January 17, 2008 – Introduced by Senators CARPENTER, VINEHOUT, KREITLOW, SCHULTZ, TAYLOR, PIALE and ROESSLER, cosponsored by Representatives TURNER, NELSON, MUSSER, A OTT and SEIDEL, by request of Joan Pleuss. Referred to Committee on Public Health, Senior Issues, Long Term Care and Privacy.

AN ACT to repeal 448.72 (1) (a) and (b), 448.72 (1) (d), 448.72 (1) (f), 448.72 (2), 448.74 (1), 448.78 (3) (c) and 448.78 (4) (a), (b) and (c); to renumber and amend 448.70 (1), 448.70 (1m), 448.72 (1) (c), 448.72 (1) (e), 448.72 (3), 448.72 (4), 448.72 (5), 448.72 (6), 448.76, 448.78 (4) (intro.) and 448.82; to consolidate, renumber and amend 448.72 (intro.) and (1) (intro.) and 448.74 (intro.) and (2); to amend 15.406 (2) (intro.), 15.406 (2) (a), 48.981 (2) (a) 24., 146.81 (1) (em), 146.89 (1) (r), 146.997 (1) (d) 6., 180.1901 (1m) (br), 252.14 (1) (ar) 4m., 440.03 (13) (b) 23., 440.08 (2) (a) 27m., 446.02 (6m), subchapter V (title) of chapter 448 [precedes 448.70], 448.70 (2), 448.70 (3), 448.78 (intro.), 448.78 (1), 448.78 (3) (a), 448.78 (3) (b), 448.78 (5), 448.80, 448.84 (1), 448.84 (2), 448.86, 448.87 (2) (intro.) and (a), 448.87 (2) (b), 448.87 (2) (e), 448.87 (2) (g), 450.10 (3) (a) 5m., 632.895 (1) (b) 5. b. and 655.45 (1m); to repeal and recreate 440.08 (2) (a) 27m. and 448.86 (2); and to create 448.70 (1d), 448.70 (5) to (7), 448.71, 448.72 (7) and (8), 448.72 (11), 448.72 (12), 448.76 (7), 448.82 (1) and 448.86 (3)
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1 of the statutes; relating to: licensure of dietitians and requiring the exercise
2 of rule-making authority.

Analysis by the Legislative Reference Bureau

This bill makes a number of changes to the regulation of dietitians.

Licensure and use of titles

Under current law, a person may be certified as a dietitian by the Dietitians Affiliated Credentialing Board (board) in the Department of Regulation and Licensing (DRL). With certain exceptions, current law prohibits a person who is not certified by the board from designating himself or herself as a dietitian, claiming to provide dietetic services, or using any title or initial that would represent that person as certified or licensed as a dietitian or in a nutrition-related field.

“Dietitian” is defined under current law as an individual who practices dietetics, which is defined to mean the integration and application of principles from nutritional science, biochemistry, food systems management, and other fields in order to achieve or maintain the health of an individual or group of individuals. “Dietetics” is further defined under current law to include assessing the nutritional needs of an individual or group of individuals; establishing priorities, goals and objectives to meet those nutritional needs; and providing nutritional counseling.

This bill changes the title of a person licensed by the board from “dietitian” to “dietitian or nutritionist,” and defines a dietitian or nutritionist as a person who practices dietetics and nutrition care services. The bill also changes the title of the board to the Dietetics and Nutrition Care Services Affiliated Credentialing Board. The bill defines “dietetics and nutrition care services” to mean the integration and application of principles derived from the sciences of food, nutrition, management, communication, biology, physiology, behavior, and the social sciences to achieve and maintain optimal human health. The bill defines the “practice of dietetics and nutrition care services” to exclude the retail sale of food products or vitamins, but to include: 1) the assessment of the nutritional needs of an individual or group of individuals; 2) establishing priorities, goals, and objectives to meet these nutritional needs; and 3) medical nutrition therapy. The bill defines “medical nutrition therapy” as nutritional diagnostic, therapy, and counseling services provided for the purpose of managing disease.

