

268 CMR 3.00: PROCEDURE FOR LICENSURE

Section

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3.01: Application and Licensing

(1) Application.

(a) Application for licensure must be made in the manner prescribed by the Board and/or on forms furnished by the Board. Applicants may purchase from the State Bookstore a copy of M.G. L. c. 112, §§ 201 through 210 regarding dietitian/nutritionist and the regulations of the Board (268 CMR). Licensees are required to be familiar with 268 CMR.

(b) No application shall be acted upon by the Board unless said application is made on forms which are furnished by the Board, and unless said application is completely and properly filed out in the manner prescribed by the Board, signed under the penalties of perjury, and accompanied by such other information that the Board may require.

(2) Licensure. In order to be licensed as a dietitian/nutritionist, applicants for original license must meet the requirements for licensure pursuant to M.G.L. c.112, § 203, to wit:

- (a) be at least 18 years of age or older;
- (b) be of good moral character;
- (c) possesses a bachelor's degree, its equivalent or higher;

Acceptability of Degree Programs: An applicant's educational degree shall be accepted by the Board if the educational institution or program which awarded that degree is accredited by an organization or entity which has been recognized by the United States Department of Education, or any like institution approved by the Board, as an appropriate accrediting body for the degree program in question. The Board may, at its discretion, grant an applicant credit towards satisfaction of the baccalaureate degree requirement for education received at an institution outside of the United States if the applicant submits proof satisfactory to the Board that such foreign education is substantially equivalent to that provided in a baccalaureate degree program in an institution accredited by the United States Office of Education.

1. A bachelor's degree, its equivalent, or higher, shall be with a major course of study in Dietetics and Nutrition, human nutrition, nutrition education, or public health nutrition, or
2. The bachelor's degree, its equivalent, or higher with a reasonable threshold of undergraduate level academic credit hours in nutrition and nutrition sciences as determined by the Board, and shall, at a minimum, include:
 - a. Biological Sciences: nine semester hours (must include human anatomy and physiology or equivalent, and microbiology or equivalent);
 - b. Chemistry: six semester hours (must include biochemistry or equivalent);
 - c. Behavioral Sciences: three semester hours (such as psychology, sociology, cultural anthropology, counseling, or educational psychology); and
 - d. Foods and Nutrition: 24 semester hours which must include at least three semester hours in each of the following categories:
 - i. diet therapy, medical dietetics, clinical nutrition or equivalent;
 - ii. nutrition through life cycle, applied human nutrition, advanced human nutrition or equivalent;
 - iii. foods, food science, food composition and menu planning, food service management or equivalent.

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(d) have successfully completed a Board approved clinical internship or supervised professional experience;

1. a formal, post baccalaureate internship approved by the Board of not less than 900 hours in the Field of Dietetics and Nutrition supervised by a licensed dietitian/nutritionist; or
2. comparable paid professional experience that satisfies the Board that the licensee is competent to practice as a licensed dietitian/nutritionist. Paid professional experience includes, but is not limited to, appropriate activities as described in 268 CMR 5.01: *Appropriate Standards of Practice and Activities*.

The experience must consist of a minimum of 32 hours per week of employment; fewer hours will be prorated. Evidence of experience shall typically include a job description, with verification from an immediate supervisor, and a resume of jobs or positions for the following required amounts:

- a. three years of post baccalaureate paid professional experience in the Field of Dietetics and Nutrition; or
- b. two years of post masters degree paid professional experience in the Field of Dietetics and Nutrition; or
- c. one year of post doctorate paid professional experience in the Field of Dietetics and Nutrition.

(e) have passed a written or electronic competency examination approved by the Board and designed to test the competency and knowledge needed to practice; and

(f) have paid the appropriate fee as established by the Secretary of Administration and Finance pursuant to M.G.L. c. 7, § 3B.

(3) Licensure by Reciprocal Recognition. The Board, upon receipt of the required fee and a completed application on a form provided by the Board, pursuant to M.G.L. c. 112, § 208, may issue a license without examination and by reciprocal recognition to any person who holds a license, certification or registration as a dietitian/nutritionist, or the equivalent thereof as determined by the Board, issued by another state or jurisdiction, provided that:

- (a) the requirements and standards for that license, certificate or registration are substantially equivalent to or exceeds the standards of the Commonwealth as determined by the Board; and
- (b) the applicant has not had his or her license, certification or registration in that other jurisdiction revoked, suspended, or otherwise encumbered as a result of formal disciplinary proceedings instituted by the government agency responsible for licensure, certification or registration in that jurisdiction.

