

TITLE 54
PROFESSIONS, VOCATIONS, AND BUSINESSES

CHAPTER 35
DIETITIANS

54-3501. PURPOSE. The legislature finds and declares that the provision of medical and therapeutic nutritional services affects the public health, safety, and welfare. The legislature further finds that it is in the public interest to aid in the provision of medical and therapeutic nutritional services of high quality to the people of Idaho. To aid in fulfilling these purposes, this chapter provides for the licensure and regulation of dietitians within the state of Idaho.

[54-3501, added 1994, ch. 217, sec. 1, p. 674.]

54-3502. DEFINITIONS. As used in this chapter:

(1) "Academy of nutrition and dietetics" means the national organization that credentials dietetics professionals and accredits undergraduate and graduate programs that prepare dietetics professionals.

(2) "Accreditation council for education in nutrition and dietetics" or "ACEND" means the accrediting organization of the academy of nutrition and dietetics that is recognized by the United States department of education as the accrediting agency for education programs that prepare dietetics professionals.

(3) "Board" means the Idaho state board of medicine.

(4) "Commission on dietetic registration" or "CDR" means the credentialing organization of the academy of nutrition and dietetics that awards and administers credentials to individuals at entry, specialist and advanced levels who have met CDR's specified criteria to practice in the dietetics profession, including successful completion of its national accredited certification examination and recertification by continuing professional education and/or examination.

(5) "Dietetics" means the integration, application and communication of principles derived from food, nutrition, social, business and basic sciences to achieve and maintain optimal nutrition status of individuals through the development, provision and management of effective food and nutrition services in a variety of settings.

(6) "Dietitian" means a person licensed under the provisions of this chapter as a licensed dietitian (LD) who:

(a) Is trained in the science of nutrition and dietetics and who has met current minimum academic requirements with successful completion of specified didactic education and supervised practice experiences through programs accredited by ACEND or a similar agency approved by the board with substantially equivalent educational requirements; and

(b) Has successfully completed the registration examination for dietitians administered by the CDR or a similar agency approved by the board with a substantially equivalent examination and has been granted and maintains the title registered dietitian (RD) or registered dietitian nutritionist (RDN).

(7) "Evidence-based dietetics practice" means the process of asking questions, systematically finding research evidence and assessing its validity, applicability and importance to food and nutrition practice decisions, including the application of relevant evidence in the context of

the practice situation and the values of clients, customers and communities to achieve positive outcomes.

(8) "Licensure board" means the dietetic licensure board established by this chapter.

(9) "Medical nutrition therapy" or "MNT" means an evidence-based application of the nutrition care process. The provision of MNT to a patient/client may include one (1) or more of the following: nutrition assessment or reassessment, nutrition diagnosis, and nutrition intervention for the prevention, delay or management of diseases or conditions.

(10) "Nutrition care process" means a systematic approach to providing high-quality nutrition care that consists of four (4) distinct, interrelated steps:

(a) Nutrition assessment, which means a systematic method for obtaining, verifying and interpreting data needed to identify nutrition-related problems, their causes and their significance;

(b) Nutrition diagnosis, which means the identification of a specific nutrition problem that a dietitian is responsible for treating independently;

(c) Nutrition intervention, which means a purposefully planned action intended to positively change a nutrition-related behavior, environmental condition or aspect of health status for the patient/client and family or caregivers, target group or the community at large; and

(d) Nutrition monitoring and evaluation, in which:

(i) Nutrition monitoring means the preplanned review and measurement of selected nutrition care indicators of the patient/client's status relevant to the defined needs, nutrition diagnosis, nutrition intervention and outcomes; and

(ii) Nutrition evaluation means the systematic comparison of current findings with the previous status, nutrition intervention goals, effectiveness of overall nutrition care or comparison to a reference standard.

(11) "Provisionally licensed dietitian" means a person provisionally licensed under the provisions of this chapter.

[54-3502, added 1994, ch. 217, sec. 1, p. 674; am. 2017, ch. 294, sec. 1, p. 776.]

54-3502A. DIETETIC PRACTICE. (1) Dietetic practice focuses on food and nutrition and related services developed and provided by dietitians to protect the public, enhance the health and well-being of patients/clients, and deliver quality products, programs and services, and medical nutrition therapy. Dietitians practice across varied settings, including health care, business and industry, communities and public health systems, schools, colleges, the military, government, research, food service management, teaching, consulting, media, writing, public speaking and informatics and private practice.

(2) Clinical nutrition and dietetics practice is the utilization of skills, knowledge and applied judgment of the dietitian whose practice involves nutrition care, medical nutrition therapy and related services provided to individuals and groups of all ages to address health promotion and prevention, delay or management of diseases and conditions.

