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended to read  
20 as follows:

21 1. The provisions of this act shall apply to the following boards  
22 and commissions: the New Jersey State Board of Accountancy, the  
23 New Jersey State Board of Architects, the New Jersey State Board  
24 of Cosmetology and Hairstyling, the Board of Examiners of  
25 Electrical Contractors, the New Jersey State Board of Dentistry, the  
26 State Board of Mortuary Science of New Jersey, the State Board of  
27 Professional Engineers and Land Surveyors, the State Board of  
28 Marriage and Family Therapy Examiners, the State Board of  
29 Medical Examiners, the New Jersey Board of Nursing, the New  
30 Jersey State Board of Optometrists, the State Board of Examiners of  
31 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of  
32 Pharmacy, the State Board of Professional Planners, the State Board  
33 of Psychological Examiners, the State Board of Examiners of  
34 Master Plumbers, the State Board of Court Reporting, the State  
35 Board of Veterinary Medical Examiners, the Radiologic  
36 Technology Board of Examiners, the Acupuncture Examining  
37 Board, the State Board of Chiropractic Examiners, the State Board  
38 of Respiratory Care, the State Real Estate Appraiser Board, the New  
39 Jersey Cemetery Board, the State Board of Social Work Examiners,  
40 the State Board of Examiners of Heating, Ventilating, Air  
41 Conditioning and Refrigeration Contractors, the Elevator, Escalator,  
42 and Moving Walkway Mechanics Licensing Board, the State Board  
43 of Physical Therapy Examiners, the State Board of  
44 Polysomnography, the Orthotics and Prosthetics Board of  
45 Examiners, the New Jersey Board of Massage and Bodywork  
46 Therapy, the Genetic Counseling Advisory Committee, the State  
47 Board of Dietitians/Nutritionists, and any other entity hereafter

1 created under Title 45 to license or otherwise regulate a profession  
2 or occupation.

3 (cf: P.L.2012, c.71, s.15)

4

5 17. Section 2 of P.L.1978, c.73 (C.45:1-15) is amended to read  
6 as follows:

7 2. The provisions of this act shall apply to the following boards  
8 and all professions or occupations regulated by, through or with the  
9 advice of those boards: the New Jersey State Board of  
10 Accountancy, the New Jersey State Board of Architects, the New  
11 Jersey State Board of Cosmetology and Hairstyling, the Board of  
12 Examiners of Electrical Contractors, the New Jersey State Board of  
13 Dentistry, the State Board of Mortuary Science of New Jersey, the  
14 State Board of Professional Engineers and Land Surveyors, the  
15 State Board of Marriage and Family Therapy Examiners, the State  
16 Board of Medical Examiners, the New Jersey Board of Nursing, the  
17 New Jersey State Board of Optometrists, the State Board of  
18 Examiners of Ophthalmic Dispensers and Ophthalmic Technicians,  
19 the Board of Pharmacy, the State Board of Professional Planners,  
20 the State Board of Psychological Examiners, the State Board of  
21 Examiners of Master Plumbers, the State Board of Court Reporting,  
22 the State Board of Veterinary Medical Examiners, the State Board  
23 of Chiropractic Examiners, the State Board of Respiratory Care, the  
24 State Real Estate Appraiser Board, the State Board of Social Work  
25 Examiners, the State Board of Examiners of Heating, Ventilating,  
26 Air Conditioning and Refrigeration Contractors, the Elevator,  
27 Escalator, and Moving Walkway Mechanics Licensing Board, the  
28 State Board of Physical Therapy Examiners, the State Board of  
29 Polysomnography, the Professional Counselor Examiners  
30 Committee, the New Jersey Cemetery Board, the Orthotics and  
31 Prosthetics Board of Examiners, the Occupational Therapy  
32 Advisory Council, the Electrologists Advisory Committee, the  
33 Acupuncture Advisory Committee, the Alcohol and Drug Counselor  
34 Committee, the Athletic Training Advisory Committee, the  
35 Certified Psychoanalysts Advisory Committee, the Fire Alarm,  
36 Burglar Alarm, and Locksmith Advisory Committee, the Home  
37 Inspection Advisory Committee, the Interior Design Examination  
38 and Evaluation Committee, the Hearing Aid Dispensers Examining  
39 Committee, the Perfusionists Advisory Committee, the Physician  
40 Assistant Advisory Committee, the Audiology and Speech-  
41 Language Pathology Advisory Committee, the New Jersey Board of  
42 Massage and Bodywork Therapy, the Genetic Counseling Advisory  
43 Committee, the State Board of Dietitians/Nutritionists, and any  
44 other entity hereafter created under Title 45 to license or otherwise  
45 regulate a profession or occupation.

