



State of Wisconsin
2009 - 2010 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 440**

March 15, 2010 – Offered by Representative PASCH.

1 **AN ACT** *to repeal* 146.89 (1) (r) 2., 448.72 (1) (a) and (b), 448.72 (1) (d), 448.72 (1)
2 (f), 448.72 (2), 448.74 (1), 448.78 (3) (c) and 448.78 (4) (a), (b) and (c); **to**
3 **renumber and amend** 448.70 (1), 448.70 (1m), 448.72 (1) (c), 448.72 (1) (e),
4 448.72 (3), 448.72 (4), 448.72 (5), 448.72 (6), 448.76, 448.78 (4) (intro.) and
5 448.82; **to consolidate, renumber and amend** 448.72 (intro.) and (1) (intro.)
6 and 448.74 (intro.) and (2); **to amend** 15.406 (2) (intro.), 15.406 (2) (a), 48.981
7 (2) (a) 24., 146.81 (1) (em), 146.89 (1) (r) 1., 146.997 (1) (d) 6., 180.1901 (1m) (br),
8 251.06 (3) (e) 2., 252.14 (1) (ar) 4m., 440.03 (13) (b) 23., 440.08 (2) (a) 27m.,
9 446.02 (6m), subchapter V (title) of chapter 448 [precedes 448.70], 448.70 (2),
10 448.70 (3), 448.78 (intro.), 448.78 (1), 448.78 (3) (a), 448.78 (3) (b), 448.78 (5),
11 448.80, 448.84 (1), 448.84 (2), 448.86 (title) and (1), 448.86 (2), 448.87 (2) (intro.)
12 and (a), 448.87 (2) (b), 448.87 (2) (e), 448.87 (2) (g), 450.10 (3) (a) 5m., 632.895
13 (1) (b) 5. b. and 655.45 (1m); and **to create** 448.70 (1d), 448.70 (2m), 448.70 (4m),

1 448.70 (6) to (9), 448.71, 448.72 (7), 448.72 (8), 448.72 (11), 448.72 (12), 448.76
2 (7), 448.82 (1), 448.86 (3) and 448.865 of the statutes; **relating to:** licensure of
3 dietitian nutritionists and requiring the exercise of rule-making authority.

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

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

5 15.406 (2) ~~DIETITIANS~~ DIETETIC NUTRITION CARE SERVICES AFFILIATED
6 CREDENTIALING BOARD. (intro.) There is created in the department of regulation and
7 licensing, attached to the medical examining board, a ~~dietitians~~ dietetic nutrition
8 care services affiliated credentialing board consisting of the following members
9 appointed for 4-year terms:

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

11 15.406 (2) (a) Three ~~dietitians~~ individuals who are ~~certified~~ licensed as a
12 dietitian nutritionist under subch. V of ch. 448.

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

14 48.981 (2) (a) 24. A dietitian nutritionist.

15 **SECTION 4.** 146.81 (1) (em) of the statutes is amended to read:

16 146.81 (1) (em) ~~–A dietitian–certified~~ An individual licensed as a dietitian
17 nutritionist under subch. V of ch. 448.

18 **SECTION 5.** 146.89 (1) (r) 1. of the statutes, as affected by 2009 Wisconsin Act
19 93, is amended to read:

20 146.89 (1) (r) 1. Licensed as a physician under ch. 448, a dentist or dental
21 hygienist under ch. 447, a registered nurse, practical nurse, or nurse–midwife under
22 ch. 441, an optometrist under ch. 449, a physician assistant under ch. 448, a dietitian
23 nutritionist under subch. V of ch. 448, a pharmacist under ch. 450, a chiropractor

1 under ch. 446, a podiatrist under subch. IV of ch. 448, or a physical therapist under
2 subch. III of ch. 448.

3 **SECTION 6.** 146.89 (1) (r) 2. of the statutes, as affected by 2009 Wisconsin Act
4 93, is repealed.

5 **SECTION 7.** 146.997 (1) (d) 6. of the statutes is amended to read:

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

8 **SECTION 8.** 180.1901 (1m) (br) of the statutes is amended to read:

9 180.1901 (1m) (br) ~~Dietitians~~ Dietetic nutrition care services affiliated
10 credentialing board under subch. V of ch. 448.

