

By: Zaffirini

S.B. No. 2016

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of dietitians.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 701.002, Occupations Code, is amended by amending Subdivision (1-a) and adding Subdivisions (1-b) and (1-c) to read as follows:

(1-a) "Certifying entity" means the Commission on Dietetic Registration or another entity that is accredited by the National Commission for Certifying Agencies or the American National Standards Institute to issue credentials for the professional practice of dietetics and is approved by the department.

(1-b) "Commission" means the Texas Commission of Licensing and Regulation.

(1-c) "Commission on Dietetic Registration" means the commission that is accredited by the National Commission for Certifying Agencies to issue credentials for the professional practice of dietetics.

SECTION 2. Sections 701.251(b) and (c), Occupations Code, are amended to read as follows:

(b) Unless the person holds an appropriate license issued under this chapter, a person may not:

(1) use the title or represent or imply that the person has the title "licensed dietitian" [~~or "provisional licensed~~

1 ~~dietitian"]~~ or use the letters "LD" [~~or "PLD"~~]; or

2 (2) use a facsimile of that title [~~those titles~~] to
3 indicate or imply that the person is a licensed dietitian [~~or~~
4 ~~provisional licensed dietitian~~].

5 (c) Unless the person is a dietitian registered by the
6 Commission on Dietetic Registration, a person may not:

7 (1) use the title or represent or imply that the person
8 has the title "registered dietitian" or "registered dietitian
9 nutritionist" or use the letters "RD" or "RDN"; or

10 (2) use a facsimile of those titles [~~that title~~] to
11 indicate or imply that the person is a dietitian registered by the
12 Commission on Dietetic Registration.

13 SECTION 3. Subchapter F, Chapter 701, Occupations Code, is
14 amended by adding Section 701.2525 to read as follows:

15 Sec. 701.2525. LICENSE QUALIFICATIONS. An applicant for a
16 dietitian license must provide evidence satisfactory to the
17 department that the applicant:

18 (1) is certified by a certifying entity as a
19 registered dietitian or an equivalent certification;

20 (2) has met the education and experience requirements
21 for the registered dietitian standard or an equivalent standard
22 adopted by a certifying entity;

23 (3) has passed the examination given by the Commission
24 on Dietetic Registration, or an equivalent examination offered by a
25 certifying entity, in dietetics;

26 (4) is in compliance with all professional, ethical,
27 and disciplinary standards established by the certifying entity

1 under Subdivision (1); and

2 (5) is not subject to any disciplinary action by the
3 certifying entity under Subdivision (1).

4 SECTION 4. Sections 701.2575(a) and (b), Occupations Code,
5 are amended to read as follows:

6 (a) The department shall develop and administer [~~at least~~
7 ~~twice each calendar year~~] a jurisprudence examination to determine
8 an applicant's knowledge of this chapter, commission rules under
9 this chapter, and any other applicable laws of this state affecting
10 the applicant's dietetics practice.

11 (b) In addition to the [~~license~~] examination required by
12 Section 701.2525 [~~701.253~~], an applicant must pass a jurisprudence
13 examination to qualify for a license under this chapter.

14 SECTION 5. Section 701.304, Occupations Code, is amended to
15 read as follows:

16 Sec. 701.304. GROUNDS FOR REFUSING RENEWAL. The commission
17 or department may refuse to renew the license of a person who fails
18 to pay an administrative penalty imposed against the person under
19 Subchapter F, Chapter 51 [~~4~~], unless enforcement of the penalty is
20 stayed or a court has ordered that the administrative penalty is not
21 owed.

22 SECTION 6. The following provisions of the Occupations Code
23 are repealed:

- 24 (1) Section 701.002(9);
25 (2) Section 701.1511;
26 (3) Section 701.251(a);
27 (4) Section 701.253;

- 1 (5) Section 701.254;
- 2 (6) Section 701.403; and
- 3 (7) the heading for Subchapter K, Chapter 701.

4 SECTION 7. (a) The changes in law made by this Act to
5 Subchapter F, Chapter 701, Occupations Code, apply only to an
6 application for a dietitian license submitted on or after January
7 1, 2024. An application for a dietitian license submitted before
8 January 1, 2024, is governed by the law in effect immediately before
9 the effective date of this Act, and the former law is continued in
10 effect for that purpose.

11 (b) A person who holds a dietitian license under Chapter
12 701, Occupations Code, on the effective date of this Act may
13 continue to renew that license without complying with Section
14 701.2525, Occupations Code, as added by this Act.

15 SECTION 8. This Act takes effect September 1, 2023.