



**Oregon Administrative Rules
1998 Compilation**

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BOARD OF EXAMINERS OF LICENSED DIETITIANS

DIVISION 1

PROCEDURAL RULES

834-001-0000

Notice of Proposed Rules

Prior to the adoption, amendment, or repeal of any rule, the Board of Examiners of Licensed Dietitians shall give notice of proposed adoption, amendment, or repeal:

- (1) In the Secretary of State's Bulletin referred to in ORS 813.360 at least 15 days prior to the effective date.
- (2) By mailing a copy of the Notice to the persons on the Board's mailing list established pursuant to ORS 183.335(6).
- (3) By mailing a copy of the Notice to the following persons, organizations or publications:
 - (a) Associated Press;
 - (b) United Press International;
 - (c) Oregon Dietetic Association; and
 - (d) Oregon State Health Division.

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

834-001-0005

Model Rules of Practice and Procedure

The Model Rules of Practice and Procedures promulgated by the Attorney General of the State of Oregon under the Administrative Procedures Act are by this reference adopted as the rules of procedure of the Board of Examiners of Licensed Dietitians.

[ED. NOTE:The full text of the Attorney General's Model Rules of Procedure is available from the office of the Attorney General or the Board of

Examiners of Licensed Dietitians.]

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

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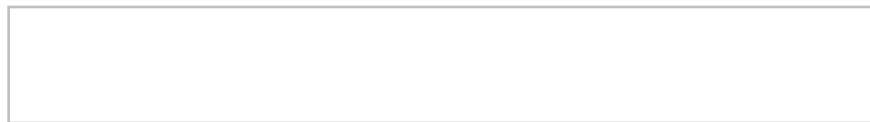
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**Oregon Administrative Rules
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BOARD OF EXAMINERS OF LICENSED DIETITIANS

DIVISION 10

**IMPLEMENTATION AND ADMINISTRATION
OF THE DIETETIC PRACTICE ACT**

834-010-0005

Definitions

As used in this Chapter, the following terms and phrases, which have not already been defined in the Practice Act (ORS 691.405 through 691.585), shall have the meanings specified:

- (1) "Act" means Dietitian Practice Act.
- (2) "Applicant" means any person who has applied to the Board for a license to engage in the practice of dietetics in the State of Oregon.
- (3) "Application" means a written request directed to and received by the Board, on forms supplied by the Board, for a license to practice dietetics in the State of Oregon, together with all information, certificates, documents, and other materials required by the Board.
- (4) "Examination" means the examination administered by the Commission of Dietetic Registration (CDR). The Board recognizes the examination administered by CDR and the passing score set up by CDR as the Board's examination.
- (5) "Nutritional Assessment" means the evaluation of the nutritional needs of individuals and groups based upon appropriate biochemical, anthropometric, physical and dietary data to determine nutrient needs and recommend to the primary health care provider and/or client and implement appropriate nutritional intake including enteral and parenteral nutrition regardless of setting, including but not limited to ambulatory settings, hospitals, nursing homes, and other extended care facilities.

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

834-010-0010

Qualifications for Licensure

- (1) Applicants who are currently registered by CDR are deemed to have met the academic requirements of ORS 691.435(2).
- (2) Other persons applying for licensure must have earned a baccalaureate or post-baccalaureate degree from a regionally accredited college or university in the United States with a major course of study in human nutrition, dietetics, foods and nutrition, or food systems management approved by the Board. Any course of study which meets the current academic requirements of the American Dietetic Association, or academic requirements of the American Dietetic Association in place when the degree was granted, will be granted Board approval.
- (3) Each applicant shall have successfully completed a Board approved practicum of at least 900 hours of a planned continuous program of relevant professional experience under the supervision of a licensed dietitian or prior to 1991 under the supervision of a registered dietitian, or prior to 1970 under the supervision of a dietitian who was a member of the American Dietetic Association.
- (4) Each applicant shall have passed an examination administered by the Commission on Dietetic Registration.
- (5) Each applicant must satisfactorily complete continuing education requirements as set forth below:
 - (a) Each applicant for licensure shall present satisfactory evidence of a minimum of 15 hours of continuing education approved by the Board during the licensure year of application; or
 - (b) Applicants who are currently registered by CDR are deemed to have met the continuing education requirements for the current year; or
 - (c) Applicants who have successfully completed the Commission on Dietetic Registration examination within one calendar year prior to application shall be deemed to have met the continuing education requirements for the initial year of licensure.
- (6) Each applicant for licensure shall demonstrate a knowledge of the **Code of Ethics** as a part of the application process

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the Board of Examiners of Licensed Dietitians.]

Stat. Auth.: ORS 691.405 - 691.535

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90; LDB 2-1993, f. 11-30-93, cert. ef. 12-1-93

834-010-0015

Waiver

The Board may waive the examination requirements of OAR 834-010-0010 under the following circumstances:

- (1) The applicant presents satisfactory evidence of current registration with the CDR.
- (2) Was a practicing dietitian before 1990 and has been employed in the practice of dietetics for at least three of the ten years prior to October 3, 1989.

