PASSAGE OF SB 993 and RD/RDNS & DTRS IN CALIFORNIA

SB993 was signed by Governor Edmund G. “Jerry” Brown on September 26, 2014 and will go into effect on January 1, 2015. The changes in the law will be incorporated into Business & Professions Codes 2585 & 2586.

WHAT DOES SB 993 DO?

- Describes the role of the RD in individualizing nutritional and dietary treatment when necessary. It specifically allows the RD to modify the distribution, type, and quantity of food and nutrients within the parameters of the prescribed diet order.
- Defines medical nutrition therapy in language that matches the terms in the Nutrition Care Process.
- Permits the RD in a licensed health care facility to perform an assessment and provide MNT within the diet order based on facility-approved screening procedures.
- Eliminates language related to protocols.
- Provides title protection for Registered Dietitian Nutritionist and RDN.
- Updates the educational routes to qualify for the DTR credential to include individuals with a minimum of a bachelor’s degree and completion of an accredited didactic program in dietetics (DPD).
- Prohibits RD/RDNs from ordering or administering parenteral nutrition.

WHAT SB 993 DOES NOT DO FOR RD/RDNS IN CALIFORNIA

SB993 does not authorize RDs to write orders.*

*In July, 2014, CMS (Center for Medicare & Medicaid Services) issued a federal regulation/ruling that impacts RDs working in hospitals. It permits RDs who are privileged by the hospital to write diet orders independent of the doctor, only if the state laws and regulations allow this. The CMS final rule statement specified that it “does not require hospitals and medical staff to grant or authorize specific privileges to specific practitioners, but only allows them the flexibility to do so if they choose, and only if State law allows for it.”

Unfortunately, California’s state laws and regulations do not allow RDs to write orders. The California Department of Public Health’s Policy Division has informed CDA that RDs and other nutrition professionals are unable to be granted privileges by hospitals because there is no state oversight board for registered dietitians.

So, at this time, no RD in any setting (hospitals, long-term care, SNFs, etc) in California is permitted to write diet orders. RDs should continue to make recommendations to the physician and adhere to the physician’s order. In facilities/organizations that have institutional policies allowing the RD to take telephone or verbal orders from MDs, then the RD may accept telephone/verbal diet orders.