46 (cf: P.L.2013, c.253, s.34)

1 18. This act shall take effect immediately, except that sections 8  
2 and 13 of this act shall take effect one year after the date of  
3 enactment.

4  
5  
6 STATEMENT  
7

8 This bill, which is designated the “Dietitian/Nutritionist  
9 Licensing Act,” provides for the licensure of dietitians/nutritionists  
10 in this State.

11 The bill establishes a seven-member State Board of  
12 Dietitians/Nutritionists (hereinafter referred to as “the board”), in  
13 the Division of Consumer Affairs in the Department of Law and  
14 Public Safety, to oversee the licensure of individuals practicing  
15 dietetics/nutrition, including: four licensed dietitians/nutritionists; a  
16 physician; a public member; and a State executive department  
17 member. The members of the board are to serve without  
18 compensation but be reimbursed for expenses and provided with  
19 office and meeting facilities.

20 The bill requires an applicant for licensure as a  
21 dietitian/nutritionist to be at least 18 years old and of good moral  
22 character, and to meet the following requirements:

23 (1) provide evidence of current registration as a Registered  
24 Dietitian by the Commission on Dietetic Registration, or

25 (2) have received a minimum of a baccalaureate degree from a  
26 United States regionally accredited college or university with a  
27 major course of study in a relevant field and have successfully  
28 completed minimum course requirements determined by the board;  
29 or in the case of an applicant who has obtained an education outside  
30 the United States, have an academic degree validated by the board  
31 as being the equivalent thereof; and have successfully completed a  
32 planned clinical program in an approved practice of  
33 dietetics/nutrition of not less than 1,200 hours under the supervision  
34 of a licensed, registered, or certified dietitian/nutritionist, or of a  
35 registered dietitian, as approved by the board; and have passed an  
36 examination given by the Commission on Dietetic Registration to  
37 practice dietetics/nutrition, to be held by the board at least twice a  
38 year and which may be administered by a national testing service,  
39 as determined by the board; or

40 (3) have received a master’s or doctoral degree in a relevant  
41 field of study from a United States regionally accredited college or  
42 university and have successfully completed minimum course  
43 requirements determined by the board; or in the case of an applicant  
44 who has obtained an education outside the United States, have an  
45 academic degree validated by the board as being the equivalent  
46 thereof; and have a documented supervised experience in the United  
47 States in the practice of dietetics/nutrition of not less than 1,200  
48 hours under the supervision of a licensed, registered, or certified

1 dietitian/nutritionist, as approved by the board, of a registered  
2 dietitian or a licensed physician; and have passed the Commission  
3 on Dietetic Registration examination referenced above.

4 The bill prohibits any person from practicing dietetics/nutrition  
5 in this State unless that person holds a valid license, but allows  
6 exceptions for: persons licensed to practice pursuant to Title 45 of  
7 the Revised Statutes who are engaged in the practice or teaching of  
8 dietetics or nutrition within the scope of their license or any other  
9 persons licensed to practice or certified to teach in this State under  
10 any other law who are engaged in the practice or teaching for which  
11 they are licensed, regulated, or certified; certain educational  
12 purposes; federal government employees, persons serving in the  
13 Armed Forces, and employees of any State institution or facility,  
14 who are practicing dietetics/nutrition within the scope of their  
15 official duties; certain persons who do not hold themselves out to be  
16 dietitians/nutritionists while furnishing general nutritional  
17 information; and dietetic technicians providing nutrition services  
18 under the supervision of a licensed dietitian/nutritionist.

19 For a period of one year after the effective date of the bill, a  
20 person who is practicing or residing in the State on the effective  
21 date of the bill may qualify as a licensed dietitian/nutritionist if:  
22 that person has a baccalaureate or higher academic degree from a  
23 United States regionally accredited college or university with a  
24 minimum of 30 credit hours or a major concentration of study in a  
25 relevant field approved by the board; and has been employed at  
26 least half-time as a dietitian/nutritionist for three of the last five  
27 years immediately preceding the effective date of the bill.

