

DIETITIAN LICENSURE COMPACT

SECTION 1: PURPOSE

The purpose of this Compact is to facilitate interstate Practice of Dietetics with the goal of improving public access to dietetics services. This Compact preserves the regulatory authority of States to protect public health and safety through the current system of State licensure, while also providing for licensure portability through a Compact Privilege granted to qualifying professionals.

This Compact is designed to achieve the following objectives:

- A. Increase public access to dietetics services;
- B. Provide opportunities for interstate practice by Licensed Dietitians who meet uniform requirements;
- C. Eliminate the necessity for Licenses in multiple States;
- D. Reduce administrative burden on Member States and Licensees;
- E. Enhance the States' ability to protect the public's health and safety;
- F. Encourage the cooperation of Member States in regulating multistate practice of Licensed Dietitians;
- G. Support relocating Active Military Members and their spouses;
- H. Enhance the exchange of licensure, investigative, and disciplinary information among Member States; and
- I. Vest all Member States with the authority to hold a Licensed Dietitian accountable for meeting all State practice laws in the State in which the patient is located at the time care is rendered.

SECTION 2. DEFINITIONS

As used in this Compact, and except as otherwise provided, the following definitions shall apply:

- A. **“ACEND”** means the Accreditation Council for Education in Nutrition and Dietetics or its successor organization.
- B. **“Active Military Member”** means any individual with full-time duty status in the active armed forces of the United States, including members of the National Guard and Reserve.
- C. **“Adverse Action”** means any administrative, civil, equitable or criminal action permitted by a State's laws which is imposed by a Licensing Authority or other authority against a Licensee, including actions against an individual's License or Compact Privilege such as

revocation, suspension, probation, monitoring of the Licensee, limitation on the Licensee's practice, or any other Encumbrance on licensure affecting a Licensee's authorization to practice, including issuance of a cease and desist action.

- D. **“Alternative Program”** means a non-disciplinary monitoring or practice remediation process approved by a Licensing Authority.
- E. **“Charter Member State”** means any Member State which enacted this Compact by law before the Effective Date specified in Section 12.
- F. **“Continuing Education”** means a requirement, as a condition of License renewal, to provide evidence of participation in, and completion of, educational and professional activities relevant to practice or area of work.
- G. **“CDR”** means the Commission on Dietetic Registration or its successor organization.
- H. **“Compact Commission”** means the government agency whose membership consists of all States that have enacted this Compact, which is known as the Dietitian Licensure Compact Commission, as described in Section 8, and which shall operate as an instrumentality of the Member States.
- I. **“Compact Privilege”** means a legal authorization, which is equivalent to a License, permitting the Practice of Dietetics in a Remote State.
- J. **“Current Significant Investigative Information”** means:
 - 1. Investigative Information that a Licensing Authority, after a preliminary inquiry that includes notification and an opportunity for the subject Licensee to respond, if required by State law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or
 - 2. Investigative Information that indicates that the subject Licensee represents an immediate threat to public health and safety regardless of whether the subject Licensee has been notified and had an opportunity to respond.
- K. **“Data System”** means a repository of information about Licensees, including, but not limited to, Continuing Education, examination, licensure, investigative, Compact Privilege and Adverse Action information.
- L. **“Encumbered License”** means a License in which an Adverse Action restricts a Licensee's ability to practice dietetics.
- M. **“Encumbrance”** means a revocation or suspension of, or any limitation on a Licensee's full and unrestricted Practice of Dietetics by a Licensing Authority.
- N. **“Executive Committee”** means a group of delegates elected or appointed to act on behalf of, and within the powers granted to them by, this Compact, and the Compact Commission.