3.02: Procedures for Renewal of a License and Renewal of a Lapsed/Expired License

(1) Requirements for Renewal of a License.

(a) With the exception of the original license issued by the Board, each licensee must renew their license every two years. Said original license shall be valid from the date of issue for a minimum period of 24 months and shall expire on the birthday of the licensee next following the end of such period. Each subsequent license renewal date shall be on the second anniversary of that birth date. Individuals with a birth date of February 29th shall have an expiration date of March 1st.

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(b) A Licensee must submit to the Board, or its agent, a completed written or electronic renewal application form prescribed by the Board and shall pay the required renewal fee as established by the Secretary of Administration and Finance pursuant to M.G.L. c. 7, § 3B, not less than 30 days prior to the expiration date of the license.

(c) As a condition for renewal, each licensee must certify, under the pains and penalties of perjury, that he or she has completed the continuing education requirements of at least 30 hours every two years for licensed dietitian/nutritionists pursuant to M.G.L. c. 112, § 207 and 268 CMR 4.00 *et seq.* The Board, at its discretion, may conduct random surveys for compliance of this section and reserves the right to require any licensee to submit written documentation satisfactory to the Board of his or her completion of all or any part of such continuing education requirements.

(2) Procedures for Renewal of a Lapsed/Expired License.

(a) If a licensee fails to meet the requirements for license renewal as set forth in 268 CMR 3.02(1), the license of such person shall be considered expired and not in good standing. A person with an expired license is not authorized to practice as a Licensed Dietitian/Nutritionist for compensation, or to use the title "Licensed Dietitian/Nutritionist" during the period in which the license is expired.

(b) If a person allows his/her license to lapse, but attempts to renew within one license renewal period of two years from the date of expiration, the applicant may obtain renewal of his/her license by submitting a completed renewal application, together with the required evidence of continuing education, pay the appropriate fee for renewal and any late fee as may be established by the Secretary of Administration and Finance pursuant to M.G.L. c. 7, § 3B to the Board.

(c) If a person allows his/her license to lapse, does not renew for one license renewal period of two years from the date of expiration, but thereafter attempts to renew his/her license, the Board may grant renewal upon its discretion. The Board may require the applicant to: appear before the Board, take an examination, to document continued professional competency, complete all continuing education requirements from the date of expiration of his/her license, and/or to practice under supervision prior to, or as a term of condition of, issuing a late renewal license. Said applicant, if reinstated, shall pay all back renewal fees, the current renewal fee, and any late fees as may be established by the Secretary of Administration and Finance pursuant to M.G.L. c. 7, § 3B to the Board.

3.03: Procedures for Reinstatement of a License that has been Revoked, Suspended, Surrendered or Placed on Probation

Procedures for the reinstatement of a license after discipline shall be determined by guidelines established by the Board or, in specific matters, by consent agreement or decision and order of the Board.

3.04: Communication with the Board

(1) Official Mailing Address. Each licensee, pursuant to M.G.L. c. 112, § 210, shall provide the Board with a current and principal business or home address which will suffice as the legal address for the receiving of official process and notification from the Board. Licensees failure to provide an official address may result in default judgement or independent disciplinary action for such failure.

(2) Change of Address. Licensee, pursuant to M.G.L. c 112, § 210, shall immediately give written notification to the Board of any change of legal address.

(3) Responding to the Board. Licensee shall, unless otherwise directed, respond within 30 days to a written communication from the Board, or its designee, and shall make available to the Board any relevant and authorized records with respect to an inquiry or complaint about the licensee's conduct or professional practice. The 30 day period commences on the date the Board sends the communication by registered or certified mail return receipt requested to the licensee's last known address.

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3.05: Licensee Fee

License and other applicable fees are established by the Secretary of Administration and Finance pursuant to M.G.L. c. 7, § 3B. There is no provision for proration of fees for those applying between renewal dates.

3.06: Late Filing Fee

Renewal forms and fees postmarked after the due date will be subject to a late filing fee as established by the Secretary of Administration and Finance pursuant to M.G.L. c. 7, § 3B.

3.07: Reimbursement of Fees

Application and license fees are not refundable.

REGULATORY AUTHORITY

268 CMR 3.00: M.G.L. c. 13, § 11D, c. 112, §§ 201 through 210