

Ch. 246-822 WAC, Dietitians and Nutritionists
Rules Workshop
August 2022

Chapter 246-822 WAC

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~~246-822-020 General provisions.~~

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~~246-822-040 Health care institutions.~~

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246-822-990 Dietitian and nutritionist fees and renewal cycle.

WAC 246-822-010 Definitions.

(1) "Accredited college or university" means a college or university accredited by a national or regional accrediting body recognized by the council on postsecondary education at the time the applicant completed the required education.

(2) "Applicant" means a person whose application for certification as a dietitian or nutritionist is being submitted to the department.

(3) "Client" means a person who receives services from a dietitian or nutritionist; this term may be used interchangeably with "patient."

(4) "Commission on dietetic registration" or "CDR" means the credentialing organization of the academy of nutrition and dietetics, a professional organization for nutrition and dietetics practitioners.

(5) "Continuous preprofessional experience" means a minimum of 900 hours of supervised competency-based practice in the field of dietetics under WAC 246-822-140. accumulated over a maximum of thirty-six months. This competency-based practice should include, but not be limited to the following:

Commented [CMB(1): New definition!

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- ~~(a) Assuring that food service operations meet the food and nutrition needs of clients and target markets.~~
- ~~(b) Utilization of food, nutrition, and social services in community programs.~~
- ~~(c) Providing nutrition care through systematic assessment, planning, intervention, and evaluation of groups and individuals.~~
- ~~(d) Providing nutrition counseling and education to individuals and groups for health promotion, health maintenance, and rehabilitation.~~
- ~~(e) Applying current research information and methods to dietetic practice.~~
- ~~(f) Utilizing computer and other technology in the practice of dietetics.~~
- ~~(g) Integrating food and nutrition services in the health care delivery system.~~
- ~~(h) Promoting positive relationships with others who impact on dietetic service.~~
- ~~(i) Coordinating nutrition care with food service systems.~~
- ~~(j) Participating in the management of cost-effective nutrition care systems.~~
- ~~(k) Utilizing menu as the focal point for control of the food service system.~~
- ~~(l) Participating in the management of food service systems, including procurement, food production, distribution, and service.~~
- ~~(m) Participating in the management of human, financial, material, physical, and operational resources.~~
- ~~(n) Providing education and training to other professionals and supportive personnel.~~
- ~~(o) Engaging in activities that promote improved nutrition status of the public and advance the profession of dietetics.~~
- ~~(p) Recognizing the impact of political, legislative, and economic factors on dietetic practice.~~
- ~~(q) Utilizing effective communication skills in the practice of dietetics.~~
- ~~(r) Participating in the management of a quality assurance program.~~
- (6) "Coordinated undergraduate program" means supervised dietetic practice that is part of a course of study under WAC 246-822-145.
- (7) "Department" means the department of health.
- (8) "Dietetics" means the integration and application of scientific principles of food, nutrition, biochemistry, physiology, management, and behavioral and social sciences in counseling people to achieve and maintain health under chapter 18.138 RCW.
- (9) "Dietitian" or "certified dietitian" means a person certified to practice dietetics under this chapter and chapter 18.138 WAC.
- (10) "Nutritionist" or "certified nutritionist" means a person certified to provide general nutrition services under this chapter and chapter 18.138 WAC.
- (11) "Patient" means a person who receives services from a dietitian or nutritionist; this term may be used interchangeably with "client."
- (11) "Qualified supervisor" means a dietitian who is credentialed by the department under this chapter or by the commission on dietetic registration.
- (13) "Registered dietitian," "registered dietitian nutritionist," or "RDN" means a person registered with the commission on dietetic registration.

Commented [CMB(2)]: New definition!

Commented [CMB(3)]: New definition!

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~~(314)~~ "Supervision" means the oversight and responsibility for the dietitian's or nutritionist's continuous preprofessional experience or coordinated undergraduate program continued practice by a qualified supervisor under WAC 246-822-147. Methods of supervision may include face-to-face conversations, direct observation, or review of written notes or tapes.