- O. **“Home State”** means the Member State that is the Licensee’s primary State of residence or that has been designated pursuant to Section 6.
- P. **“Investigative Information”** means information, records, and documents received or generated by a Licensing Authority pursuant to an investigation.
- Q. **“Jurisprudence Requirement”** means an assessment of an individual’s knowledge of the State laws and regulations governing the Practice of Dietetics in such State.
- R. **“License”** means an authorization from a Member State to either:
 - 1. Engage in the Practice of Dietetics (including medical nutrition therapy); or
 - 2. Use the title "dietitian," "licensed dietitian," "licensed dietitian nutritionist," "certified dietitian," or other title describing a substantially similar practitioner as the Compact Commission may further define by Rule.
- S. **“Licensee” or “Licensed Dietitian”** means an individual who currently holds a License and who meets all of the requirements outlined in Section 4.
- T. **“Licensing Authority”** means the board or agency of a State, or equivalent, that is responsible for the licensing and regulation of the Practice of Dietetics.
- U. **“Member State”** means a State that has enacted the Compact.
- V. **“Practice of Dietetics”** means the synthesis and application of dietetics as defined by state law and regulations, primarily for the provision of nutrition care services, including medical nutrition therapy, in person or via telehealth, to prevent, manage, or treat diseases or medical conditions and promote wellness.
- W. **“Registered Dietitian”** means a person who:
 - 1. Has completed applicable education, experience, examination, and recertification requirements approved by CDR;
 - 2. Is credentialed by CDR as a registered dietitian or a registered dietitian nutritionist; and
 - 3. Is legally authorized to use the title registered dietitian or registered dietitian nutritionist and the corresponding abbreviations “RD” or “RDN.”
- X. **“Remote State”** means a Member State other than the Home State, where a Licensee is exercising or seeking to exercise a Compact Privilege.
- Y. **“Rule”** means a regulation promulgated by the Compact Commission that has the force of law.

Z. **“Single State License”** means a License issued by a Member State within the issuing State and does not include a Compact Privilege in any other Member State.

AA. **“State”** means any state, commonwealth, district, or territory of the United States of America.

BB. **“Unencumbered License”** means a License that authorizes a Licensee to engage in the full and unrestricted Practice of Dietetics.

SECTION 3. STATE PARTICIPATION IN THE COMPACT

A. To participate in the Compact, a State must currently:

1. License and regulate the Practice of Dietetics; and
2. Have a mechanism in place for receiving and investigating complaints about Licensees.

B. A Member State shall:

1. Participate fully in the Compact Commission’s Data System, including using the unique identifier as defined in Rules;
2. Notify the Compact Commission, in compliance with the terms of the Compact and Rules, of any Adverse Action or the availability of Current Significant Investigative Information regarding a Licensee;
3. Implement or utilize procedures for considering the criminal history record information of applicants for an initial Compact Privilege. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that State’s criminal records;
 - a. A Member State must fully implement a criminal history record information requirement, within a time frame established by Rule, which includes receiving the results of the Federal Bureau of Investigation record search and shall use those results in determining Compact Privilege eligibility.
 - b. Communication between a Member State and the Compact Commission or among Member States regarding the verification of eligibility for a Compact Privilege shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal history record information check performed by a Member State.
4. Comply with and enforce the Rules of the Compact Commission;

5. Require an applicant for a Compact Privilege to obtain or retain a License in the Licensee's Home State and meet the Home State's qualifications for licensure or renewal of licensure, as well as all other applicable State laws; and
 6. Recognize a Compact Privilege granted to a Licensee who meets all of the requirements outlined in Section 4 in accordance with the terms of the Compact and Rules.
- C. Member States may set and collect a fee for granting a Compact Privilege.
- D. Individuals not residing in a Member State shall continue to be able to apply for a Member State's Single State License as provided under the laws of each Member State. However, the Single State License granted to these individuals shall not be recognized as granting a Compact Privilege to engage in the Practice of Dietetics in any other Member State.
- E. Nothing in this Compact shall affect the requirements established by a Member State for the issuance of a Single State License.
- F. At no point shall the Compact Commission have the power to define the requirements for the issuance of a Single State License to practice dietetics. The Member States shall retain sole jurisdiction over the provision of these requirements.