The bill directs the board to license, not certify, persons as a licensed dietitian or nutritionist. The bill prohibits a person who is not licensed from practicing dietetics or nutrition care services. The bill also prohibits, with certain exceptions, a person who is not licensed by the board from using any of the following titles or initials: dietitian, certified dietitian, licensed dietitian, nutritionist, certified nutritionist, licensed nutritionist, dietitian and nutritionist, certified dietitian and nutritionist, licensed dietitian and nutritionist, nutrition consultant, nutritional consultant, L.D., L.N., L.D.N., or any title or initials that may tend to represent that the person is certified or licensed as a dietitian or in a nutrition-related field.
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Requirements for licensure by the board

To be certified as a dietitian or nutritionist under current law, a person must do all of the following:

1. Receive a bachelor’s, master’s, or doctoral degree in certain fields, including human nutrition, nutrition education, and food system management, received from a college or university that the board determines is regionally accredited. If the college or university is not located in the United States, the degree must be substantially equivalent to a degree offered by a regionally accredited college or university. Alternatively, a person may receive a degree from a program approved by the board.

2. Complete at least 900 supervised hours of dietetics practice.

3. Pass the registration examination, or its equivalent, established by the American Dietetic Association (ADA).

Under current law, a person who has satisfied the educational and practice requirements described above, and who has applied to take the next available examination, may obtain a temporary dietitian certificate.

Under the bill, to be licensed by the board, an individual must do all of the following:

1. Possess a bachelor’s, master’s, or doctoral degree granted from a regionally accredited college or university and complete a didactic program in dietetics approved by the ADA. If the college or university is not located in the United States, the academic degree must be deemed equivalent to the degree granted by a United States regionally accredited college or university.

2. Complete 900 supervised practice hours under a supervised practice program accredited by the ADA.

3. Pass the registration examination for dietitians established by the ADA.

Under the bill, a person who satisfies the educational and practice requirements described above, and who submits a letter from the ADA verifying that person’s registration eligibility status, may obtain a temporary license.

The bill requires an applicant for renewal of a license to provide DRL with the following: 1) proof of registration with the ADA; or 2) satisfactory completion of continuing education requirements established by the board by rule.

Exemptions from licensure

Current law exempts a person who is licensed or certified and lawfully practicing as any of the following from obtaining certification from the board provided the person practices within the scope of his or her license or certificate and does not claim to be a dietitian or licensed in a nutrition-related field: nurses, chiropractors, dentists, physicians, physical therapists, podiatrists, athletic trainers, occupational therapists, optometrists, pharmacists, acupuncturists, nursing home administrators, and persons to whom a practice or procedure is delegated by any of the above. In addition, current law exempts the following from obtaining certification from the board: 1) persons who are pursuing a degree or certificate from an educational program approved by the board; 2) a dietetic technician or assistant working under the supervision of a certified dietitian; 3) a dietitian serving in the U.S. armed forces; and 4) a person who markets or distributes
food and other goods, who explains the use, benefits, or preparation of food and other goods, and who furnishes nutritional information about food and other goods provided that person does not claim to be a dietitian or certified dietitian and that person complies with applicable law.

Under the bill, only the following persons do not need to obtain a license from the board: 1) a physician; 2) a dietitian or nutritionist serving in the U.S. armed forces; 3) a licensed chiropractor who has obtained nutritional counseling certification; 4) a retailer that furnishes oral or written general nutrition information about food and other goods in connection with the marketing and distribution of those goods; 5) a person who is not practicing dietetics and nutrition care services who provides general nutrition information about food and other goods; and 6) a person who provides weight control services under a program of instruction approved in writing by a licensed dietitian, a physician, or a person registered as a dietitian with the ADA.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.406 (2) (intro.) of the statutes is amended to read:

15.406 (2) DIETITIANS DIETETICS AND NUTRITION CARE SERVICES AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of regulation and licensing, attached to the medical examining board, a dietitians dietetics and nutrition care services affiliated credentialing board consisting of the following members appointed for 4–year terms:

SECTION 2. 15.406 (2) (a) of the statutes is amended to read:

15.406 (2) (a) Three dietitians individuals who are certified licensed as a dietitian or nutritionist under subch. V of ch. 448.