~~(4)~~ "Qualified supervisor" means a dietitian who is certified under this chapter or who is qualified for certification under this chapter.

~~(5)~~ "Coordinated undergraduate program" means supervised dietetic practice that is part of a course of study.

Notes for workshop:

- A word can be added to the Definitions section when it's used multiple times in the rest of the rules. Do any new words need to be added?
- Possible new terms: ACEND, medical nutrition therapy, nutrition care process, general nutrition services, population health, nutrition education vs. nutrition counseling, patient generated health data

~~WAC 246-822-020 General provisions.~~ (1) "Unprofessional conduct" as used in this chapter shall mean the conduct described in RCW 18.130-180.

~~(2)~~ "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

~~(3)~~ "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

~~(4)~~ "Department" means the department of health, whose address is:

Department of Health
Professional Licensing Services
1300 Quince St., P.O. Box 47870
Olympia, Washington 98504-7870

~~(5)~~ "Dietitian or nutritionist" means a person certified pursuant to chapter 18.138 RCW.

~~(6)~~ "Mentally or physically disabled dietitian or nutritionist" means a dietitian or nutritionist who is currently mentally incompetent or mentally ill as determined by a court, or who is unable to practice dietetics or general nutrition services with reasonable skill and safety to patients by reason of any mental or physical condition and who continues to practice while so impaired.

WAC 246-822-030 Mandatory reporting. Individuals and other entities must report unprofessional conduct in compliance with the Uniform Disciplinary Act in chapter 18.138 RCW and the standards of professional conduct in chapter 246-16 WAC.

~~(1)~~ All reports required by this chapter shall be submitted to the department as soon as possible, but no later than twenty days after a determination is made.

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(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the dietitian or nutritionist being reported.

(c) The case number of any client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

(3) Mandatory reports shall be exempt from public inspection and copying to the extent permitted under RCW 42.17.310 or to the extent that public inspection or copying of the report or any portion of the report would invade or violate a person's right to privacy as set forth in RCW 42.17.255.

(4) A person is immune from civil liability, whether direct or derivative, for providing information to the department pursuant to RCW 18.130.070.

~~**WAC 246-822-040 Health care institutions.** The chief administrator or executive officer or designee of any hospital or nursing home shall report to the department when any dietitian or nutritionist's services are terminated or are restricted based on a determination that the dietitian or nutritionist has either committed an act or acts which may constitute unprofessional conduct or that the dietitian or nutritionist may be unable to practice with reasonable skill or safety to clients by reason of a physical or mental condition.~~

~~**WAC 246-822-050 Dietitian or nutritionist associations or societies.** The president or chief executive officer of any dietitian or nutritionist association or society within this state shall report to the department when the association or society determines that a dietitian or nutritionist has committed unprofessional conduct or that a dietitian or nutritionist may not be able to practice dietetics or general nutrition services with reasonable skill and safety to clients as the result of any mental or physical condition. The report required by this section shall be made without regard to whether the certificate holder appeals, accepts, or acts upon the determination made by the association or society. Notification of appeal shall be included.~~

~~**WAC 246-822-060 Health care service contractors and disability insurance carriers.** The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, and 48.44 RCW, operating in the state of Washington shall report to the department all final determinations that a dietitian or nutritionist has engaged in fraud in billing for services.~~

~~**WAC 246-822-070 Professional liability carriers.** Every institution or organization providing professional liability insurance directly or indirectly to dietitians or nutritionists shall~~

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~~send a complete report to the department of any malpractice settlement, award, or payment in excess of twenty thousand dollars as a result of a claim or action for damages alleged to have been caused by an insured dietitian or nutritionist's incompetency or negligence in the practice of dietetics or general nutrition services. Such institution or organization shall also report the award, settlement, or payment of three or more claims during a twelve-month period as a result of the dietitian or nutritionist's alleged incompetence or negligence in the practice of dietetics or general nutrition services.~~

~~**WAC 246-822-090 Courts.** The department requests the assistance of the clerk of trial courts within the state to report all professional malpractice judgments and all convictions of dietitians or nutritionists, other than minor traffic violations.~~