28 The bill provides for the licensure by the board of nutritionists or  
29 dietitians who have been licensed, registered, or certified in another  
30 state which has standards substantially equivalent to those of this  
31 State.

# SENATE COMMERCE COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 2625

# STATE OF NEW JERSEY

DATED: NOVEMBER 14, 2019

The Senate Commerce Committee reports favorably a Senate Committee Substitute for Senate Bill No. 2625.

The committee substitute, designated as the “Dietetics and Nutrition Licensing Act,” provides for the licensure of nutritionists and dietitian nutritionists in this State.

The substitute establishes a seven-member State Board of Dietetics and Nutritionists (hereinafter referred to as “the board”), in the Division of Consumer Affairs in the Department of Law and Public Safety, to oversee the licensure of individuals practicing dietetics/nutrition, including: four licensed nutritionists or dietitian nutritionists; a physician; a public member; and a State executive department member. The members of the board are to serve without compensation but be reimbursed for expenses and provided with office and meeting facilities.

The substitute requires an applicant for licensure as a dietitian nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) provide evidence of current registration as a Registered Dietitian Nutritionist by the Commission on Dietetic Registration, or

(2) have received a minimum of a baccalaureate degree from a United States regionally accredited college or university with a major course of study in a relevant field and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have successfully completed a planned clinical program in an approved practice of dietetics and nutrition of not less than 1,200 hours under the supervision of a licensed, registered, or certified dietitian nutritionist, or a registered dietitian nutritionist registered with the Commission on Dietetic Registration; and have passed an examination given by the Commission on Dietetic Registration for dietitian nutritionists, to be held by the board at least twice a year and which may be administered a national testing service, as determined by the board.

The substitute requires an eligible applicant for licensure as a nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) have received a master's or doctoral degree in a relevant field of study from a United States regionally accredited college or university and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have completed coursework leading to competence in medical nutrition therapy, which includes, but may not be limited to 15 semester hours of clinical or life sciences, at least three of which must be in human anatomy and physiology or the equivalent, 15 semester hours of nutrition and metabolism, at least six of which must be in biochemistry; and a board approved internship or a documented, supervised practice experience in nutrition care services and the provision of medical nutrition therapy of not less than 1,000 hours, involving at least 200 hours of nutrition assessment, 200 hours of nutrition intervention, education, counseling, or management, and 200 hours of nutrition monitoring or evaluation under the supervision of a Certified Nutrition Specialist, a Diplomate of the American Clinical Board of Nutrition, a Registered Dietitian Nutritionist, a licensed dietitian nutritionist or a licensed nutritionist in this State, or an individual with a doctoral degree conferred by a United States regionally accredited college or university with a major course of study in the field of nutrition; and

(2) successfully passed the examination administered by either the Board for Certification of Nutrition Specialists or the American Clinical Board of Nutrition or is currently certified by the Board for Certification of Nutrition Specialists as a "Certified Nutrition Specialist" or "CNS" or by the American Clinical Board of Nutrition as a Diplomate, American Clinical Board of Nutrition" or "DACBN."

The substitute prohibits any person from providing medical nutrition therapy unless that person holds a valid license, but allows exceptions for: persons licensed to practice pursuant to Title 45 of the Revised Statutes who are engaged in the practice or teaching of dietetics or nutrition within the scope of their license or any other persons licensed to practice or certified to teach in this State under any other law who are engaged in the practice or teaching for which they are licensed, regulated, or certified; certain educational purposes; federal government employees, persons serving in the Armed Forces, and employees of any State institution or facility, who are practicing dietetics/nutrition within the scope of their official duties; certain persons who do not hold themselves out to be dietitians/nutritionists while furnishing general nutritional information; dietetic technicians providing nutrition services under the supervision of a licensed dietitian/nutritionist, and persons

providing nutrition information, guidance, encouragement, individualized nutrition recommendations or weight control services that do not constitute medical nutrition therapy, provided that the person does not hold himself or herself out as a licensed dietitian nutritionist or licensed nutritionist.

