

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 4296 (Substitute S-2 as reported)  
Sponsor: Representative Beverly Hammerstrom  
House Committee: Health Policy  
Senate Committee: Economic Development, International Trade and Regulatory Affairs

Date Completed: 12-8-98

### **RATIONALE**

Nutritionists and dietitians plan nutrition programs and supervise the preparation and serving of meals. Their focus is to help prevent and treat illnesses by promoting healthy eating habits, evaluating clients' diets, suggesting diet modifications, and conducting research. Dietitians often work in clinical and community settings such as hospitals and nursing homes, where they develop and implement nutritional programs for patients with specific health conditions; public health clinics or home health agencies, where they evaluate individual needs and develop nutritional care plans for individuals and their families; and health care facilities, companies, prisons, and schools, where they oversee large-scale meal planning and preparation. They also work in private practice or under contract, where they perform nutrition screening and offer diet-related advice; and in food manufacturing and marketing, where they analyze foods, prepare literature, and report on nutritional issues.

Although qualified individuals may obtain a national registration through the American Dietetic Association to become a registered nutritionist or dietitian, currently there are no regulations in Michigan to license, certify, or register nutritionists or dietitians. Some people believe that a State registration of nutritionists and dietitians would protect the public from those with insufficient training, and help recognize nutritionists and dietitians as legitimate professionals.

### **CONTENT**

**The bill would amend the Public Health Code to provide for the registration and regulation of nutritionist and dietitians; establish a \$20 application fee and a \$25 annual registration fee; and create the Michigan Board of Dietetics**

**and Nutrition in the Department of Consumer and Industry Services.** The bill is tie-barred to House Bills 5736 and 5737.

The Board of Nutrition and Dietetics would comprise two public members and five registered dietitians and nutritionists. The Department would have to issue a registration to an applicant who paid the fees; possessed a baccalaureate degree from a Department-approved institution of higher education with a major course of study in human nutrition, nutrition education, foods and nutrition, dietetics, food systems management, or an equivalent course of study; had at least 900 hours of supervised postcollege or planned continuous preprofessional experience as prescribed in Department rule; and passed a Department-approved examination. A registration could be renewed upon payment of the renewal fee. Beginning with the second renewal period after the bill's effective date, the Board could require a registrant to furnish it with evidence that during the preceding year he or she had attended at least 12-clock hours of Board-approved continuing education courses or programs in subjects related to nutrition and dietetics. In addition, the bill would not require new or additional third party reimbursement for services rendered by an individual registered under the bill.

"Registered nutritionist and dietician" would mean an individual who integrated and applied scientific principles of food, nutrition, biochemistry, physiology, management, and behavioral and social sciences to achieve and maintain the health of individuals through the provision of nutrition care services, administrative services, counseling services, educational services, food service, food safety services, informational services, nutrition therapy services, management services, and safety

and sanitation services; and who was registered under the bill. The bill specifies that a registered nutritionist and dietitian would not include an individual who provided weight control services or furnished general information on foods, food products, or dietary supplements, as long as the individual did not hold himself or herself out as a registered nutritionist and dietitian. Beginning on the bill's effective date, an individual would be prohibited from using the title "registered nutritionist and dietitian" or "R.N.D." unless the individual was registered under the bill.

(House Bills 5736 (H-2) and 5737 (H-2) would amend the Nonprofit Health Care Corporation Reform Act and the Worker's Disability Compensation Act, respectively, to specify that a health care corporation or an employer would not be required to reimburse for services performed by a member of a health care profession that became a licensed or registered profession after January 1, 1998.)

MCL 333.16131 et al.

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

Currently, 40 states have laws requiring licensure, certification, or registration of nutritionists and dietitians. The bill would provide for the registration and regulation of nutritionists and dietitians and create the Michigan Board of Dietetics and Nutrition. It would help regulate the profession by requiring State registration of individuals who wish to practice nutrition and dietetics in Michigan. Although an individual could become a registered nutritionist or dietitian through organizations such as the American Dietetic Association, there are currently no licensure, certification, or registration requirements to practice nutrition or dietetics. Essentially, individuals with little or no experience, education, or training may be able to establish themselves in Michigan as a registered nutritionist or dietitian. The registration of the profession would help protect the nutritional health and welfare of the public, since nutritionists and dietitians would be qualified to perform nutrition screening, assessment, and treatment, which require sufficient training, experience, and education.

**Response:** There is no need for State registration and regulation of nutritionists and

dietitians without sufficient documented evidence of public health and safety concerns.

### **Supporting Argument**

The bill specifies that a registered nutritionist and dietitian would not include an individual who provided weight control services or furnished general information on foods, food products, or dietary supplements. This distinction would help recognize registered nutritionists and dietitians as members of a legitimate profession who help provide reliable and objective nutrition information.

Legislative Analyst: N. Nagata

## **FISCAL IMPACT**

The bill would have a fiscal impact on State government. The application and registration fees that would be authorized by this legislation would increase revenues to the Department of Consumer and Industry Services, but would be offset by the cost associated with implementing and administering a new program. It is difficult to determine what the exact amount of revenue would be without knowing the number of individuals who would be affected by this legislation.

Fiscal Analyst: M. Tyszkiewicz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.