

1-1 By: Zaffirini S.B. No. 2016  
 1-2 (In the Senate - Filed March 9, 2023; March 21, 2023, read  
 1-3 first time and referred to Committee on Business & Commerce;  
 1-4 April 27, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 10, Nays 1; April 27, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17		X		
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 2016 By: Zaffirini

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to the licensing and regulation of dietitians.  
 1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-25 SECTION 1. Section 701.002, Occupations Code, is amended by  
 1-26 amending Subdivision (1-a) and adding Subdivisions (1-b), (1-c),  
 1-27 (10), and (11) to read as follows:  
 1-28 (1-a) "Certifying entity" means:  
 1-29 (A) the Commission on Dietetic Registration; or  
 1-30 (B) another entity that has standards equivalent  
 1-31 to the standards of the entity described by Paragraph (A), is  
 1-32 accredited by the National Commission for Certifying Agencies to  
 1-33 issue credentials for the professional practice of dietetics, and  
 1-34 is approved by the department.  
 1-35 (1-b) "Commission" means the Texas Commission of  
 1-36 Licensing and Regulation.  
 1-37 (1-c) "Commission on Dietetic Registration" means the  
 1-38 commission that is accredited by the National Commission for  
 1-39 Certifying Agencies to issue credentials for the professional  
 1-40 practice of dietetics.  
 1-41 (10) "Registered dietitian" means a person who is  
 1-42 credentialed by a certifying entity as a registered dietitian.  
 1-43 (11) "Registered dietitian nutritionist" means a  
 1-44 person who is credentialed by a certifying entity as a registered  
 1-45 dietitian nutritionist.  
 1-46 SECTION 2. Sections 701.251(b) and (c), Occupations Code,  
 1-47 are amended to read as follows:  
 1-48 (b) Unless the person holds an appropriate license issued  
 1-49 under this chapter, a person may not:  
 1-50 (1) use the title or represent or imply that the person  
 1-51 has the title "licensed dietitian" [~~or "provisional licensed~~  
 1-52 ~~dietitian"~~] or use the letters "LD" [~~or "PLD"~~]; or  
 1-53 (2) use a facsimile of that title [~~those titles~~] to  
 1-54 indicate or imply that the person is a licensed dietitian [~~or~~  
 1-55 ~~provisional licensed dietitian~~].  
 1-56 (c) Unless the person is a [~~dietitian~~] registered dietitian  
 1-57 or registered dietitian nutritionist [~~by the Commission on Dietetic~~  
 1-58 ~~Registration~~], a person may not, as applicable:  
 1-59 (1) use the title or represent or imply that the person  
 1-60 has the title "registered dietitian" or "registered dietitian

2-1 nutritionist" or use the letters "RD" or "RDN"; or  
2-2 (2) use a facsimile of those titles [that title] to  
2-3 indicate or imply that the person is a [dietitian] registered  
2-4 dietitian or registered dietitian nutritionist [by the Commission  
2-5 on Dietetic Registration].

2-6 SECTION 3. Subchapter F, Chapter 701, Occupations Code, is  
2-7 amended by adding Section 701.2525 to read as follows:

2-8 Sec. 701.2525. LICENSE QUALIFICATIONS. An applicant for a  
2-9 dietitian license must provide evidence satisfactory to the  
2-10 department that the applicant:

2-11 (1) is a registered dietitian or registered dietitian  
2-12 nutritionist;

2-13 (2) has met the following education and experience  
2-14 requirements:

2-15 (A) possesses at least a master's degree,  
2-16 accepted by the certifying entity, conferred by a regionally  
2-17 accredited college or university under an accredited program that  
2-18 is recognized by the United States Secretary of Education under the  
2-19 Higher Education Act of 1965 (20 U.S.C. Section 1001 et seq.); and

2-20 (B) has completed an internship, didactic  
2-21 program, or other supervised experience or practice program in  
2-22 dietetics practice that is accepted by the certifying entity and is  
2-23 accredited by a body recognized by the United States Secretary of  
2-24 Education under the Higher Education Act of 1965 (20 U.S.C. Section  
2-25 1001 et seq.);

2-26 (3) has passed the examination given by the applicable  
2-27 certifying entity;

2-28 (4) is in compliance with all professional, ethical,  
2-29 and disciplinary standards established by the applicable  
2-30 certifying entity; and

2-31 (5) is not subject to any disciplinary action by the  
2-32 applicable certifying entity.

2-33 SECTION 4. Sections 701.2575(a) and (b), Occupations Code,  
2-34 are amended to read as follows:

2-35 (a) The department shall develop and administer [~~at least~~  
2-36 ~~twice each calendar year~~] a jurisprudence examination to determine  
2-37 an applicant's knowledge of this chapter, commission rules under  
2-38 this chapter, and any other applicable laws of this state affecting  
2-39 the applicant's dietetics practice.

2-40 (b) In addition to the [~~license~~] examination required by  
2-41 Section 701.2525 [~~701.253~~], an applicant must pass a jurisprudence  
2-42 examination to qualify for a license under this chapter.

2-43 SECTION 5. Section 701.304, Occupations Code, is amended to  
2-44 read as follows:

2-45 Sec. 701.304. GROUNDS FOR REFUSING RENEWAL. The commission  
2-46 or department may refuse to renew the license of a person who fails  
2-47 to pay an administrative penalty imposed against the person under  
2-48 Subchapter F, Chapter 51 [~~\*~~], unless enforcement of the penalty is  
2-49 stayed or a court has ordered that the administrative penalty is not  
2-50 owed.

2-51 SECTION 6. The following provisions of the Occupations Code  
2-52 are repealed:

2-53 (1) Section 701.002(9);

2-54 (2) Section 701.1511;

2-55 (3) Section 701.251(a);

2-56 (4) Section 701.253;

2-57 (5) Section 701.254;

2-58 (6) Section 701.403; and

2-59 (7) the heading to Subchapter K, Chapter 701.

2-60 SECTION 7. (a) The changes in law made by this Act to  
2-61 Subchapter F, Chapter 701, Occupations Code, apply only to an  
2-62 application for a dietitian license submitted on or after January  
2-63 1, 2024. An application for a dietitian license submitted before  
2-64 January 1, 2024, is governed by the law in effect immediately before  
2-65 the effective date of this Act, and the former law is continued in  
2-66 effect for that purpose.

2-67 (b) A person who holds a dietitian license under Chapter  
2-68 701, Occupations Code, on the effective date of this Act may  
2-69 continue to renew that license without complying with Section

3-1 701.2525, Occupations Code, as added by this Act.  
3-2 (c) Notwithstanding Section 701.2525, Occupations Code, as  
3-3 added by this Act, a person who was credentialed as a registered  
3-4 dietitian or registered dietitian nutritionist as defined by  
3-5 Section 701.002, Occupations Code, as amended by this Act, before  
3-6 January 1, 2024, and who continues to hold that credential may apply  
3-7 for a dietitian license without complying with Subchapter F,  
3-8 Chapter 701, Occupations Code, as amended by this Act. An  
3-9 application for a dietitian license submitted by a person described  
3-10 by this subsection is governed by the law in effect immediately  
3-11 before the effective date of this Act, and the former law is  
3-12 continued in effect for that purpose.

3-13 SECTION 8. This Act takes effect September 1, 2023.

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