For a period of one year after the effective date of the substitute, a person who is practicing or residing in the State on the effective date of the substitute may qualify as a licensed nutritionist if: that person has a baccalaureate or higher academic degree from a United States regionally accredited college or university with a minimum of 30 credit hours or a major concentration of study in a relevant field approved by the board; and has been employed at least half-time as a nutritionist providing nutrition care services for the purpose of treatment or management of a disease or medical condition regularly for three of the last five years immediately preceding the effective date of the substitute.

The substitute provides for the licensure by the board of nutritionists or dietitians who have been licensed, registered, or certified in another state which has standards substantially equivalent to those of this State.

As reported, this Senate Committee Substitute is identical to the Assembly Committee Substitute for Assembly Bill No. 1582, as amended and reported by the committee today.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2625**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 5, 2019

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2625 SCS.

As amended by the committee, the committee substitute, designated as the “Dietetics and Nutrition Licensing Act,” provides for the licensure of nutritionists and dietitian nutritionists in this State.

The substitute establishes a seven-member State Board of Dietetics and Nutritionists (hereinafter referred to as “the board”), in the Division of Consumer Affairs in the Department of Law and Public Safety, to oversee the licensure of individuals practicing dietetics/nutrition, including: four licensed nutritionists or dietitian nutritionists; a physician; a public member; and a State executive department member. The members of the board are to serve without compensation but be reimbursed for expenses and provided with office and meeting facilities.

The substitute requires an applicant for licensure as a dietitian nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) provide evidence of current registration as a Registered Dietitian Nutritionist by the Commission on Dietetic Registration, or

(2) have received a minimum of a baccalaureate degree from a United States regionally accredited college or university with a major course of study in a relevant field and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have successfully completed a planned clinical program in an approved practice of dietetics and nutrition of not less than 1,200 hours under the supervision of a licensed, registered, or certified dietitian nutritionist, or a registered dietitian nutritionist registered with the Commission on Dietetic Registration; and have passed an examination given by the Commission on Dietetic Registration for dietitian nutritionists, to be held by the board at least twice a year and which may be administered a national testing service, as determined by the board.



The substitute requires an eligible applicant for licensure as a nutritionist to be at least 18 years old and of good moral character, and to meet the following requirements:

(1) have received a master's or doctoral degree in a relevant field of study from a United States regionally accredited college or university and have successfully completed minimum course requirements determined by the board; or in the case of an applicant who has obtained education outside of the United States, have an academic degree validated by the board as being the equivalent thereof; and have completed coursework leading to competence in medical nutrition therapy, which includes, but may not be limited to 15 semester hours of clinical or life sciences, at least three of which must be in human anatomy and physiology or the equivalent, 15 semester hours of nutrition and metabolism, at least six of which must be in biochemistry; and a board approved internship or a documented, supervised practice experience in nutrition care services and the provision of medical nutrition therapy of not less than 1,000 hours, involving at least 200 hours of nutrition assessment, 200 hours of nutrition intervention, education, counseling, or management, and 200 hours of nutrition monitoring or evaluation under the supervision of a Certified Nutrition Specialist, a Diplomate of the American Clinical Board of Nutrition, a Registered Dietitian Nutritionist, a licensed dietitian nutritionist or a licensed nutritionist in this State, or an individual with a doctoral degree conferred by a United States regionally accredited college or university with a major course of study in the field of nutrition; and

(2) successfully passed the examination administered by either the Board for Certification of Nutrition Specialists or the American Clinical Board of Nutrition or is currently certified by the Board for Certification of Nutrition Specialists as a "Certified Nutrition Specialist" or "CNS" or by the American Clinical Board of Nutrition as a Diplomate, American Clinical Board of Nutrition" or "DACBN."

The substitute prohibits any person from providing medical nutrition therapy unless that person holds a valid license, but allows exceptions for: persons licensed to practice pursuant to Title 45 of the Revised Statutes who are engaged in the practice or teaching of dietetics or nutrition within the scope of their license or any other persons licensed to practice or certified to teach in this State under any other law who are engaged in the practice or teaching for which they are licensed, regulated, or certified; certain educational purposes; federal government employees, persons serving in the Armed Forces, and employees of any State institution or facility, who are practicing dietetics/nutrition within the scope of their official duties; certain persons who do not hold themselves out to be dietitians/nutritionists while furnishing general nutritional information; dietetic technicians providing nutrition services under the supervision of a licensed dietitian/nutritionist, and persons

providing nutrition information, guidance, encouragement, individualized nutrition recommendations or weight control services that do not constitute medical nutrition therapy, provided that the person does not hold himself or herself out as a licensed dietitian nutritionist or licensed nutritionist.