11 **SECTION 9.** 251.06 (3) (e) 2. of the statutes is amended to read:

12 251.06 (3) (e) 2. A public health nutritionist, who is a ~~certified~~ licensed dietitian
13 nutritionist, as defined in s. 448.70 (1m) (5), is credentialed as a registered dietitian
14 by the Commission on Dietetic Registration, and meets qualifications that the
15 department shall specify by rule.

16 **SECTION 10.** 252.14 (1) (ar) 4m. of the statutes is amended to read:

17 252.14 (1) (ar) 4m. ~~A dietitian certified~~ An individual licensed as a dietitian
18 nutritionist under subch. V of ch. 448.

19 **SECTION 11.** 440.03 (13) (b) 23. of the statutes is amended to read:

20 440.03 (13) (b) 23. Dietitian nutritionist.

21 **SECTION 12.** 440.08 (2) (a) 27m. of the statutes is amended to read:

22 440.08 (2) (a) 27m. Dietitian nutritionist: November 1 of each even-numbered
23 year.

24 **SECTION 13.** 446.02 (6m) of the statutes is amended to read:

1 446.02 **(6m)** No chiropractor may provide counsel, direction, guidance, advice,
2 or a recommendation to a patient regarding the health effects of vitamins, herbs, or
3 nutritional supplements unless the chiropractor has been issued a certificate under
4 sub. (2) (c). This subsection does not apply to a chiropractor licensed under this
5 chapter who is ~~certified~~ licensed as a ~~dietician~~ dietitian nutritionist under subch. V
6 of ch. 448.

7 **SECTION 14.** Subchapter V (title) of chapter 448 [precedes 448.70] of the
8 statutes is amended to read:

9 **CHAPTER 448**

10 SUBCHAPTER V

11 **DIETITIANS DIETETIC NUTRITION**

12 **CARE SERVICES AFFILIATED**

13 **CREDENTIALING BOARD**

14 **SECTION 15.** 448.70 (1) of the statutes is renumbered 448.70 (1g) and amended
15 to read:

16 448.70 **(1g)** “Affiliated credentialing board” means the ~~dietitians~~ dietetic
17 nutrition care services affiliated credentialing board.

18 **SECTION 16.** 448.70 (1d) of the statutes is created to read:

19 448.70 **(1d)** “Accreditation commission” means the commission on
20 accreditation for dietetics education of the American Dietetic Association or its
21 successor.

22 **SECTION 17.** 448.70 (1m) of the statutes is renumbered 448.70 (5) and amended
23 to read:

1 448.70 (5) “~~Certified~~ Licensed dietitian nutritionist” means an individual who
2 is ~~certified~~ licensed as a dietitian nutritionist under this subchapter.

3 **SECTION 18.** 448.70 (2) of the statutes is amended to read:

4 448.70 (2) “~~Dietetics~~ Dietetic nutrition care services” means the integration
5 and application of principles of ~~nutritional science, biochemistry,~~ derived from the
6 sciences of food science, ~~physiology, food systems,~~ nutrition, management,
7 ~~behavioral science~~ communication, biology, physiology, behavior, and the social
8 ~~science in order~~ sciences to achieve ~~or~~ and maintain the optimal human health of an
9 individual ~~or group of individuals.~~ “~~Dietetics~~” includes ~~assessing the nutritional~~
10 ~~needs of an individual or group of individuals and determining available resources~~
11 ~~and constraints in meeting those nutritional needs; establishing priorities, goals and~~
12 ~~objectives that meet those nutritional needs and are consistent with available~~
13 ~~resources and constraints; providing nutrition counseling; or developing,~~
14 ~~implementing and managing nutritional care systems.~~

15 **SECTION 19.** 448.70 (2m) of the statutes is created to read:

16 448.70 (2m) “Dietetic nutrition therapy” means a specific application of
17 dietetic nutrition care services and the nutrition care process for the management
18 of disease or the treatment or rehabilitation of an injury. Dietetic nutrition therapy
19 may be applied to an individual or to a group of individuals and may include the use
20 of a medically prescribed diet, meal plans, and specialized nutrition solutions
21 provided enterally, parenterally, or orally.