SECTION 3. 48.981 (2) (a) 24. of the statutes is amended to read:

48.981 (2) (a) 24. A dietitian or nutritionist.

SECTION 4. 146.81 (1) (em) of the statutes is amended to read:
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146.81 (1) (em) A dietitian certified An individual licensed as a dietitian or
nutritionist under subch. V of ch. 448.

SECTION 5. 146.89 (1) (r) of the statutes is amended to read:

146.89 (1) (r) “Volunteer health care provider” means an individual who is
licensed as a physician under ch. 448, dentist or dental hygienist under ch. 447,
registered nurse, practical nurse, or nurse-midwife under ch. 441, optometrist
under ch. 449, or physician assistant under ch. 448, who is certified licensed as a
dietitian or nutritionist under subch. V of ch. 448, or who is a nurse practitioner, as
defined in s. 255.06 (1) (d), and who receives no income from the practice of that
health care profession or who receives no income from the practice of that health care
profession when providing services at the nonprofit agency or school specified under
sub. (3).

SECTION 6. 146.997 (1) (d) 6. of the statutes is amended to read:

146.997 (1) (d) 6. A dietician certified An individual licensed as a dietitian or
nutritionist under subch. V of ch. 448.

SECTION 7. 180.1901 (1m) (br) of the statutes is amended to read:

180.1901 (1m) (br) Dietitians Dietetics and nutrition care services affiliated
credentialing board under subch. V of ch. 448.

SECTION 8. 252.14 (1) (ar) 4m. of the statutes is amended to read:

252.14 (1) (ar) 4m. A dietitian certified An individual licensed as a dietitian
or nutritionist under subch. V of ch. 448.

SECTION 9. 440.03 (13) (b) 23. of the statutes is amended to read:

440.03 (13) (b) 23. Dietitian or nutritionist.

SECTION 10. 440.08 (2) (a) 27m. of the statutes is amended to read:
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440.08 (2) (a) 27m. Dietitian or nutritionist: November 1 of each even-numbered year; $56.

SECTION 11. 440.08 (2) (a) 27m. of the statutes, as affected by 2007 Wisconsin Act 20 and 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

440.08 (2) (a) 27m. Dietitian or nutritionist: November 1 of each even-numbered year.

SECTION 12. 446.02 (6m) of the statutes is amended to read:

446.02 (6m) No chiropractor may provide counsel, direction, guidance, advice, or a recommendation to a patient regarding the health effects of vitamins, herbs, or nutritional supplements unless the chiropractor has been issued a certificate under sub. (2) (c). This subsection does not apply to a chiropractor licensed under this chapter who is certified as a dietician under subch. V of ch. 448.

SECTION 13. Subchapter V (title) of chapter 448 [precedes 448.70] of the statutes is amended to read:

CHAPTER 448

SUBCHAPTER V

DIETITIANS DIETETICS AND NUTRITION

CARE SERVICES AFFILIATED

CREDENTIALING BOARD

SECTION 14. 448.70 (1) of the statutes is renumbered 448.70 (1g) and amended to read:

448.70 (1g) “Affiliated credentialing board” means the dietitians dietetics and nutrition care services affiliated credentialing board.
SECTION 15. 448.70 (1d) of the statutes is created to read:

448.70 (1d) “Accreditation commission” means the commission on accreditation for dietetics education of the American Dietetic Association or its successor.

SECTION 16. 448.70 (1m) of the statutes is renumbered 448.70 (4) and amended to read:

448.70 (4) “Certified Licensed dietitian or nutritionist” means an individual who is certified licensed as a dietitian or nutritionist under this subchapter.