(3) Clinical privileges. Authorization for clinical privileges is granted by the appropriate authority or a health care organization to a dietitian to provide specific care, treatment or services in the organization

within well-defined limits based on licensure, education, training, experience, judgment and demonstrated and documented competence or certification.

(4) A licensed dietitian, in accordance with established protocols consistent with facility policy or procedure, may:

- (a) Order patient diets, including therapeutic diets;
- (b) Implement medical nutrition therapy;
- (c) Order medical laboratory tests related to nutritional therapeutic treatments;
- (d) Initiate, implement and adjust pharmacotherapy plans; and
- (e) Perform nutrition-focused physical assessments to evaluate for nutritional risk.

(5) A board-certified specialist is a registered dietitian or registered dietitian nutritionist credentialed by the CDR or other certifying entity who has met empirically established criteria, who has successfully completed a specialty certification examination that simulates and tests practice-related knowledge, skills or abilities, and who:

- (a) Conforms to the scope of practice and standards of practice as defined by the specialty certification entity;
- (b) Carries out functions beyond the basic educational preparation for the registered dietitian or registered dietitian nutritionist; and
- (c) Maintains specialty certification by meeting the requirements specified by the certifying entity.

[54-3502A, added 2017, ch. 294, sec. 2, p. 777.]

54-3503. LICENSE REQUIRED. (1) It is unlawful for any person to assume or use the title or designation of "dietitian," "licensed dietitian (LD)," "registered dietitian (RD)," "registered dietitian nutritionist" (RDN), or any other combination of terms that include the title "dietitian," unless such person has been issued a license pursuant to this chapter and the license is in good standing pursuant to rules of the board. Nothing contained herein shall be construed to prohibit the use of the term "nutrition" or "diet" as a descriptive term in connection with a person's occupation or employment.

(2) No person shall use any other title, designation, words, letters, abbreviations, or sign, card or device which indicates to the public that such person is a dietitian or has been issued a temporary permit pursuant to this chapter unless the person is so licensed or has been issued such permit, and the license or permit is in good standing pursuant to rules of the board.

(3) A person who is a registered dietitian, as determined by the commission on dietetic registration of the academy of nutrition and dietetics, or its successor organization may continue to use such credential without being licensed pursuant to this chapter as long as the person does not engage in the practice of dietetics as set forth in this chapter.

(4) Exemptions for licensure. The provisions of this chapter shall not apply to the following:

- (a) Persons who are not licensed dietitians but are licensed under [title 54](#), Idaho Code, acting within the scope of their profession and doing work of a nature consistent with their training, provided that they do not represent themselves by any title or practice description prohibited by subsection (1) of this section; or
- (b) Persons who are licensed to practice medicine and surgery, osteopathic medicine and surgery, or osteopathic medicine under [chapter 18](#),

[title 54](#), Idaho Code, provided that they do not represent themselves as licensed dietitians.

[54-3503, added 1994, ch. 217, sec. 1, p. 674; am. 2013, ch. 187, sec. 10, p. 456; am. 2017, ch. 294, sec. 3, p. 778.]

54-3504. DIETETIC LICENSURE BOARD CREATED -- APPOINTMENT -- TERMS. (1) A dietetic licensure board is hereby created and the members thereof shall be appointed by the Idaho state board of medicine within sixty (60) days following the effective date of this chapter.

(2) The dietetic licensure board shall consist of four (4) members, three (3) of whom shall be dietitians and one (1) member shall be a member of the public with an interest in the rights of the consumer of health care services.

(3) In making appointments to the dietetic licensure board, the board shall give consideration to recommendations made by the Idaho academy of nutrition and dietetics, other professional organizations and dietitians and physicians.

(4) All members of the dietetic licensure board shall be current residents of the state of Idaho and have been residents of the state of Idaho for a minimum of three (3) years immediately preceding appointment.

(5) The initial dietetic licensure board shall be appointed for staggered terms, the longer of which will not exceed four (4) years. After the initial appointments, all terms shall be four (4) years, and a member may be reappointed one (1) time. In the event of death, resignation, or removal of any member before the expiration of the term to which appointed, the vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(6) The board may, upon recommendation of the dietetic licensure board, or upon its own motion, remove any member of the dietetic licensure board, for cause, prior to the expiration of the member's term.

(7) The dietetic licensure board shall, within thirty (30) days after its appointment, and at least annually thereafter, hold a meeting and elect a chairperson. The licensure board may hold additional meetings on the call of the chairperson or at the written request of any two (2) members of the licensure board. The licensure board may appoint such committees as it considers necessary to carry out its duties. A majority of the members of the licensure board shall constitute a quorum.