For a period of one year after the effective date of the substitute, a person who is practicing or residing in the State on the effective date of the substitute may qualify as a licensed nutritionist if: that person has a baccalaureate or higher academic degree from a United States regionally accredited college or university with a minimum of 30 credit hours or a major concentration of study in a relevant field approved by the board; and has been employed at least half-time as a nutritionist providing nutrition care services for the purpose of treatment or management of a disease or medical condition regularly for three of the last five years immediately preceding the effective date of the substitute.

The substitute provides for the licensure by the board of nutritionists or dietitians who have been licensed, registered, or certified in another state which has standards substantially equivalent to those of this State.

As reported and amended, this Senate Committee Substitute is identical to the Assembly Committee Substitute for Assembly Bill No. 1582 (1R), as amended and reported by the committee.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

1) provide that the bill does not prohibit persons who do not hold themselves out to be licensed dietitian nutritionists or licensed nutritionists from providing evaluation, guidance, information, and education as to the use of food, food materials, or dietary supplements; and

2) include the title "nutritionist," in the list of titles that no person, business entity or its employees, agents, or representatives may use unless licensed to practice dietetics and nutrition under the provisions of the bill.

#### FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of dietitians and nutritionists by the Division of Consumer Affairs in the Department of Law and Public Safety.

The bill would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE COMMITTEE SUBSTITUTE FOR**  
**SENATE, No. 2625**  
**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

DATED: DECEMBER 4, 2019

**SUMMARY**

- Synopsis:** Establishes “Dietetics and Nutrition Licensing Act.”
- Type of Impact:** Annual increase in State expenditures and revenue; General Fund.
- Agencies Affected:** Department of Law and Public Safety, Division of Consumer Affairs.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<u><b>Year 1</b></u>	<u><b>Year 2</b></u>	<u><b>Year 3</b></u>
<b>State Cost Increase</b>		Indeterminate	
<b>State Revenue Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of dietitians and nutritionists by the Division of Consumer Affairs in the Department of Law and Public Safety.
- The bill would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections.

**BILL DESCRIPTION**

This bill provides for the licensure of dietitian and nutritionists in the State.

The bill:

- Establishes a seven-member State Board of Dietetics and Nutrition in the Division of Consumer Affairs in the Department of Law and Public Safety to oversee their licensure;
- Provides that the board members are not to be compensated, but would be reimbursed for expenses related to their position;
- Authorizes the division to establish fees for nutritionist examinations, licenses, and renewals;

- Requires that all licenses be issued for a two-year period, except in cases of issued temporary licenses;
- Establishes licensure criteria for a dietitian/nutritionist; and
- Establishes that no person, with certain exceptions, may practice dietetics/nutrition in the State unless that person holds a valid license.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of dietitians and nutritionists by the Division of Consumer Affairs in the Department of Law and Public Safety. The bill would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections. The OLS estimates that the license and renewal fees paid by licensees may defray licensure, regulation, and enforcement costs.

The New Jersey Academy of Nutrition and Dietetics indicated serving over 2,300 New Jersey association members. As there are no current regulations in New Jersey for being a dietitian or nutritionist, the OLS is uncertain how many of the members would qualify for a license under the proposed bill.

In the surrounding states of Pennsylvania and New York, dietitians and nutritionists are currently licensed and regulated. In 2019, the Pennsylvania Academy of Nutrition and Dietetics indicated there were 3,700 dietitians and nutritionists with association memberships. In Pennsylvania, the application fee as of 2019 was \$45 and the renewal fee was \$65. In New York, the certification and initial registration fee is \$294. The New York State Academy of Nutrition and Dietetics cites having over 5,000 registered Dietetics and Nutrition Registered Licensees.

In a fiscal note on a similar bill in 2004 (Assembly Bill No. 2777 of 2004), the Department of Law and Public Safety indicated there were approximately 3,000 nutritionists and dietitians who would be subject to the provisions of that bill.

At the time of the 2004 estimate, the department estimated that nutritionists and dietitians subject to the provisions of this bill would be required to pay a fee to offset costs associated with the licensure. At the time of analysis, the department estimated that nutritionists and dietitians subject to the provisions of this bill would be required to pay a \$50 application fee and a \$175 initial licensure fee and a biennial registration fee.