~~**WAC 246-822-090 State and federal agencies.** The department requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a dietitian or nutritionist is employed to provide patient care services, to report to the department whenever such a dietitian or nutritionist has been judged to have demonstrated his/her incompetency or negligence in the practice of dietetics or general nutrition services, or has otherwise committed unprofessional conduct, or is a mentally or physically disabled dietitian or nutritionist. These requirements do not supersede any federal or state law.~~

WAC 246-822-120 Application Nutritionist application requirements. Poll Question

An applicant for certification as a nutritionist must:

- (1) Submit a completed application form as provided by the department;
- (2) Pay the applicable fee as provided in WAC 246-822-990; and
- (3) Provide one of the following:

(a) Transcripts sent directly from the issuing college or university showing completion of a masters of doctorate degree in human nutrition, nutrition education, foods and nutrition, public health nutrition, or a closely related field; or

(b) Documentation that the applicant meets the requirements for certified dietitians in WAC 246-822-125.

~~(1) Individuals applying for certification as a certified dietitian must submit:~~

~~(a) A completed application form with fee; and~~

~~(b) Verification of current registration status with the commission on dietetic registration.~~

~~(2) Individuals applying for certification as a certified dietitian who have not passed the required written examination or who are not registered with the commission on dietetic registration must:~~

~~(a) Provide transcripts forwarded directly from the issuing college or university showing completion of a baccalaureate degree or higher in a major course of study in human nutrition, foods and nutrition, dietetics, or food management;~~

Commented [CMB(4): Update! Per workshop feedback, applications rule was broken into two: WAC 246-822-120 for Nutritionists, and WAC 246-822-125 for Dietitians

Commented [CMB(5): Is this addition appropriate?

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~~(b) Provide evidence of completion of a continuous preprofessional experience or coordinated undergraduate program in dietetics under the supervision of a qualified supervisor; and~~

~~(c) Take and pass the required written examination.~~

~~(3) Individuals applying for certification as a certified nutritionist must submit:~~

~~(a) A completed application form with fee; and~~

~~(b) Documentation that the applicant meets the application requirements for certified dietitians, as set forth in subsection (1) or (2) of this section; or~~

~~(c) Transcripts forwarded directly from the issuing college or university showing completion of a masters or doctorate degree in one of the following subject areas: Human nutrition, nutrition education, foods and nutrition, or public health nutrition.~~

NEW SECTION

WAC 246-822-125 Dietitian application requirements. Poll Question

An applicant for certification as a dietitian must:

(1) Submit a completed application form as provided by the department;

(2) Pay the applicable fee as provided in WAC 246-822-990; and

(3)... (continued by drafts below)

Draft A:

(3) Provide verification of current RDN registration with the commission on dietetic registration or provide:

(a) Transcripts sent directly from the issuing college or university showing completion of a baccalaureate degree or higher in a major course of study in human nutrition, foods and nutrition, sports nutrition, dietetics, food management, or closely related field;

(b) Evidence of completion of supervised experience, including either a continuous preprofessional experience under WAC 246-822-140 or coordinated undergraduate program in dietetics under WAC 246-822-145; and

(c) Passing examination results sent directly from CDR to the department as provided in WAC 246-822-150.

Draft B:

(3) Provide verification of education, supervised experience, and competency, including:

(a) Transcripts sent directly from the issuing college or university showing completion of a baccalaureate degree or higher in a major course of study in human nutrition, foods and nutrition, sports nutrition, dietetics, food management, or closely related field;

(b) Verification of completion of supervised experience, including either a continuous preprofessional experience under WAC 246-822-140 or coordinated undergraduate program in dietetics under WAC 246-822-145; and

(c) Passing examination results sent directly from CDR to the department, as provided in WAC 246-822-150.

Commented [CMB(6): Concerns: someone who was CDR 30 years ago, but hasn't practiced since then, could be certified as a dietitian in WA. Discuss adding CE as a requirement for application.

Commented [CMB(7): Is this addition appropriate?

