

By: Zaffirini

S.B. No. 22

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), (1-c), (10), and (11) to read as follows:

(1-a) "Certifying entity" means:

(A) the Commission on Dietetic Registration; or

(B) another entity that has standards equivalent

to the standards of the entity described by Paragraph (A), is accredited by the National Commission for Certifying Agencies 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.

(10) "Registered dietitian" means a person who is credentialed by a certifying entity as a registered dietitian.

(11) "Registered dietitian nutritionist" means a person who is credentialed by a certifying entity as a registered dietitian nutritionist.

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

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

5 (1) use the title or represent or imply that the person
6 has the title "licensed dietitian" [~~or "provisional licensed~~
7 ~~dietitian"~~] or use the letters "LD" [~~or "PLD"~~]; or

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

11 (c) Unless the person is a [~~dietitian~~] registered dietitian
12 or registered dietitian nutritionist [~~by the Commission on Dietetic~~
13 ~~Registration~~], a person may not, as applicable:

14 (1) use the title or represent or imply that the person
15 has the title "registered dietitian" or "registered dietitian
16 nutritionist" or use the letters "RD" or "RDN"; or

17 (2) use a facsimile of those titles [~~that title~~] to
18 indicate or imply that the person is a [~~dietitian~~] registered
19 dietitian or registered dietitian nutritionist [~~by the Commission~~
20 ~~on Dietetic Registration~~].

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

23 Sec. 701.2525. LICENSE QUALIFICATIONS. An applicant for a
24 dietitian license must provide evidence satisfactory to the
25 department that the applicant:

26 (1) is a registered dietitian or registered dietitian
27 nutritionist;

1 (2) has met the following education and experience
2 requirements:

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

8 (B) has completed an internship, didactic
9 program, or other supervised experience or practice program in
10 dietetics practice that is accepted by the certifying entity and is
11 accredited by a body recognized by the United States Secretary of
12 Education under the Higher Education Act of 1965 (20 U.S.C. Section
13 1001 et seq.);

14 (3) has passed the examination given by the applicable
15 certifying entity;

16 (4) is in compliance with all professional, ethical,
17 and disciplinary standards established by the applicable
18 certifying entity; and

19 (5) is not subject to any disciplinary action by the
20 applicable certifying entity.

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

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

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

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

6 Sec. 701.304. GROUNDS FOR REFUSING RENEWAL. The commission
7 or department may refuse to renew the license of a person who fails
8 to pay an administrative penalty imposed against the person under
9 Subchapter F, Chapter 51 [~~K~~], unless enforcement of the penalty is
10 stayed or a court has ordered that the administrative penalty is not
11 owed.

12 SECTION 6. The following provisions of the Occupations Code
13 are repealed:

- 14 (1) Section 701.002(9);
- 15 (2) Section 701.1511;
- 16 (3) Section 701.251(a);
- 17 (4) Section 701.253;
- 18 (5) Section 701.254;
- 19 (6) Section 701.403; and
- 20 (7) the heading to Subchapter K, Chapter 701.

21 SECTION 7. (a) The changes in law made by this Act to
22 Subchapter F, Chapter 701, Occupations Code, apply only to an
23 application for a dietitian license submitted on or after January
24 1, 2024. An application for a dietitian license submitted before
25 January 1, 2024, is governed by the law in effect immediately before
26 the effective date of this Act, and the former law is continued in
27 effect for that purpose.

1 (b) A person who holds a dietitian license under Chapter
2 701, Occupations Code, on the effective date of this Act may
3 continue to renew that license without complying with Section
4 701.2525, Occupations Code, as added by this Act.

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

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