Frequently Asked Questions & Answers About Assembly Bill 769 –

Allowed practice by Dietetic Interns, students in Coordinated Programs and Dietetic Technician, Registered Programs, and allowed practice by recent graduates from these educational programs

AB 769 was signed into state law by Governor Gray Davis on July 15, 2003. The new provisions of state law went into effect on January 1, 2004.

Why did we need this legislation?
Dietetics students and graduates of dietetics programs who have not yet passed the appropriate certification exam (the Registered Dietitian (RD) or Dietetic Technician, Registered (DTR) examination given nationally by the Commission on Dietetic Registration) were not mentioned in California law.

Current California law does have a defined scope of practice for RDs and DTRs (California Business and Professions Code Section 2586) that permits RDs or DTRs to perform their designated activities within their scope of practice. Specified activities permit RDs or DTRs to provide medical nutrition assessment and therapy to treat an illness or disease when prescribed by a physician. The DTR works under the supervision of an RD. Both RDs and DTRs may provide basic nutrition information to healthy individuals (per California Business & Professions Code Section 2068). Without the addition of AB769 to California Business and Professions Code Section 2586, medical nutrition treatments by RD or DTR students could be considered practicing medicine without a license.

What did AB 769 add to state law?
AB 769 added to California Business & Professions Code Section 2586 permission for dietetics students in accredited supervised practice programs to perform activities in the RD or DTR scope of practice when the activities are part of the supervised practice program and under the supervision of a Registered Dietitian.

AB 769 also added legal language to permit temporary practice until the exam is first taken (must be taken within six months) using the RD or DTR scope of practice by those who have completed both the academic and supervised practice requirements and have applied for the exam, but are awaiting the examination date. These individuals must be supervised by RDs. The temporary practice ability is terminated immediately if the individual fails to pass the exam.

What are supervised practice programs?
The term supervised practice program includes Dietetic Internships, Coordinated Programs and Dietetic Technician, Registered programs. These dietetics education programs are accredited by the Commission on Accreditation for Dietetics Education of the American Dietetic Association, and are a mandatory requirement in California law before a candidate can be eligible to take the registration examination.

Must a Registered Dietitian supervise all learning experiences in a supervised practice program in dietetics?
No. Supervision by a Registered Dietitian is needed for learning activities encompassing Medical Nutrition Therapy for RD programs and for clinical practice experience in DTR programs. Other learning activities, such as food service management and nutrition education, require appropriate supervision provided by a qualified person as determined by the director of the accredited program.

Are students in other health professions mentioned in the California Business and Professions Codes?
Yes. The California Business and Professions Code provisions for nursing, occupational therapy, physical therapy, respiratory therapy, medicine, dentistry and acupuncture state that practice by
students enrolled in defined educational programs may perform the profession's scope of practice when a part of the educational program and with supervision by a qualified person within the profession.

**Are students in Didactic Programs in Dietetics included in the legislation?**
No. Undergraduate students in Didactic Programs in Dietetics (DPD) may not perform Medical Nutrition Therapy. They may provide general nutritional information as specified in the California Business and Professions Code Section 2068.

**What happens if an individual fails the Commission on Dietetic Registration (CDR) RD or DTR exam within the six-month period after graduation?**
The individual may not perform the RD or DTR scope of practice until he/she passes the exam.

**The legislation specifies that a graduate of a supervised practice program must practice under the supervision of a Registered Dietitian. What amount of supervision is required?**
The facility that hires the graduate would determine the amount and type of supervision.

**How would a patient know that a pre-RD or pre-DTR student is providing services?**
Students would identify themselves to the patient and should wear an ID badge that indicates student or intern status.

**Who will monitor whether an employment candidate has applied to take the RD or DTR examination?**
It is the employment candidate's responsibility to make sure that her/his credential status is known to a potential employer and it is the employer's responsibility to verify credentials.

**Prior to passing the RD or DTR examination, how would one prove that she/he has completed a supervised practice program in dietetics?**
Upon completion of a supervised practice program in dietetics, the Program Director issues a document called a Verification Statement that indicates that the program was completed. The Verification Statement includes the type of supervised practice program, date of completion, program director's name and contact information.

**Are foreign-educated applicants able to take the RD or DTR exam giving by the Commission on Dietetic Registration?**
CDR currently has registration eligibility reciprocity agreements with the following foreign dietetic associations/regulatory boards: Dietitians of Canada, Dutch Association of Dietitians/Ministry of Welfare, Public Health and Culture, the Philippine Professional Regulation Commission, the Irish Nutrition and Dietetic Institute and the Dietitians Board of the Health Professions Council (HPC) in the United Kingdom.

Program directors for undergraduate programs for pre-RDs (Didactic Programs in Dietetics) or for pre-DTRs (Dietetic Technician, Registered programs) review their transcripts and determine if the applicant meets current standards. The program director would advise foreign educated applicants if any academic classes or supervised practice is needed to be eligible for the CDR RD or DTR exam.

**My job title is “Diet Tech” and I work under the supervision of a Registered Dietitian. May I perform the Dietetic Technician Registered (DTR) scope of practice in California?**
No. Only those who have passed the DTR examination given by the Commission on Dietetic Registration (CDR) may practice as a DTR in California per state law, California Business & Professions Code Sections 2585 & 2586.