SECTION 17. 448.70 (2) of the statutes is amended to read:

448.70 (2) “Dietetics and nutrition care services” means the integration and application of principles of nutritional science, biochemistry, derived from the sciences of food science, physiology, food systems, nutrition, management, behavioral science communication, biology, physiology, behavior, and the social science in order to achieve and maintain the optimal human health of an individual or group of individuals. “Dietetics” includes assessing the nutritional needs of an individual or group of individuals and determining available resources and constraints in meeting those nutritional needs; establishing priorities, goals and objectives that meet those nutritional needs and are consistent with available resources and constraints; providing nutrition counseling; or developing, implementing and managing nutritional care systems.

SECTION 18. 448.70 (3) of the statutes is amended to read:

448.70 (3) “Dietitian or nutritionist” means an individual who practices dietetics and nutrition care services.

SECTION 19. 448.70 (5) to (7) of the statutes are created to read:
448.70 (5) “Medical nutrition therapy” means nutritional diagnostic, therapy, and counseling services provided to an individual or group of individuals for the purpose of managing disease. Such services include nutrition assessment, interventions, reassessment, and follow-up interventions.

(6) “Practice of dietetics and nutrition care services” includes each of the following but does not include the retail sale of food products or vitamins:

(a) Assessing the nutritional needs of an individual or group of individuals based upon biochemical, anthropometric, physical, and dietary data; determining the resources and constraints to meet the nutritional needs of that individual or group of individuals; and recommending proper nutrition intake to satisfy those needs.

(b) Establishing priorities, goals, and objectives to meet the nutritional needs of the individual or group of individuals based on available resources and constraints.

(c) Providing nutrition counseling to an individual or group of individuals regarding health and disease.

(d) Evaluating, adjusting, and maintaining standards of quality in dietetics and nutrition care services.

(e) Providing medical nutrition therapy.

(7) “Registration commission” means the commission on dietetic registration of the American Dietetic Association or its successor.

SECTION 20. 448.71 of the statutes is created to read:

448.71 License required. Except as provided in s. 448.72, no person may practice dietetics and nutrition care services unless the person is licensed as a dietitian or nutritionist under this subchapter.
SECTION 21. 448.72 (intro.) and (1) (intro.) of the statutes are consolidated, renumbered 448.72 (intro.) and amended to read:

448.72 Applicability. (intro.) This subchapter does not do any of the following: (1) (intro.) Require require a certificate license under this subchapter for any of the following:

SECTION 22. 448.72 (1) (a) and (b) of the statutes are repealed.

SECTION 23. 448.72 (1) (c) of the statutes is renumbered 448.72 (9) and amended to read:

448.72 (9) A person pursuing a supervised course of study, including internships, leading to a degree or certificate student enrolled in a dietetics educational program that is from an accredited educational program or an educational program approved by the affiliated credentialing board accreditation commission if the student’s enrollment is for the purpose of meeting eligibility requirements to take the examination for dietitians established by the registration commission.

SECTION 24. 448.72 (1) (d) of the statutes is repealed.

SECTION 25. 448.72 (1) (e) of the statutes is renumbered 448.72 (10) and amended to read:

448.72 (10) A dietitian or nutritionist who is serving in the U.S. armed forces, as defined in s. 40.02 (57m), or in the commissioned corps of the federal public health service or is employed by the U.S. veterans administration, and who is engaged in the practice of dietetics and nutrition care services as part of that service or employment.

SECTION 26. 448.72 (1) (f) of the statutes is repealed.

SECTION 27. 448.72 (2) of the statutes is repealed.
SECTION 28. 448.72 (3) of the statutes is renumbered 448.76 (3) and amended to read:

448.76 (3) Prohibit an An individual described in sub. (1) (e) from using s.
448.72 (10) may use the title “dietitian or nutritionist” or any letters or designation that represents or may tend to represent the individual as a dietitian or nutritionist, if the title, letters, or designation is used only in the course of the individual’s service or employment.