22 **SECTION 20.** 448.70 (3) of the statutes is amended to read:

23 448.70 (3) “Dietitian nutritionist” means an individual who ~~practices dietetics~~
24 engages in the practice of dietetic nutrition care services.

25 **SECTION 21.** 448.70 (4m) of the statutes is created to read:

1 448.70 (4m) “General nonmedical nutrition information” means information
2 about any of the following:

3 (a) Principles of good nutrition and food preparation.

4 (b) Foods to be included in a normal daily diet.

5 (c) Essential nutrients.

6 (d) Sources of essential nutrients, including food and supplements.

7 (e) Recommended amounts of essential nutrients.

8 (f) The actions of nutrients in the body.

9 (g) The effects of an excess or deficiency of a nutrient.

10 **SECTION 22.** 448.70 (6) to (9) of the statutes are created to read:

11 448.70 (6) “Medically prescribed diet” means a diet prescribed to an individual
12 by any of the following:

13 (a) A physician, as defined in s. 448.01 (5), acting within the scope of practice
14 of his or her license.

15 (b) A physician assistant licensed under subch. II of ch. 448, acting within the
16 scope of practice of his or her license.

17 (c) An advanced practice nurse prescriber certified under s. 441.16, acting
18 within the scope of practice of his or her license or certificate.

19 (d) A licensed dietitian nutritionist, in consultation with a physician under par.
20 (a), a physician assistant under par. (b), or an advanced practice nurse prescriber
21 under par. (c).

22 **(7)** “Nutrition care process” means an integrated and systematic
23 problem-solving method used to identify, analyze, and address nutrition-related
24 problems of an individual or a group and provide safe, quality, and effective nutrition

1 care to that individual or group. “Nutrition care process” includes the following 4
2 distinct but interrelated and connected steps:

3 (a) Evaluate the nutritional needs of an individual or group based upon
4 biochemical, anthropometric, physical, and dietary information about the individual
5 or group to determine the extent and cause of nutritional problems and recommend
6 nutrition interventions, which may include enteral, parenteral, and oral solutions.

7 (b) Identify and label each nutrition-related problem of the individual or group
8 to be treated independently.

9 (c) Develop and implement planned interventions intended to positively
10 change a nutrition-related behavior or environmental condition with the purpose of
11 resolving or improving each nutrition-related problem identified in par. (b).

12 (d) Identify and evaluate nutrition-related goals and outcomes for each
13 nutrition-related problem diagnosed under par. (b) and monitor and modify, as
14 necessary, the interventions developed under par. (c).

15 **(8)** “Practice of dietetic nutrition care services” includes each of the following:

16 (a) Dietetic nutrition therapy.

17 (b) The nutrition care process.

18 **(9)** “Registration commission” means the commission on dietetic registration
19 of the American Dietetic Association or its successor.

20 **SECTION 23.** 448.71 of the statutes is created to read:

21 **448.71 License required.** Except as provided in s. 448.72, no individual may
22 engage in the practice of dietetic nutrition care services unless the individual is
23 licensed under this subchapter.

24 **SECTION 24.** 448.72 (intro.) and (1) (intro.) of the statutes are consolidated,
25 renumbered 448.72 (intro.) and amended to read:

1 **448.72 Applicability.** (intro.) This No license is required under this
2 subchapter does not do any of the following: ~~(1) (intro.) Require a certificate under~~
3 ~~this subchapter for any of the following:~~

4 **SECTION 25.** 448.72 (1) (a) and (b) of the statutes are repealed.

5 **SECTION 26.** 448.72 (1) (c) of the statutes is renumbered 448.72 (9) and
6 amended to read:

7 448.72 (9) A ~~person pursuing a supervised course of study, including~~
8 ~~internships, leading to a degree or certificate~~ student enrolled in a dietetics from an
9 educational program that is accredited educational program or an educational
10 program approved by the affiliated credentialing board accreditation commission if
11 the student's enrollment is for the purpose of meeting eligibility requirements to take
12 the examination for dietitians established by the registration commission.

13 **SECTION 27.** 448.72 (1) (d) of the statutes is repealed.