In 2004, the department estimated that based on the operating costs of similar licensing programs, the cost of the bill during the first and second year after enactment would total \$50,000 annually. This figure included: \$23,000 for a minimal percentage of the salaries and fringe benefits of an executive director and principal clerk; \$1,000 for materials and supplies; \$4,000 for data processing; \$20,000 for travel, telephone, postage, and other services; and \$2,000 for equipment.

FE to SCS for S2625

3

*Section: Law and Public Safety*

*Analyst: Ian Siracusa  
Deputy Counsel*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

**LEGISLATIVE FISCAL ESTIMATE**  
[First Reprint]  
**SENATE COMMITTEE SUBSTITUTE FOR**  
**SENATE, No. 2625**  
**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

DATED: DECEMBER 17, 2019

**SUMMARY**

- Synopsis:** Establishes “Dietetics and Nutrition Licensing Act.”
- Type of Impact:** Annual increase in State expenditures and revenue; General Fund.
- Agencies Affected:** Department of Law and Public Safety, Division of Consumer Affairs.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost Increase</b>		Indeterminate	
<b>State Revenue Increase</b>		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of dietitians and nutritionists by the Division of Consumer Affairs in the Department of Law and Public Safety.
- The bill would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections.

**BILL DESCRIPTION**

This bill provides for the licensure of dietitian and nutritionists in the State.

The bill:

- Establishes a seven-member State Board of Dietetics and Nutrition in the Division of Consumer Affairs in the Department of Law and Public Safety to oversee their licensure;
- Provides that the board members are not to be compensated, but would be reimbursed for expenses related to their position;
- Authorizes the division to establish fees for nutritionist examinations, licenses, and renewals;

- Requires that all licenses be issued for a two-year period, except in cases of issued temporary licenses;
- Establishes licensure criteria for a dietitian/nutritionist; and
- Establishes that no person, with certain exceptions, may practice dietetics/nutrition in the State unless that person holds a valid license.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of dietitians and nutritionists by the Division of Consumer Affairs in the Department of Law and Public Safety. The bill would produce an indeterminate annual State revenue increase from license, renewal, and examination fees, as well as any penalty collections. The OLS estimates that the license and renewal fees paid by licensees may defray licensure, regulation, and enforcement costs.

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At the time of the 2004 estimate, the department estimated that nutritionists and dietitians subject to the provisions of this bill would be required to pay a fee to offset costs associated with the licensure. At the time of analysis, the department estimated that nutritionists and dietitians subject to the provisions of this bill would be required to pay a \$50 application fee and a \$175 initial licensure fee and a biennial registration fee.

In 2004, the department estimated that based on the operating costs of similar licensing programs, the cost of the bill during the first and second year after enactment would total \$50,000 annually. This figure included: \$23,000 for a minimal percentage of the salaries and fringe benefits of an executive director and principal clerk; \$1,000 for materials and supplies; \$4,000 for data processing; \$20,000 for travel, telephone, postage, and other services; and \$2,000 for equipment.

FE to [1R] SCS for S2625

3

*Section: Law and Public Safety*

*Analyst: Ian Siracusa  
Deputy Counsel*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).



# Governor Murphy Takes Action on Legislation

01/13/2020

**TRENTON** – Today, Governor Phil Murphy signed the following bills into law:

**A268 (Kean, Egan, Holley/Singer, Gopal)** - "P.I.C.K. Awareness Act"; authorizes issuance of special support recovery license plates.

**A790 (Andrzejczak, Land, Mosquera, Mukherji, Downey, Zwicker, Mazzeo/Connors, Singleton)** - "Combat to College Act"; grants priority course registration to military service members and veterans attending public institutions of higher education.

**A791 (Andrzejczak, Land, Mosquera, Danielsen, Mukherji, Downey, Zwicker/Van Drew, Brown)** - Requires institution of higher education to award appropriate credit for student's military service.

**A1212 (McKeon, Gusciora, Vainieri Huttel/Sweeney, Smith, Bateman, Greenstein)** - Clarifies intent of P.L.2007, c.340 regarding NJ's required participation in Regional Greenhouse Gas Initiative.

**A1305 (Greenwald/Rice)** - Renames Mountainview Youth Correctional Facility as "William H. Fauver Youth Correctional Facility."

