

# Board of Dietitian/Nutritionist Examiners



# Newsletter

Spring 2013

A regulatory agency of the State of Tennessee

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Bureau of Health Licensure and Regulation • Health Related Boards • 227 French Landing, Suite 300, Heritage Place MetroCenter, Nashville, TN 37243  
Phone: (615) 532-5096 - Toll Free: (800) 778-4123 ext. 5325096 - Fax: (615) 253-8724 - <http://tn.gov/health>

## BOARD MEETINGS FOR 2013

The 2013 Dietitian/Nutritionist Board Meetings will be held at 227 French Landing, Heritage Place, Metro Center, Nashville, TN, 37243, in the Poplar Conference Room on the Ground Floor

The Board meetings will convene at 10:00A.M. CST/CDT on the following dates in 2013:

March 15, 2013  
September 13, 2013

## BOARD MEMBER ACTIVITY

### A Farewell and Thanks to Former Board Members

Demetra "Dee" Pratt  
Dietitian/Nutritionist  
Collierville, TN

Liang-chu K. Daniel  
Dietitian/Nutritionist  
Eads, TN

Diana Miller  
Consumer  
Nashville, TN

### Welcome New Board Appointees

Virginia H. Carney  
Clinical Dietitian  
Memphis, TN

Jacqueline Ann Marie Daughtry  
Clinical Dietitian  
Millington, TN

Jennifer L. White  
Consumer  
Knoxville, TN

The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate notice of such meeting. Open meeting notices can also be accessed at

<http://health.state.tn.us/boards/calendar.htm>

This form is also available on the bulletin board in the reception area of the Health Related Boards located at 227 French Landing, Suite 300, Heritage Place Metro Center, Nashville, TN 37243. A copy may also be requested by calling the Board's administrative office.

## ACCESSING THE BOARD'S WEB SITE

- Log on to <http://tn.gov/health>
- In the title bar: Click on For Health Care Professionals
- Under Health Related Boards: Click on Dietitian and Nutritionist

There are many resources on our web site including, but not limited to, the rules, statutes, applications, policy statements and a list of approved educational schools/programs and licensed facilities. License renewal and licensure verification may also be utilized on this web site. This is a valuable resource. Please use it. You will find it to be very friendly.

### Notice

The American Dietetic Association has  
Changed Its Name to The Academy of  
Nutrition and Dietetics

# Debunking Common Myths about the LDN Board & Licensure

By Janet Skates, MS, RD, CSND, LDN  
(Reprinted from the Tennessee Academy of Nutrition and Dietetics Web-Site <http://eatright-tn.org/>)

## Myth #1

Only LDNs can provide nutrition education.

### Fact:

This is a sticky issue because of 1) the wide range of exemptions that were written into the Dietitian/Nutritionist Licensure act in 1987 in order for the statute to pass and 2) the definition in the statute for "non-medical" when referring to non-medical nutrition. The rules and regulations define "non-medical" as referred to in the statute (T.C.A. §63-25-104) as *the dissemination of non-therapeutic information relating only to normal nutrition for healthy people.*

Among others, the following non-licensed persons are not restricted from providing services and information related to *non-medical* nutrition:

- Those employed by or operating a health weight loss or fitness program
- Those employed by a health food store
- Those employed by or operating a business that sells health products, including dietary supplements, food or food materials, or provides non-medical nutritional information or distributes nutritional literature; or
- Those conducting classes or disseminating information related to non-medical nutrition

The full list of those who are not exempted can be found in the statute. When considering whether to make a complaint about a non-licensed person, please refer to the statute which can be accessed via links on the TDA website ([www.eatright-tn.org](http://www.eatright-tn.org)) or directly at:

<http://www.michie.com/tennessee/lpext.dll/tncode/25256?fn=document-frame.htm&f=templates&2.0#>.

The exemptions are found under the folder 63.25.104. Prohibited Representations

## Myth #2

The Board serves the interest of LDNs and protects the profession.

### Fact

The duty of the LDN board is to protect the health, safety, and welfare of the public. Our focus is the public. It is not the board's duty to protect the interests of licensees, the profession, or the professional association.