14 **SECTION 28.** 448.72 (1) (e) of the statutes is renumbered 448.72 (10) and
15 amended to read:

16 448.72 (10) A dietitian nutritionist who is serving in the U.S. armed forces, as
17 defined in s. 40.02 (57m), or in the commissioned corps of the federal public health
18 service or is employed by the U.S. veterans administration, and who is engaged in
19 the practice of dietetics dietetic nutrition care services as part of that service or
20 employment.

21 **SECTION 29.** 448.72 (1) (f) of the statutes is repealed.

22 **SECTION 30.** 448.72 (2) of the statutes is repealed.

23 **SECTION 31.** 448.72 (3) of the statutes is renumbered 448.76 (3) and amended
24 to read:

1 448.76 (3) ~~Prohibit an An individual described in sub. (1) (e) from using s.~~
2 ~~448.72 (10) may use~~ the title “dietitian nutritionist” or any letters or designation that
3 represents or may tend to represent the individual as a dietitian nutritionist, if the
4 title, letters, or designation is used only in the course of the individual’s service or
5 employment.

6 **SECTION 32.** 448.72 (4) of the statutes is renumbered 448.76 (4) and amended
7 to read:

8 448.76 (4) ~~Prohibit an An individual who is registered as a dietitian with the~~
9 ~~registration commission on dietetic registration of the American Dietetic Association~~
10 ~~from using~~ may use the title “dietitian” or “registered dietitian” or the initials, “R.D.”.

11 **SECTION 33.** 448.72 (5) of the statutes is renumbered 448.76 (5) and amended
12 to read:

13 448.76 (5) ~~Prohibit an An individual who is registered as a dietetic technician~~
14 with the registration ~~commission on dietetic registration of the American Dietetic~~
15 ~~Association from using~~ may use the title “dietetic technician” ~~or~~ “dietetic technician
16 registered” registered, or the initials, “D.T.R.”.

17 **SECTION 34.** 448.72 (6) of the statutes is renumbered 448.76 (6) and amended
18 to read:

19 448.76 (6) ~~Prohibit an An individual from using~~ may use the title “dietitian”~~,”~~
20 “dietitian nutritionist,” “licensed dietitian” or, “licensed dietitian nutritionist,”
21 “certified dietitian,” or certified dietitian nutritionist” if the person individual is
22 licensed or certified as a dietitian or dietitian nutritionist under the laws of another
23 state which has licensure or certification requirements that the affiliated
24 credentialing board determines to be substantially equivalent to the requirements
25 under s. 448.78.

1 **SECTION 35.** 448.72 (7) of the statutes is created to read:

2 448.72 (7) An individual who is lawfully practicing within the scope of a license
3 or certificate granted under subch. XII of ch. 440, chs. 441, 446, or 447, subchs. I to
4 IV, VI, and VII of ch. 448, or chs. 449 to 451.

5 **SECTION 36.** 448.72 (8) of the statutes is created to read:

6 448.72 (8) A retailer that sells food, food materials, dietary supplements, and
7 other goods at the retailer’s establishment or a similar establishment and that
8 furnishes oral or written general nonmedical nutrition information related to the
9 sale, marketing, and distribution of the food, food materials, dietary supplements,
10 or other goods.

11 **SECTION 37.** 448.72 (11) of the statutes is created to read:

12 448.72 (11) (a) An individual who provides weight control services to a client
13 or group of clients through a program of instruction that has been reviewed and
14 approved in writing by one of the following:

15 1. An individual licensed under this subchapter.

16 2. A physician as defined in s. 448.01 (5).

17 3. An individual who is licensed or certified as a dietitian or dietitian
18 nutritionist under the laws of another state that has licensure or certification
19 requirements that the affiliated credentialing board determines to be substantially
20 equivalent to the licensure requirements under s. 448.78.

21 4. An individual who is registered as a dietitian with the registration
22 commission.

23 (b) An individual who provides weight control services as provided under par.

24 (a) may not initiate changes to the program of instruction until the changes have

1 been reviewed and approved in writing by an individual who is authorized to review
2 and approve a program of instruction under par. (a).