Commented [CMB(8): Is this addition appropriate?

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(4) Verification of current registration with CDR as a registered dietitian nutritionist may be provided in lieu of documentation of education, supervised experience, and competency listed in subsection (3) of this section.

246-822-130 Nutritionist minimum core curriculum.

(1) An applicant for nutritionist must either:

- (a) Meet the qualifications for a certified dietitian, including a bachelor degree that meets minimum core curriculum requirements under WAC 246-822-135, or
 - (b) Obtain a master's or doctorate degree that meets the requirements of this section.
- (2) An applicant nutritionist's graduate degree must be in human nutrition, nutrition education, foods and nutrition, public health nutrition, or a closely related field.

(3) Foundational education must include coursework in the following areas:

~~Training for certified nutritionist should include coursework at the collegiate level or equivalent in the following areas:~~

~~(1) Basic science – Which should include courses in one or more of the following:~~

~~(a) Physiology.~~

~~(b) Biochemistry.~~

(a) Basic science, including biology, botany, microbiology, chemistry, organic chemistry, and biochemistry;

(b) Anatomy and physiology;

(c) Counseling and education, including psychology, educational psychology, counseling, and communication.

(4) Graduate-level nutrition science education must include:

(a) Diet therapy,

(b) Nutrition of the life cycle, developmental nutrition,

(c) Cultural nutrition

(d) Professional ethics

(e) Pharmacology

(2) Foods - Which should include courses in ~~one or more of~~ the following:

(a) Selection.

(b) Composition.

(c) Food science.

(3) Nutritional science.

(4) Applied nutrition - Which should include courses in ~~one or more of~~ the following:

(a) Diet therapy.

(b) Nutrition of the life cycle.

(c) Cultural/anthropological nutrition.

Commented [CMB(9)]: Still under construction.

Commented [CMB(10R9)]: Refer to:
[Home | American Nutrition Association \(theana.org\)](http://theana.org)
[ASPEN | Clinical Guidelines \(nutritioncare.org\)](http://nutritioncare.org)
American Nutrition Academy

Commented [CMB(11)]: Added based on workshop feedback.

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(d) Public health nutrition.

(5) Counseling/education - Which should include courses in ~~one or more of~~ the following:

- (a) Psychological counseling.
- (b) Educational psychology.
- (c) Communication.
- (d) Psychology.
- (e) Education.

Note for workshop: The current nutritionist minimum standards above were last updated in 1991. Do need to do anything to bring it up to date? (Delete old subjects, add new subjects, update outdated terminology, etc?)

NEW SECTION

246-822-135 Dietitian minimum core curriculum.

(1) Coursework must include at least the following topics related to the science and practice of dietetics:

(a) Research skills, including methodology and interpretation of research literature;

(b) Science of nutrition and dietetics, including organic chemistry, biochemistry, anatomy, physiology, pharmacology, genetics, microbiology, nutrient metabolism, and nutrition across the lifespan;

(c) Food science, food safety and sanitation, and recipe and menu development;

(d) Effective education and counseling techniques;

(e) Public health policy, including legislative and regulatory structures, population health strategies, and health equity; and

(f) Professional practice skills, including professional ethics, client communication, documentation standards, coding and billing practices, and health care delivery systems.

(2) An educational program accredited by ACEND satisfies the requirements of this section.

Commented [CMB(12): As discussed at workshops, this section is intended to align with ACEND standards. Please let us know if there's a conflict.

Commented [CMB(13): Pharmacology added per workshop feedback.

Commented [CMB(14): Population health added per workshop feedback.

Commented [CMB(15): Does this correctly use ACEND terminology?

NEW SECTION

WAC 246-822-140 Dietitian continuous preprofessional experience. Poll Question

(1) Continuous preprofessional experience consists of a minimum of 900 hours of supervised competency-based practice in the field of dietetics, accumulated over a maximum of thirty-six months, and supervised by a qualified supervisor. At minimum, continuous preprofessional experience must include practical experience that contributes to developing competency in each of the following practice areas:

- (a) exhibiting professionalism in attitudes and interactions with clients;

Commented [CMB(16): As discussed at workshops, this section is intended to align with ACEND standards. Please let us know if there's a conflict.