SECTION 4. COMPACT PRIVILEGE

- A. To exercise the Compact Privilege under the terms and provisions of the Compact, the Licensee shall:
1. Satisfy one of the following:
 - a. Hold a valid current registration that gives the applicant the right to use the term Registered Dietitian; or
 - b. Complete all of the following:
 - i. An education program which is either:
 - a) A master's degree or doctoral degree that is programmatically accredited by (i) ACEND; or (ii) a dietetics accrediting agency recognized by the United States Department of Education, which the Compact Commission may by Rule determine, and from a college or university accredited at the time of graduation by the appropriate regional accrediting agency recognized by the Council on Higher Education Accreditation and the United States Department of Education.

- b) An academic degree from a college or university in a foreign country equivalent to the degree described in subparagraph (a) that is programmatically accredited by (i) ACEND; or (ii) a dietetics accrediting agency recognized by the United States Department of Education, which the Compact Commission may by Rule determine.
 - ii. A planned, documented, supervised practice experience in dietetics that is programmatically accredited by (i) ACEND, or (ii) a dietetics accrediting agency recognized by the United States Department of Education which the Compact Commission may by Rule determine and which involves at least 1000 hours of practice experience under the supervision of a Registered Dietitian or a Licensed Dietitian.
 - iii. Successful completion of either: (i) the Registration Examination for Dietitians administered by CDR, or (ii) a national credentialing examination for dietitians approved by the Compact Commission by Rule; such completion being no more than five years prior to the date of the Licensee's application for initial licensure and accompanied by a period of continuous licensure thereafter, all of which may be further governed by the Rules of the Compact Commission.
 - 2. Hold an Unencumbered License in the Home State;
 - 3. Notify the Compact Commission that the Licensee is seeking a Compact Privilege within a Remote State(s);
 - 4. Pay any applicable fees, including any State fee, for the Compact Privilege;
 - 5. Meet any Jurisprudence Requirements established by the Remote State(s) in which the Licensee is seeking a Compact Privilege; and
 - 6. Report to the Compact Commission any Adverse Action, Encumbrance, or restriction on a License taken by any non-Member State within 30 days from the date the action is taken.
- B. The Compact Privilege is valid until the expiration date of the Home State License. To maintain a Compact Privilege, renewal of the Compact Privilege shall be congruent with the renewal of the Home State License as the Compact Commission may define by Rule. The Licensee must comply with the requirements of Section 4(A) to maintain the Compact Privilege in the Remote State(s).

- C. A Licensee exercising a Compact Privilege shall adhere to the laws and regulations of the Remote State. Licensees shall be responsible for educating themselves on, and complying with, any and all State laws relating to the Practice of Dietetics in such Remote State.
- D. Notwithstanding anything to the contrary provided in this Compact or State law, a Licensee exercising a Compact Privilege shall not be required to complete Continuing Education Requirements required by a Remote State. A Licensee exercising a Compact Privilege is only required to meet any Continuing Education Requirements as required by the Home State.

SECTION 5: OBTAINING A NEW HOME STATE LICENSE BASED ON A COMPACT PRIVILEGE

- A. A Licensee may hold a Home State License, which allows for a Compact Privilege in other Member States, in only one Member State at a time.
- B. If a Licensee changes Home State by moving between two Member States:
 - 1. The Licensee shall file an application for obtaining a new Home State License based on a Compact Privilege, pay all applicable fees, and notify the current and new Home State in accordance with the Rules of the Compact Commission.
 - 2. Upon receipt of an application for obtaining a new Home State License by virtue of a Compact Privilege, the new Home State shall verify that the Licensee meets the criteria in Section 4 via the Data System, and require that the Licensee complete the following:
 - a. Federal Bureau of Investigation fingerprint based criminal history record information check;
 - b. Any other criminal history record information required by the new Home State; and
 - c. Any Jurisprudence Requirements of the new Home State.
 - 3. The former Home State shall convert the former Home State License into a Compact Privilege once the new Home State has activated the new Home State License in accordance with applicable Rules adopted by the Compact Commission.
 - 4. Notwithstanding any other provision of this Compact, if the Licensee cannot meet the criteria in Section 4, the new Home State may apply its requirements for issuing a new Single State License.
 - 5. The Licensee shall pay all applicable fees to the new Home State in order to be issued a new Home State License.