3 **SECTION 38.** 448.72 (12) of the statutes is created to read:

4 448.72 (12) An individual practicing under the disciplines, tenets, or traditions
5 of a recognized religious organization and providing information and services to
6 other individuals who are adherents to or members of the same recognized religious
7 organization if the individual provides to the other individuals a written disclosure
8 that contains the information required under s. 448.865 (1) (b) 2.

9 **SECTION 39.** 448.74 (intro.) and (2) of the statutes are consolidated,
10 renumbered 448.74 and amended to read:

11 **448.74 Duties of affiliated credentialing board.** The affiliated
12 credentialing board shall promulgate rules that do all of the following: ~~(2) Establish~~
13 ~~a code of ethics establish by rule standards of practice~~ to govern the professional
14 conduct of ~~certified dietitians~~ an individual licensed as a dietitian nutritionist,
15 including a code of ethics, and may promulgate rules necessary for the
16 administration and enforcement of this subchapter.

17 **SECTION 40.** 448.74 (1) of the statutes is repealed.

18 **SECTION 41.** 448.76 of the statutes is renumbered 448.76 (1) and amended to
19 read:

20 448.76 (1) Except as provided in s. 448.72 (1) (e) and (2) subs. (3) to (6), a person
21 (7), an individual who is not ~~a certified~~ licensed as a dietitian nutritionist may not
22 designate himself or herself as a dietitian, ~~claim to provide dietetic services~~
23 nutritionist; use or assume the title “dietitian,” “certified dietitian,” “licensed
24 dietitian,” “certified nutritionist,” “licensed nutritionist,” “dietitian nutritionist,”
25 “certified dietitian nutritionist,” or “licensed dietitian nutritionist”; append to the

1 individual's name the letters "L.D.," "L.N.," or "L.D.N.;" or use any title or initials
2 that represent or may tend to represent the person individual as certified or licensed
3 as a dietitian nutritionist or as certified or licensed in a nutrition-related field.

4 **SECTION 42.** 448.76 (7) of the statutes is created to read:

5 448.76 (7) An individual with a temporary license under s. 448.80 shall use the
6 title "registry eligible dietitian," which title shall not be abbreviated or capitalized.

7 **SECTION 43.** 448.78 (intro.) of the statutes is amended to read:

8 **448.78 Certification of dietitians Licensure as a dietitian nutritionist.**

9 (intro.) The affiliated credentialing board shall grant a ~~certificate~~ license as a
10 dietitian nutritionist to an individual who does all of the following:

11 **SECTION 44.** 448.78 (1) of the statutes is amended to read:

12 448.78 (1) Submits an application for the ~~certificate~~ license to the department
13 on a form provided by the department.

14 **SECTION 45.** 448.78 (3) (a) of the statutes is amended to read:

15 448.78 (3) (a) ~~Received~~ Possesses a bachelor's, master's, or doctoral degree in
16 ~~human nutrition, nutrition education, food and nutrition, dietetics or food systems~~
17 ~~management from a program at granted by a~~ United States regionally accredited
18 ~~college or university that is regionally accredited, as determined by the affiliated~~
19 ~~credentialing board, and that is located in a state or territory of the United States~~
20 ~~and successfully completes a didactic program in dietetics accredited by the~~
21 accreditation commission.

22 **SECTION 46.** 448.78 (3) (b) of the statutes is amended to read:

23 448.78 (3) (b) ~~Received~~ Possesses a bachelor's, master's, or doctoral degree in
24 ~~human nutrition, nutrition education, food and nutrition, dietetics or food systems~~
25 ~~management from a program at granted by~~ a college or university that is not located

1 in ~~a state or territory~~ of the United States if an independent agency approved by the
2 affiliated credentialing board determines registration commission has determined
3 that the ~~program~~ degree is substantially equivalent to a ~~program~~ degree described
4 under par. (a).

5 **SECTION 47.** 448.78 (3) (c) of the statutes is repealed.

6 **SECTION 48.** 448.78 (4) (intro.) of the statutes is renumbered 448.78 (4) and
7 amended to read:

8 448.78 (4) Submits evidence satisfactory to the affiliated credentialing board
9 that he or she has completed a supervised practice program accredited by the
10 accreditation commission with at least 900 supervised practice hours of dietetics
11 ~~practice in any state or territory of the United States under the supervision of any~~
12 ~~of the following:~~.