SECTION 29. 448.72 (4) of the statutes is renumbered 448.76 (4) and amended to read:

448.76 (4) Prohibit an An individual who is registered as a dietitian with the registration commission on dietetic registration of the American Dietetic Association from using may use the title “dietitian” or “registered dietitian” or the initials, “R.D.”.

SECTION 30. 448.72 (5) of the statutes is renumbered 448.76 (5) and amended to read:

448.76 (5) Prohibit an An individual who is registered as a dietetic technician with the registration commission on dietetic registration of the American Dietetic Association from using may use the title “dietetic technician” or “dietetic technician registered,” or the initials, “D.T.R.”.

SECTION 31. 448.72 (6) of the statutes is renumbered 448.76 (6) and amended to read:

448.76 (6) Prohibit an An individual from using may use the title “dietitian,” “dietitian or nutritionist,” “licensed dietitian” or “licensed dietitian or nutritionist,” “certified dietitian,” or “certified dietitian or nutritionist” if the person is licensed or certified as a dietitian or nutritionist under the laws of another state
which has licensure or certification requirements that the affiliated credentialing board determines to be substantially equivalent to the requirements under s. 448.78.

**SECTION 32.** 448.72 (7) and (8) of the statutes are created to read:

448.72 (7) A physician as defined in s. 448.01 (5).

(8) A person who is lawfully practicing within the scope of a license granted under ch. 446, who satisfies the requirements of s. 446.02 (2) (c), and who is lawfully practicing within the scope of the certificate issued under s. 446.02 (2) (c).

**SECTION 33.** 448.72 (11) of the statutes is created to read:

448.72 (11) (a)  A retailer that furnishes oral or written general nutrition information related to food, food materials, dietary supplements, and other goods sold at the retailer’s establishment or a similar establishment in connection with the marketing and distribution of those goods at the retailer’s establishment.

(b)  A person that furnishes oral or written general nutrition information related to food, food materials, or dietary supplements or the marketing of food, food materials, or dietary supplements, provided the person is not practicing dietetics and nutrition care services.

**SECTION 34.** 448.72 (12) of the statutes is created to read:

448.72 (12) A person who provides weight control services to an individual or group of individuals, provided the person complies with s. 448.76 and presents a general program of instruction for weight control that has been approved in writing by one of the following:

(a)  A person licensed under this subchapter.

(b)  A physician as defined in s. 448.01 (5).

(c)  A person who is licensed as a dietitian or nutritionist under the laws of another state which has licensure requirements that the affiliated credentialing
board determines to be substantially equivalent to the licensure requirements under s. 448.78.

(d) A person who is registered as a dietitian with the registration commission.

SECTION 35. 448.74 (intro.) and (2) of the statutes are consolidated, renumbered 448.74 and amended to read:

448.74 Duties of affiliated credentialing board. (intro.) The affiliated credentialing board shall promulgate rules that do all of the following: (2) Establish a code of ethics establish by rule standards of practice to govern the professional conduct of certified dietitians an individual licensed as a dietitian or nutritionist, including a code of ethics.

SECTION 36. 448.74 (1) of the statutes is repealed.

SECTION 37. 448.76 of the statutes is renumbered 448.76 (1) and amended to read:

448.76 (1) Except as provided in s. 448.72 (1) (e) and subs. (2) to (6) (7), a person who is not a certified licensed as a dietitian or nutritionist may not designate himself or herself as a dietitian, claim to provide dietetic services or nutritionist; use or assume the title, “dietitian,” “certified dietitian,” “licensed dietitian,” “nutritionist,” “certified nutritionist,” “licensed nutritionist,” “dietitian or nutritionist,” “certified dietitian or nutritionist,” “licensed dietitian or nutritionist,” nutrition consultant,” or “nutritional consultant”; append to the person’s name the letters “L.D.,” “L.N.,” or “L.D.N.”; or use any title or initials that represent or may tend to represent the person as certified or licensed as a dietitian or nutritionist or as certified or licensed in a nutrition-related field.