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- (b) understanding scientific research and incorporating new, evidence-based information into practice;
- (c) providing information and care to clients from diverse backgrounds; and
- (d) developing knowledge of health care systems, public health infrastructure, and population health strategies.
- (2) An internship accredited by ACEND satisfies the requirements of this section.

Commented [CMB(17): Based on workshop feedback, (d) has been expanded to include competency in public health/population health.

Commented [CMB(18): Does this correctly use ACEND terminology?

Commented [CMB(19): Note: We've received feedback that now some schools offer coordinated graduate programs. We are leaving this as "undergraduate" because this term is used in statute. See [RCW 18.138.030 \(2\) \(c\)](#).

Commented [CMB(20): As discussed at workshops, this section is intended to align with ACEND standards. Please let us know if there's a conflict.

NEW SECTION

WAC 246-822-145 Dietitian coordinated undergraduate program in dietetics. Poll

- (1) A coordinated undergraduate program in dietetics must include concurrent completion of:
 - (a) At least 900 hours of supervised experience by a qualified supervisor per RCW 18.138.030 (2)(c), and
 - (b) A dietetics program accredited by the Accreditation Council for Education in Nutrition and Dietetics (ACEND) that meets curriculum requirements in WAC 246-822-135.
- (2) Coursework must include at least the following topics related to the science and practice of dietetics:
 - (a) Research skills, including methodology and interpretation of research literature;
 - (b) Science of nutrition and dietetics, including organic chemistry, biochemistry, anatomy, physiology, pharmacology, genetics, microbiology, nutrient metabolism, and nutrition across the lifespan;
 - (c) Food science, food safety and sanitation, and recipe and menu development;
 - (d) Effective education and counseling techniques;
 - (e) Public health policy, including legislative and regulatory structures, population health strategies, and health equity; and
 - (f) Professional practice skills, including professional ethics, client communication, documentation standards, coding and billing practices, and health care delivery systems.

Commented [CMB(21): Pharmacology added per workshop feedback.

NEW SECTION

WAC 246-822-147 Dietitian supervision. Poll Question

- (1) To meet certification requirements in WAC 246-822-120, an individual must complete at least 900 hours of supervised experience under the oversight of a qualified supervisor.
 - (a) Methods of supervision may include face-to-face conversations, direct observation, and review of written notes or recordings.
 - (b) A minimum of two hours of supervision is required in any calendar month in which the individual has had forty or more client contact hours.
- (2) A qualified supervisor provides oversight and takes responsibility for an applicant working to meet certification requirements for a dietitian or nutritionist. To be a qualified

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supervisor, an individual must be a dietitian certified by the department or registered by the CDR.

WAC 246-822-150 Examinations.

(1) A written examination will be given at least once annually to qualified applicants at a time and place determined by the secretary.

(2) Applications must be received sixty days in advance of the scheduled examination.

(3) Applicants who fail the examination shall submit the appropriate fee for reexamination.

(1) An applicant required under WAC 246-822-120 to take an examination must take and pass the CDR registration examination for dietitians. To register for the examination, an applicant must meet the CDR's eligibility requirements.

(2) The department accepts the passing score set by the testing organization.

(3) The department must receive the passing examination results directly from the testing organization.

NEW SECTION

WAC 246-822-155 Continuing education requirements. Poll Question

(1) A certified dietitian or certified nutritionist must complete at least 2 hours in health equity continuing education every 4 years.

(2) A certified dietitian or certified nutritionist must complete the following one-time trainings:

(a) 3-hour suicide prevention training that meets minimum standards in chapter 246-12 WAC and is included on the department's model list; and

(b) telemedicine training that complies with RCW 43.70.495.

Note for workshop:

- Professionals registered with CDR are already required to complete profession-specific CE. But what about profession-specific CE for nutritionists? And non-CDR dietitians?

WAC 246-822-160 Foreign-International degree equivalency.