**A1576 (Conaway, Giblin/Vitale)** - Requires certain health care facilities to provide, and employees to receive, annual influenza vaccination.

**A1582 (Conaway, Moriarty, Mosquera, Benson, Pinkin, Giblin, Quijano/Weinberg, Ruiz)** - Establishes "Dietetics and Nutrition Licensing Act".

**A1991 (Sumter, Munoz, Mukherji/Singer, Gordon)** - Requires students at institutions of higher education to receive immunization for meningitis in accordance with recommendations of Advisory Committee on Immunization Practices.

**A3101 (Egan Jones, Benson, Land/Singleton)** - Increases minimum annual amounts for appropriation for certain arts, historical heritage, and tourism purposes from hotel and motel occupancy fee revenues.

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**A3160 (Lampitt, Giblin, Murphy/Beach)** - Permits cosmetology and hairstyling school clinics to charge certain fees for services rendered to general public.

**A3832 (Mukherji, McKnight, Chiaravalloti/Cryan, Stack)** - Authorizes municipal tax levy through public question for certain purposes; clarifies ability of local government entities to issue non-recourse bonds; appropriates \$100,000.

**A4493 (Pinkin, Conaway, Vainieri Huttel/Vitale)** - Authorizes expedited partner therapy, under which sexual partners or patients diagnosed with sexually transmitted disease are treated without prior clinical examination.

**A4608 (Zwicker, Downey/Weinberg, Kean)** - " Applied Behavior Analyst Licensing Act."

**A4710 (Lampitt, Zwicker, Vainieri Huttel/Beach,Turner)** - "Strengthening Gifted and Talented Education Act"; establishes school district responsibilities in educating gifted and talented students.

**A5037 (Pintor Marin, Speight, Vainieri Huttel/Andrzejczak, Greenstein)** - Enhances penalties related to counterfeit drugs.

**A5091 (McKeon, Vainieri Huttel, Pinkin/Pou, Singleton)** - Establishes "Safeguarding Against Financial Exploitation Act."

**A5263 (Tully, Armato/Corrado)** - Requires four-year public institution of higher education to award college credits to firefighters for certain courses completed at county fire academies.

**A5277 (DeAngelo, Houghtaling/Greenstein)** - Eliminates term limits for members of State Board of Examiners of Master Plumbers and State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors.

**A5624 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado)** - Requires that State employee serve as Equal Employment Opportunity and Affirmative Action officer for gubernatorial transitions.

**A5625 (Pintor Marin, Munoz, Lampitt/Weinberg, Corrado)** - Requires payment of expenses related to background investigations for certain gubernatorial transition positions.

**A5628 (Pintor Marin, Munoz, McKnight/Weinberg, Corrado)** - Requires Civil Service Commission establish standardize recordkeeping and retention requirements with regard to unclassified State employees.

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**A5631 (Pintor Marin, Munoz, Pinkin/Weinberg, Corrado)** - Specifies certain requirements for State agency review of complaint of workplace discrimination.

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**A5632 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg)** - Requires certain public employees receive additional training to manage harassment or discrimination complaints.

**A5917 (Chiaravalloti, McKnight/Cunningham, Weinberg)** - Expands DOH oversight of hospital finances.

**A6007 (McKeon/Pou)** - Requires insurers and insurance groups to submit corporate governance annual disclosure to DOBI Commissioner.

**S463 (Singer, Greenstein/Dancer, Calabrese, DeAngelo)** - Provides for voluntary contributions by taxpayers on gross income tax returns for Meals on Wheels.

**S538 (Oroho, Stack/Wirths, Vaineri Huttie, Bucco)** - Allows long term tax exemption extension for certain low-income housing.

**S775 (Cunningham, Sacco/Sumter, Caride, Vainieri Huttie)** - Establishes Tuition Aid Grant Study Commission to examine New Jersey's Tuition Aid Grant Program and make recommendations regarding improvements to program.

**S778 (Cunningham, Kean/Quijano, Jasey, Pintor Marin)** - Establishes Campus Sexual Assault Commission.

**S1493 (Stack, Singleton/Quijano, Chaparro, Timberlake)** - Prohibits landlords from requiring residential tenants to pay rent and other related charges through electronic funds transfer; requires landlords to provide receipts for cash payments.