SECTION 38. 448.76 (7) of the statutes is created to read:
448.76 (7) An individual with a temporary license under s. 448.80 shall use the title “registry eligible dietitian,” which title is not to be abbreviated or capitalized.

**SECTION 39.** 448.78 (intro.) of the statutes is amended to read:

448.78 Certification of dietitians Licensure as a dietitian or nutritionist. (intro.) The affiliated credentialing board shall grant a certificate license as a dietitian or nutritionist to an individual who does all of the following:

**SECTION 40.** 448.78 (1) of the statutes is amended to read:

448.78 (1) Submits an application for the certificate license to the department on a form provided by the department.

**SECTION 41.** 448.78 (3) (a) of the statutes is amended to read:

448.78 (3) (a) Received Possesses a bachelor’s, master’s, or doctoral degree in human nutrition, nutrition education, food and nutrition, dietetics or food systems management from a program at granted by a United States regionally accredited college or university that is regionally accredited, as determined by the affiliated credentialing board, and that is located in a state or territory of the United States and successfully completes a didactic program in dietetics accredited by the accreditation commission.

**SECTION 42.** 448.78 (3) (b) of the statutes is amended to read:

448.78 (3) (b) Received Possesses a bachelor’s, master’s, or doctoral degree in human nutrition, nutrition education, food and nutrition, dietetics or food systems management from a program at granted by a college or university that is not located in a state or territory of the United States if an independent agency approved by the affiliated credentialing board determines registration commission has determined that the program degree is substantially equivalent to a program degree granted under par. (a).
**SECTION 43.** 448.78 (3) (c) of the statutes is repealed.

**SECTION 44.** 448.78 (4) (intro.) of the statutes is renumbered 448.78 (4) and amended to read:

448.78 (4) Submits evidence satisfactory to the affiliated credentialing board that he or she has completed a supervised practice program accredited by the accreditation commission with at least 900 supervised practice hours of dietetics practice in any state or territory of the United States under the supervision of any of the following:

**SECTION 45.** 448.78 (4) (a), (b) and (c) of the statutes are repealed.

**SECTION 46.** 448.78 (5) of the statutes is amended to read:

448.78 (5) Passes the registration examination for dietitians established by the registration commission on dietetic registration of the American dietetic association, or passes an equivalent examination approved by the affiliated credentialing board, and held under s. 448.84, to determine fitness to practice dietetics.

**SECTION 47.** 448.80 of the statutes is amended to read:

448.80 **Temporary certificate license.** Upon application and payment of the fee specified in s. 440.05 (6), the affiliated credentialing board may grant a temporary dietitian certificate license to an individual who satisfies the requirements under s. 448.78 (1) to (4) and has submitted an application to take the next available examination under s. 448.84 submits a letter from the registration commission verifying registration eligibility status. A temporary certificate license granted under this section is valid for a period designated by the affiliated credentialing board, not to exceed 6 months, and may be renewed once by the affiliated credentialing board.
SECTION 48. 448.82 of the statutes is renumbered 448.82 (intro.) and amended to read:

448.82 Reciprocal certificate license. (intro.) Upon application and payment of the fee specified in s. 440.05 (2), the affiliated credentialing board shall grant a dietitian certificate license to an the following:

(2) An individual who holds a similar certificate or license in issued by another state or territory of the United States if the affiliated credentialing board determines that the requirements for receiving the certificate or license in the other state or territory are substantially equivalent to the requirements under s. 448.78.

SECTION 49. 448.82 (1) of the statutes is created to read:

448.82 (1) An individual who is registered with the registration commission.

SECTION 50. 448.84 (1) of the statutes is amended to read:

448.84 (1) The affiliated credentialing board shall conduct or arrange contract for administration of examinations for dietitian certification or nutritionist licensure at least semiannually and at times and places determined by the affiliated credentialing board, locations within this state and shall provide public notice of each examination at least 90 days before the date of the examination.