(1) Applicants Before applying to the department under WAC 246-822-120, an applicant who obtained their education outside of the United States and its territories must:

(a) have their academic degree(s) validated by a credential evaluation service as substantially equivalent to the baccalaureate, master's, or doctorate degree in a qualifying major course of study, conferred by a regionally accredited college or university recognized by the council on postsecondary education at the time the applicant completed the required degree, or

Commented [CMB(22): Will this be a barrier for people coming from out of state?

Commented [CMB(23): Note: Workshops raised the issue that CDR sometimes contracts with other companies who administer the exam. Wording here has been adjusted so that it no longer causes a potential conflict.

Commented [CMB(24): Health equity CE will soon be mandatory for most professions under SB 5229. See here for more information on bill and DOH development of minimum standards: [Health Equity Continuing Education | Washington State Department of Health](#). There will be a free training available.

Commented [CMB(25): Many professions are required to take a one-time, 3-hour training on identifying individuals at risk of suicide and referring them to appropriate care.

Qualifying trainings are listed on DOH's Model List: [Model List | Washington State Department of Health](#). Multiple training options are under \$50.

Commented [CMB(26): A telemedicine training is required for health care professionals who provide services through telehealth, under SB 6061. See here for the DOH policy statement: [Telemedicine Training Interpretive Statement \(wa.gov\)](#)

The free training is less than 1 hour and is available here: [Washington State Telehealth Training Information - Washington State Hospital Association \(wsha.org\)](#)

Commented [CMB(27): Follow-up from the workshops:

This rule references the "US and its territories," so anyone from Puerto Rico, Guam, US Virgin Islands, and other US territories would not go through the international degree equivalency process.

CDR has a process for recognizing credentials from Canada and allowing them to take the CDR exam: [Canadian Registered Dietitian Pathway -](#)

Commented [CMB(28): Added based on workshop feedback.

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(b) become registered by the CDR as a registered dietitian nutritionist or registered dietitian.

(2) Any deficiencies in the content of an applicant’s education may be remedied by completing additional coursework at an accredited college or university to meet the requirements of WAC 246-822-130 for a certified dietitian applicant, or WAC 246-822-135 for a certified nutritionist applicant.

(3) Any deficit in supervised experience may be remedied by completing additional supervised experience under WAC 246-822-140.

Commented [CMB(29)]: Can an international applicant complete additional experience like this? (Does this section make sense?)

NEW SECTION

WAC 246-822-165 Temporary practice permits.

A military spouse of state registered domestic partner of a military person may apply for a temporary practice permit under RCW 18.130.040 and WAC 246-12-051.

WAC 246-822-170 ~~Certification for dietitians—Grandfathering. Providing services.~~ An individual may be certified as a certified dietitian if he or she provides evidence of meeting criteria for registration with the commission on dietetic registration on June 9, 1988.

(1) Dietitians certified by the department may provide nutrition counseling or other services in person or by telehealth through HIPAA-compliant, interactive, real-time audio and video technology, if appropriate based on the needs of the client. All services must fall within the scope of dietetics as defined by RCW 18.138.010.

(2) Nutritionists certified by the department may provide nutrition counseling or other services in person or by telehealth through HIPAA-compliant, interactive, real-time audio and video technology, if appropriate based on the needs of the client. All services must fall within the scope of general nutrition services as defined by RCW 18.138.010.

(3) Dietitians and nutritionists may provide general nutrition education services in person or through audio or video technology.

Commented [CMB(30)]: Based on workshop feedback, edits to distinguish between nutrition counseling and nutrition education.

WAC 246-822-990 Dietitian and nutritionist fees and renewal cycle. (1) Certificates must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

Title	Fee
Original application	
Application	\$65.00
HEAL-WA* surcharge	16.00
Renewal	

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Title	Fee
Renewal	45.00
HEAL-WA* surcharge	16.00
Late renewal penalty	45.00
Expired certificate reissuance	50.00
Duplicate certificate	30.00
Verification of certificate	30.00

*HEAL-WA is the health resources for Washington online library. See RCW 43.70.110.