13 **SECTION 49.** 448.78 (4) (a), (b) and (c) of the statutes are repealed.

14 **SECTION 50.** 448.78 (5) of the statutes is amended to read:

15 448.78 (5) Passes the registration examination for dietitians established by the
16 registration ~~commission on dietetic registration of the American dietetic association,~~
17 ~~or passes an equivalent examination approved by the affiliated credentialing board,~~
18 ~~and held under s. 448.84, to determine fitness to practice dietetics.~~

19 **SECTION 51.** 448.80 of the statutes is amended to read:

20 **448.80 Temporary certificate license.** Upon application and payment of
21 the fee specified in s. 440.05 (6), the affiliated credentialing board may grant a
22 temporary dietitian ~~certificate~~ license to an individual who satisfies the
23 requirements under s. 448.78 (1) to (4) and ~~has submitted an application to take the~~
24 ~~next available examination under s. 448.84~~ submits a letter from the registration
25 commission verifying registration eligibility status. A temporary certificate license

1 granted under this section is valid for a period designated by the affiliated
2 credentialing board, not to exceed ~~9~~ 6 months, and may be renewed once by the
3 affiliated credentialing board.

4 **SECTION 52.** 448.82 of the statutes is renumbered 448.82 (intro.) and amended
5 to read:

6 **448.82 Reciprocal certificate license.** (intro.) Upon application and
7 payment of the fee specified in s. 440.05 (2), the affiliated credentialing board shall
8 grant a ~~dietitian certificate~~ license to ~~an~~ the following:

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

13 **SECTION 53.** 448.82 (1) of the statutes is created to read:

14 448.82 (1) An individual who is registered with the registration commission.

15 **SECTION 54.** 448.84 (1) of the statutes is amended to read:

16 448.84 (1) The affiliated credentialing board shall conduct or ~~arrange~~ contract
17 for administration of examinations for dietitian ~~certification~~ nutritionist licensure
18 at least semiannually and at times and places determined by the affiliated
19 credentialing board, locations within this state and shall provide public notice of
20 each examination at least 90 days before the date of the examination.

21 **SECTION 55.** 448.84 (2) of the statutes is amended to read:

22 448.84 (2) Examinations held under sub. (1) shall consist of written or oral
23 tests, or both, requiring applicants to demonstrate minimum competency in subjects
24 substantially related to the practice of dietetics dietetic nutrition care services.

25 **SECTION 56.** 448.86 (title) and (1) of the statutes are amended to read:

1 **448.86** (title) **Issuance of certificate license; expiration and renewal.**

2 **(1)** The department shall issue a certificate license to each individual who is certified
3 licensed under this subchapter.

4 **SECTION 57.** 448.86 (2) of the statutes is amended to read:

5 448.86 **(2)** The renewal dates for certificates licenses granted under this
6 subchapter, other than temporary certificates licenses granted under s. 448.80, are
7 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the
8 department on a form provided by the department and shall include the renewal fee
9 determined by the department under s. 440.03 (9) (a).

10 **SECTION 58.** 448.86 (3) of the statutes is created to read:

11 448.86 **(3)** An applicant for renewal of a license granted under this subchapter
12 shall provide to the department proof of satisfactory completion of at least the
13 minimum continuing professional education credits required by the registration
14 commission and shall submit one of the following:

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

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

19 **SECTION 59.** 448.865 of the statutes is created to read:

20 **448.865 Disclosure required to provide certain services.** **(1)** An
21 individual who is neither licensed under this subchapter nor exempt from licensure
22 under s. 448.72 may provide general nonmedical nutrition information and other
23 information or services related to nutrition to a client or group of clients for
24 compensation, direct or indirect, or in the expectation of compensation, if the
25 individual complies with all of the following:

1 (a) The individual does not engage in the practice of dietetic nutrition care
2 services.

3 (b) The individual provides to the client or group of clients a written disclosure
4 that contains the following information:

5 1. The name, professional title, business address, and business telephone
6 number of the individual.