SECTION 51. 448.84 (2) of the statutes is amended to read:

448.84 (2) Examinations held under sub. (1) shall consist of written or oral tests, or both, requiring applicants to demonstrate minimum competency in subjects substantially related to the practice of dietetics and nutrition care services.

SECTION 52. 448.86 of the statutes is amended to read:

448.86 Issuance of certificate license; expiration and renewal. (1) The department shall issue a certificate license to each individual who is certified licensed under this subchapter.
(2) The renewal dates for certificates/ licenses granted under this subchapter, other than temporary certificates/licenses granted under s. 448.80, are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a).

SECTION 53. 448.86 (2) of the statutes, as affected by 2007 Wisconsin Act 20 and 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

448.86 (2) The renewal dates for licenses granted under this subchapter, other than temporary licenses granted under s. 448.80, are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a).

SECTION 54. 448.86 (3) of the statutes is created to read:

448.86 (3) An applicant for renewal of a license granted under this subchapter shall provide to the department proof of satisfactory completion of at least the minimum continuing professional education credits required by the registration commission and shall submit one of the following:

(a) Proof of valid registration with the registration commission.

(b) Verification from the registration commission that the applicant has completed and accurately reported at least the minimum continuing professional education credits required by the commission.

SECTION 55. 448.87 (2) (intro.) and (a) of the statutes are amended to read:

448.87 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the affiliated credentialing board may reprimand a certified licensed dietitian or nutritionist or deny, limit, suspend or revoke a certificate/license granted under this
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Section 55

If it finds that the applicant or certified licensed dietitian or nutritionist has done any of the following:

(a) Made a material misstatement in an application for a certificate license or for renewal of a certificate license.

Section 56.

448.87 (2) (b) of the statutes is amended to read:

448.87 (2) (b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense the circumstances of which substantially relate to the practice of dietetics and nutrition care services.

Section 57.

448.87 (2) (e) of the statutes is amended to read:

448.87 (2) (e) Subject to ss. 111.321, 111.322 and 111.34, practiced dietetics and nutrition care services while his or her ability to practice was impaired by alcohol or other drugs.

Section 58.

448.87 (2) (g) of the statutes is amended to read:

448.87 (2) (g) Engaged in conduct while practicing dietetics and nutrition care services which evidences a lack of knowledge or ability to apply professional principles or skills.

Section 59.

450.10 (3) (a) 5m. of the statutes is amended to read:

450.10 (3) (a) 5m. A dietitian certified An individual licensed as a dietitian or nutritionist under subch. V of ch. 448.

Section 60.

632.895 (1) (b) 5. b. of the statutes is amended to read:

632.895 (1) (b) 5. b. A dietitian certified An individual licensed as a dietitian or nutritionist under subch. V of ch. 448, if the nutrition counseling is provided on or after July 1, 1995.

Section 61.

655.45 (1m) of the statutes is amended to read:
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SECTION 61

655.45 (1m) For the quarter beginning on July 1, 1995, and for each quarter thereafter, the director of state courts shall file reports complying with sub. (2) with the dietitians dietetics and nutrition care services affiliated credentialing board regarding health care providers certified licensed by the dietitians dietetics and nutrition care services affiliated credentialing board.


(1) Exemption from certain licensure requirements. Notwithstanding section 448.78 (3) to (5) of the statutes, as affected by this act, the dietetics and nutrition care services affiliated credentialing board may grant a license under section 448.78 of the statutes to a person who no later than the first day of the 13th month beginning after the effective date of this act provides sufficient evidence to the dietetics and nutrition care services affiliated credentialing board that the person holds a valid certificate from the dietetics and nutrition care services affiliated credentialing board or is currently registered as a registered dietitian with the commission on dietetic registration of the American Dietetic Association.

SECTION 63. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The repeal and recreation of sections 440.08 (2) (a) 27m. and 448.86 (2) of the statutes takes effect on July 1, 2009.