(8) Each member of the licensure board shall be compensated as provided in section [59-509](#)(n), Idaho Code.

[54-3504, added 1994, ch. 217, sec. 1, p. 675; am. 2012, ch. 91, sec. 1, p. 253; am. 2013, ch. 187, sec. 11, p. 456; am. 2017, ch. 294, sec. 4, p. 778.]

54-3505. BOARD OF MEDICINE AND DIETETIC LICENSURE BOARD -- POWERS AND DUTIES -- FUNDS. (1) The board of medicine shall administer, coordinate, and enforce the provisions of this chapter and, for that purpose, may hire such employees as may be necessary. The dietetic licensure board shall make recommendations to, and consult with, the board concerning qualification of applicants for licensure, issuance of licenses, discipline of licensees and rules to be promulgated under this chapter.

(2) The board of medicine may, upon recommendation of the dietetic licensure board, adopt rules pursuant to [chapter 52, title 67](#), Idaho Code, nec-

essary to implement the provisions of this chapter including, but not limited to, rules relating to professional licensure, examination, the establishment of ethical standards of practice, disciplinary proceedings and license suspension, restriction or revocation for persons holding a license to practice dietetics in this state.

(3) The dietetic licensure board shall hold meetings, conduct hearings and keep records and minutes as are necessary to carry out its functions.

(4) All fees received under the provisions of this chapter shall be deposited in the state treasury to the credit of the occupational licenses fund, and all costs and expenses incurred by the board and dietetic licensure board under the provisions of this chapter shall be a charge against and paid from said fund for such purposes, and the funds collected hereunder shall be immediately available for the administration of this chapter. Money paid into the occupational licenses fund pursuant to this chapter is hereby continuously appropriated to the board for expenditure in the manner prescribed herein to defray the expenses of the board and dietetic licensure board in carrying out and enforcing the provisions of this chapter.

[54-3505, added 1994, ch. 217, sec. 1, p. 676; am. 2017, ch. 294, sec. 5, p. 779; am. 2021, ch. 224, sec. 64, p. 683.]

54-3506. REQUIREMENTS FOR LICENSURE AS A DIETITIAN. A person applying for a license shall file a written application provided by the board showing to the satisfaction of the board that such person meets the following requirements:

(1) Has successfully completed the following academic and supervised practice requirements:

(a) A minimum of a baccalaureate degree granted by a United States regionally accredited college or university or a foreign equivalent;

(b) An ACEND-accredited didactic program in dietetics or a substantially similar program approved by the board;

(c) An ACEND-accredited supervised practice program in the United States or its territories or a substantially similar program approved by the board; and

(2) Has successfully completed the registration examination for registered dietitians as administered by the commission on dietetic registration or its successor organization as recognized by the licensure board.

The board may require an applicant to be personally interviewed by the board or by a designated committee of the board. Such an interview shall be limited to a review of the applicant's qualifications and professional credentials.

[54-3506, added 1994, ch. 217, sec. 1, p. 677; am. 2017, ch. 294, sec. 6, p. 780.]

54-3508. LICENSURE BY ENDORSEMENT. The licensure board may waive the examination, education, or experience requirements and grant a license by endorsement to any applicant who:

(1) Presents proof of current registration by the commission on dietetic registration;

(2) Presents proof of current licensure to engage in the practice of dietetics in another state or the District of Columbia that requires standards for licensure considered by the board to be equivalent to the requirements for licensure pursuant to this chapter; and

(3) Does not have any disciplinary action, whether past, pending, public or confidential, by any licensing board, licensing authority, professional association, hospital or institution in any state or district.

[54-3508, added 1994, ch. 217, sec. 1, p. 678; am. 2013, ch. 187, sec. 12, p. 457; am. 2017, ch. 294, sec. 8, p. 781.]

54-3509. LICENSE EXPIRATION AND RENEWAL. (1) A license issued under the provisions of this chapter shall be subject to annual or biennial renewal and shall expire unless renewed in the manner prescribed by the rules of the licensure board, upon payment of a renewal fee.

(2) The board shall establish the following fees relating to licensing, which fees shall be established in an amount sufficient to defray all costs necessary for the administration of this chapter:

- (a) Initial license and examination fee;
- (b) Renewal of license fee;
- (c) Inactive license fee;
- (d) Limited permit fee;
- (e) Late renewal fees.