**S1508 (Turner, Singleton/Reynolds-Jackson, Sumter, Wimberly)** - Eliminates motor vehicle surcharges following retirement of bonds and debts tied to surcharges.

**S1834 (Ruiz, Cunningham/Quijano, Murphy)** - Requires each public institution of higher education to post its budget on the institution's website.

**S1953 (Oroho, Cruz-Perez/Space, Andrzejcack, Wirths)** - Directs Dept. of Agriculture to authorize and advise food hubs.

**S1966 (Sweeney, Singleton/Taliaferro)** - Increases death benefit of active member of PFRS and SPRS to 50 percent of final compensation for surviving child or children.

**S2527 (Ruiz, Turner/Lampitt, Quijano, Timberlake)** - Requires Department of Agriculture to promote school meal programs.

**S2533 (Greenstein, Cruz-Perez/Vainieri Huttie, Lopez, Timberlake)** - Requires Office of Victim-Witness Advocacy to provide services to certain inmates.

**S2898 (Madden, Sarlo/Murphy, Mosquera, Vainieri Huttie)** - Establishes "New Jersey Fire and EMS Crisis Intervention Services" telephone hotline; provides funding for hotline through fire inspection fees and penalties.

**S2980 (Ruiz/Lampitt, McKnight)** - Provides that school district may not condition student enrollment in district on fact that MVC does not have name or address of parent or guardian on file.

**S2982 (Ruiz/Lampitt, Mukherji, Lopez)** - Clarifies that child may not be excluded from public school based on membership in protected category under "Law Against Discrimination" or immigration status.

**S2998 (Ruiz/Freiman, Downey)** - Requires creditors to make certain disclosures regarding collateral protection insurance to consumer debtors.

**S3064 (Ruiz, Singleton/Armato, Conaway, Swain)** - Establishes task force to develop State-wide plan to diversify apprenticeships.

**S3066 (Ruiz, Singleton/Lampitt, Mukherji, Benson)** - Creates five year High-Growth Industry Regional Apprenticeship Development Grant Pilot Program.

**S3118 (Ruiz/Speight, Munoz, Tucker)** - Establishes public awareness campaign to promote early conversations about advance care planning and end-of-life care.

**S3124 (Stack/Mukherji)** - Requires landlords to allow tenants to pay rent up to three business days after eviction order or lockout is executed and accept rent payments by any means.

**S3206 (Pou, Cruz-Perez/Lopez, McKeon, Murphy)** - Establishes "Unbanked and Underbanked Consumers Study Commission."

**S3215 (Greenstein, Singleton/Zwicker, Mukherji, Swain)** - Requires State to use 20-year time horizon and most recent Intergovernmental Panel on Climate Change Assessment Report when calculating global warming potential to measure global warming impact of greenhouse gases.

**S3246 (Sarlo, Singleton, Oroho, Bucco/Benson, Bucco, Freiman)** - Establishes elective pass-through entity business alternative income tax and allows corresponding refundable gross income tax and corporation business tax credit.

**S3327 (Ruiz, Cruz-Perez/Lopez, Timberlake)** - Establishes Commission on Latino and Hispanic Heritage in DOE.

**S3348 (Weinberg/Vainieri Huttle, McKnight)** - Requires home health agencies and specialty pharmacies providing services related to bleeding episodes associated with hemophilia to comply with certain minimum practice standards.

**S3528 (Scutari, Codey/Vainieri Huttle, Quijano, Kennedy)** - Establishes process to obtain judgement of adoption for civil union partner or spouse of natural or legal parent of child when that person is named as parent on child's birth certificate.

**S3574 (Scutari, Kean, Cryan/Carter, Kennedy, Freiman)** - Requires NJT to conduct feasibility study on restoring one-seat ride to Manhattan on Raritan Valley Line.

Governor Murphy conditionally vetoed the following bills:

**A2431 (Benson, Jimenez, DeCroce, Eustace/Weinberg, Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage.

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**A4978 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances.

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**S3920 (Pou/Wimberly, Sumter)** – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes.

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Governor Murphy absolute vetoed the following bill:

**S4139 (Greenstein/Benson)** - Makes Fiscal Year 2020 supplemental appropriation of \$250,000 to Rutgers University - New Brunswick for School of Dental Medicine - Special Care Treatment Center.

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