The board has 2 primary responsibilities: 1) to promulgate rules, which are procedures that allows the board to carry out the powers and duties granted by statute (i.e. establishing licensure qualifications or setting fees); and 2) to assess discipline against licensees who have violated the practice act.

## Myth #3

Licensure board members evaluate complaints about persons who are providing nutrition services without a license.

### Fact

This is a common misconception. Licensure board members do not investigate complaints. Rather, complaints about persons who are providing nutrition services without a license are reviewed by an attorney and a consultant to the board to determine whether there has been a violation of the Practice Act. The board consultant is a Licensed Dietitian Nutritionist; however, the consultant is not a member of the LDN Board.

After a thorough review process, the attorney and consultant reach a decision about whether the complaint merits investigation. If an investigation is indicated, the attorney and consultant – again, not the LDN board - conduct a second level review and decide upon the resolution.

The licensure board members become involved only if the investigation finds there was a violation of the practice act. At that time, the case is presented to the board members who function essentially like a jury and decide upon formal disciplinary action to be taken. For that reason, details of open cases are not discussed with the board.

## PUBLIC NOTICE INFORMATION

### Public Chapter 230

Provides that each health-related board shall establish a procedure to expedite the issuance of a license, certificate, or permit for an applicant who is certified or licensed in another state to perform the same profession that is the subject of the application; whose spouse is a member of the armed forces; whose spouse is the subject of a military transfer to Tennessee; and who has left employment to accompany the person's spouse to Tennessee. The procedure shall include issuing the applicant a license, certificate, or permit if the licensure requirements in the other state are substantially equivalent to Tennessee's requirements or developing a method to authorize the applicant to practice in Tennessee with a temporary permit in accordance with current law (T.C.A. §63-1-142). **Effective May 20, 2011.**

### Public Chapter 435

Provides that any governmental entity or private business or establishment that provides or offers a place of assembly or entertainment, transportation, lodging, dining, educational, medical or leisure activities or services, or any business or any establishment licensed by the State or any political subdivision thereof, or that is engaged in commerce in this State is strongly encouraged to post a sign indicating that certain information regarding the Tennessee human trafficking resource center hotline is in a location within the establishment that is visible to employees and the general public. The Department of Labor and Workforce Development shall provide the sign authorized by this section on its internet website for entities or establishments to print as needed. **Effective October 1, 2011.**

### Public Chapter 356

Continues the Board of Dietitian/Nutritionist Examiners until June 30, 2011. **Effective June 3, 2011.**

## Notice to All Healthcare PROFESSIONALS LICENSED Under Title 63

**On January 1, 2013**, a new law, Public Chapter 952, became effective requiring your licensing board to provide electronic notices to you. The law gives you the **option** of being notified electronically of the following: (1) Renewals of license, certification or registration; (2) Any fee increases; (3) Any changes in state law that impact the license holder; and (4) Any board meeting where changes in rules or fees are on the agenda. If you "opt in", the Department of Health will also be able to alert you of critical public health matters impacting the State of Tennessee.

Please visit <https://apps.tn.gov/hhrs/begin.jsp> and complete the registration process to opt in. Once you opt in and provide a current email address, you will begin to receive **ALL** notices electronically rather than through the United States mail. Please note that opting in means your renewal notification will be delivered electronically approximately 45 days in advance of your expiration. The e-notice will direct you to the appropriate webpage to renew. If your profession does not permit you to renew your license online, a paper renewal will continue to be provided.

Questions? Contact your professional board at  
<http://health.state.tn.us/providers.htm>

## Tennessee Board of Dietitian/Nutritionist Examiners Members

**Kim E. Pryor**  
Dietitian/Nutritionist  
Knoxville, TN

**Janet Skates**  
Dietitian/Nutritionist  
Kingsport, TN

**Abbie J. Kozomara**  
Dietitian/Nutritionist  
Nashville, TN

**Virginia H. Carney**  
Clinical Dietitian  
Memphis, TN

**Jacqueline Ann Marie Daughtry**  
Clinical Dietitian  
Millington, TN

**Jennifer L. White**  
Consumer Member  
Knoxville, TN

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### Board Staff

**Marva Swann**  
Board Director

**Angela M. Lawrence**  
Board Administrator

**Madeline Snoddy**  
Licensing Technician