(3) No license that has been expired for more than twenty-four (24) months may be renewed. The applicant shall comply with the requirements of section [54-3506](#), Idaho Code, for obtaining an initial license.

(4) Maintenance of registration by the CDR or its successor organization is required for license renewal.

[54-3509, added 1994, ch. 217, sec. 1, p. 678; am. 2017, ch. 294, sec. 9, p. 781.]

54-3510. GROUNDS FOR DISCIPLINE. The board, in accordance with the requirements of [chapter 52, title 67](#), Idaho Code, may, upon recommendation of the licensure board, refuse to issue a license or permit, refuse to renew a license or permit, or may suspend, restrict or revoke a license or permit, under such conditions as the board may determine, if the licensee, permittee or applicant for license:

(1) Has been convicted of, or has entered a plea of guilty to, or been found guilty of, the commission of a crime that is deemed relevant in accordance with section [67-9411](#)(1), Idaho Code;

(2) Obtained a license or permit pursuant to this chapter by means of fraud, misrepresentation or concealment of material facts;

(3) Practiced dietetics under a false or an assumed name in this or any other state;

(4) Knowingly aided or abetted the unlicensed practice of dietetics;

(5) Engaged in the practice of dietetics in a manner that does not meet the generally accepted standards for the practice of dietetics within the state of Idaho;

(6) Divided fees or gifts or agreed to split or divide fees or gifts received for professional services with any person, institution or corporation in exchange for a referral;

(7) Failed to maintain the confidentiality of medical records or other medical information pertaining to identifiable patients, except as required or authorized by law;

(8) Engaged in any conduct that constitutes an abuse or exploitation of a patient arising out of the trust and confidence placed in the dietitian by the patient;

(9) Failed to supervise the activities of a provisionally licensed dietitian;

(10) Continued to practice as a dietitian when a license pursuant to this chapter was suspended, revoked or inactive;

(11) Practiced as a dietitian in violation of a voluntary restriction or terms of probation pursuant to this chapter;

(12) Continued to practice as a dietitian when registration by the CDR or its successor organization was not renewed or was suspended or revoked; or

(13) Failed to comply with a board order.

[54-3510, added 1994, ch. 217, sec. 1, p. 678; am. 2017, ch. 294, sec. 10, p. 782; am. 2020, ch. 175, sec. 31, p. 537.]

54-3510A. DISCIPLINARY SANCTIONS. If grounds for discipline are found to exist, the board of medicine, upon the recommendation of the licensure board, may issue an order to:

(1) Revoke the dietitian's license to practice dietetics;

(2) Suspend or restrict the dietitian's license to practice dietetics; and/or

(3) Impose conditions or probation upon the dietitian's license to practice dietetics.

[54-3510A, added 2017, ch. 294, sec. 11, p. 783.]

54-3511. PENALTIES. (1) A person who violates any provision of this chapter shall, upon conviction, be guilty of a misdemeanor.

(2) The representation to another person that a person is licensed pursuant to this chapter, when such representation is untrue, constitutes the using of a method, act, or practice which is declared to be unlawful under the provisions of [chapter 6, title 48](#), Idaho Code.

[54-3511, added 1994, ch. 217, sec. 1, p. 679; am. 2017, ch. 294, sec. 12, p. 783.]

54-3512. INAPPLICABILITY OF CHAPTER. (1) This chapter shall not be construed to prevent any person from rendering advice, guidance or counsel regarding medical nutrition service, therapeutic nutrition care, nutritional assessments, nutrition therapy counseling, weight control services, or from providing nutrition information in connection with the marketing and distribution of a food product, dietary supplement, or wellness/exercise program.

(2) This chapter shall not be construed to prevent any person licensed or registered in this state, pursuant to any other law of the state, from engaging in the profession or occupation for which such person is licensed or registered.

(3) This chapter shall not be construed to prevent a dietitian licensed and in good standing in another jurisdiction of the United States or credentialed in another country from practicing, within this state, activities that are within the scope of such dietitian's license or credentials, when the dietitian:

(a) Is affiliated with or employed by an established athletic team, athletic organization or performing arts company temporarily practicing, competing or performing in this state for no more than sixty (60) days in a calendar year; and

(b) Is practicing only on patients, clients or team staff affiliated with or employed by such team, organization or company.

[54-3512, added 1994, ch. 217, sec. 1, p. 679; am. 2017, ch. 294, sec. 13, p. 783; am. 2018, ch. 24, sec. 2, p. 44.]

54-3513. SEVERABILITY. The provisions of this chapter are hereby declared to be severable, and if any provision of this chapter or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this chapter.

[54-3513, added 2017, ch. 294, sec. 14, p. 783.]