7 2. A statement that the individual is not licensed as a dietitian nutritionist in
8 this state and cannot provide dietetic nutrition therapy.

9 3. A statement that the individual may not provide a medical diagnosis or
10 recommend that the client or group of clients discontinue medically prescribed
11 treatments.

12 (c) The individual clearly posts in the individual's place of business a copy of
13 the written disclosure under par. (b).

14 (d) Prior to providing services to a client or group of clients, the individual
15 obtains from each client a signed and dated statement on which the client confirms
16 receiving and reading the disclosure required under par. (b). The individual shall
17 maintain the signed statement in the client's file for 7 years after the client has
18 ceased being a client of the individual.

19 (2) An individual who provides information and services to other individuals
20 under s. 448.72 (12) shall provide to the other individuals a written disclosure that
21 contains the information required under sub. (1) (b) 2.

22 **SECTION 60.** 448.87 (2) (intro.) and (a) of the statutes are amended to read:

23 448.87 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
24 affiliated credentialing board may reprimand a certified licensed dietitian
25 nutritionist or deny, limit, suspend, or revoke a certificate license granted under this

1 subchapter if it finds that the applicant or ~~certified~~ licensed dietitian nutritionist has
2 done any of the following:

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

5 **SECTION 61.** 448.87 (2) (b) of the statutes is amended to read:

6 448.87 (2) (b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an
7 offense the circumstances of which substantially relate to the practice of ~~dietetics~~
8 dietetic nutrition care services.

9 **SECTION 62.** 448.87 (2) (e) of the statutes is amended to read:

10 448.87 (2) (e) Subject to ss. 111.321, 111.322 and 111.34, ~~practiced dietetics~~
11 engaged in the practice of dietetic nutrition care services while his or her ability to
12 practice was impaired by alcohol or other drugs.

13 **SECTION 63.** 448.87 (2) (g) of the statutes is amended to read:

14 448.87 (2) (g) Engaged in conduct while ~~practicing dietetics~~ engaged in the
15 practice of dietetic nutrition care services which evidences a lack of knowledge or
16 ability to apply professional principles or skills.

17 **SECTION 64.** 450.10 (3) (a) 5m. of the statutes is amended to read:

18 450.10 (3) (a) 5m. ~~A dietitian certified~~ An individual licensed as a dietitian
19 nutritionist under subch. V of ch. 448.

20 **SECTION 65.** 632.895 (1) (b) 5. b. of the statutes is amended to read:

21 632.895 (1) (b) 5. b. ~~A dietitian certified~~ An individual licensed as a dietitian
22 nutritionist under subch. V of ch. 448, if the nutrition counseling is provided on or
23 after July 1, 1995.

24 **SECTION 66.** 655.45 (1m) of the statutes is amended to read:

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

6 **SECTION 67. Nonstatutory provisions.**

7 (1) EXEMPTIONS FROM CERTAIN LICENSURE REQUIREMENTS.

8 (a) *Individuals certified by the dietitians affiliated credentialing board as a*
9 *dietitian on the effective date of this act.* Notwithstanding section 448.78 (3) to (5) of
10 the statutes, as affected by this act, no later than the first day of the 7th month
11 beginning after the effective date of this paragraph, the dietetic nutrition care
12 services affiliated credentialing board shall grant a license under section 448.78 of
13 the statutes, as affected by this act, to an individual who, on the the effective date
14 of this act, held a valid certificate as a dietitian granted by the dietitians affiliated
15 credentialing board.

16 (b) *Individuals registered as a registered dietitian with the American Dietetic*
17 *Association on the effective date of this act.* Notwithstanding section 448.78 (3) to (5)
18 of the statutes, as affected by this act, the dietetic nutrition care services affiliated
19 credentialing board shall grant a license under section 448.78 of the statutes, as
20 affected by this act, to an individual who no later than the first day of the 13th month
21 beginning after the effective date of this paragraph provides sufficient evidence to
22 the dietetic nutrition care services affiliated credentialing board that the individual
23 was registered as a registered dietitian with the commission on dietetic registration
24 of the American Dietetic Association on the effective date of this act.

25 **SECTION 68. Effective date.**