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

834-010-0025

Application for Licensure

- (1) Application for licensure must be submitted on the form and in the manner prescribed by the Board.
- (2) Every application shall be typed or written in ink, signed under the penalty of perjury and accompanied by the appropriate nonrefundable application fee and by such evidence, statements or documents showing to the satisfaction of the Board that applicant meets the requirements of ORS 691.435 through 691.565.
- (3) Applications are to be submitted to the address designated by the Board.
- (4) Approved applications and all documents filed in support thereof shall be retained by the Board.
- (5) The Board will not consider an application as officially submitted until the applicant pays the application fee in full.
- (6) The executive officer of the Board will send a notice and list the additional materials required to an applicant who does not provide a complete application.
- (7) The application for a license shall contain such information as the Board may reasonably require.

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

834-010-0030

Issuance and Renewal of Licenses

An applicant may be issued a license based on compliance with requirements stated in ORS 691.405, et seq. and these rules. The Board may issue a license to any person who meets the requirements upon payment of the license fee prescribed:

- (1) Licenses will expire on October 31 of odd numbered years, beginning in 1995.
- (2) Licensee's renewal application must be postmarked or received in the Board Office during regular business hours on or before the expiration date in order to avoid the late renewal fee.
- (3) Applicants for renewal of licenses must provide documentation of having met continuing education requirements by providing the Board a copy of current registration card or evidence of 30 hours per biennial licensure period of continuing education approved by the Board. Applicants who have completed the required hours of continuing education which are approved by the Commission of Dietetic Registration are deemed to have met the continuing education required by the Board.
- (4) A renewed license shall be furnished to each licensee who meets all renewal requirements by the expiration date.
- (5) No person without a current, valid license from the Board may use the title of or imply that he/she has the title of "licensed dietitian".

Stat. Auth.: ORS 691.405 - 691.535

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90; LDB 1-1992, f. & cert. ef. 3-13-92; LDB 2-1993, f. 11-30-93, cert. ef. 12-1-93

834-010-0035

License Certificates

- (1) The Board shall prepare and provide to each licensee a license certificate.
- (2) The licensee shall surrender his/her license certificate upon appropriate demand by the Board.
- (3) Neither the licensee nor anyone else shall make any alteration on a license certificate issued by the Board.

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

834-010-0040

Disapproved Application

The Board shall not approve an applicant for licensure if the applicant:

- (1) Has not completed the requirements in ORS 691.435 through 691.465.
- (2) Has failed to remit any applicable fees.
- (3) Has failed to comply with requests for supporting documentation prescribed by the Board.
- (4) Has deliberately presented false information on application documents required by the Board to verify applicant's qualifications for licensure.

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

834-010-0045

Denial, Revocation or Suspension of License

- (1) The Board may refuse to issue a license, or suspend, revoke or impose probationary conditions and restrictions on the license of a person upon a finding of any of the causes listed in ORS 691.535.
- (2) When the Board has cause to believe that a licensee/applicant has violated any part of ORS 691.405 through 691.555, the Board shall so advise the applicant in writing by certified mail, setting forth its grounds, specifying the sanctions which are sought and provide the licensee/applicant with the opportunity for hearing pursuant to ORS 183.310 to 183.500. The Board's findings of fact, its conclusions of law under these rules and its decision as to the sanctions, if any, to be imposed shall be made in writing by certified mail and served upon the applicant.
- (3) A suspended license shall be subject to expiration and may be renewed as provided in this section, but such renewal shall not entitle the licensee to engage in the licensed activity until he/ she is reinstated. If a license revoked on disciplinary grounds is reinstated, the licensee must reapply and pay all applicable fees.

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

834-010-0050

Fees

In accordance with the provisions of ORS 691.565, the following fees, where applicable, are payable to the Board/Health Division by check or money order:

- (1) Application fee shall be \$50, nonrefundable.
- (2) Initial license fee shall be \$150 (or \$75 if issued for 12 months or less).
- (3) Renewal fee shall follow the same fee structure as the initial license fee.
- (4) Delinquent fee shall be \$25.

Stat. Auth.: ORS 691.405 - 691.535

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90; LDB 1-1992, f. & cert. ef. 3-13-92; LDB 2-1993, f. 11-30-93, cert. ef. 12-1-93

834-010-0055

Rules for Professional Conduct

Licensees, under the act, shall perform their professional duties using the American Dietetic Association (ADA) "**Code of Ethics for the Professional of Dietetics**", which includes but is not limited to the following:

- (1) The licensee provides professional service with objectivity and with respect for the unique needs and values of individuals, avoiding discrimination, and provides sufficient information to enable clients to make informed decisions.
- (2) The licensee accurately presents professional qualifications and credentials, and does not permit the use of these credentials by an unqualified person.
- (3) The licensee shall remain free of conflict of interest and shall promote or endorse products in a manner that is neither false nor misleading.
- (4) The licensee shall advance and promote the professional while maintaining professional judgment, honesty, integrity, loyalty, and trust to colleagues, clients and the public.
- (5) The licensee assumes responsibility and accountability for personal competence in practice through continuing education and recognition of the limits of his/her ability and adherence to accepted standards of practice.
- (6) The licensee presents substantiated information and interprets controversial information without personal bias, recognizing legitimate differences of opinion.
- (7) The licensee maintains the confidentiality of information.
- (8) The licensee shall be responsible for reporting alleged misrepresentation or violation of the Act and/or Board rules to the Board.

[Publications:The publication(s) referred to or incorporated by reference in this rule are available from the Board of Examiners of Licensed Dietitians.]

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

834-010-0060

Rules for Standards of Practice

Licensees, under the Act, shall perform their professional duties using the Standards of Practice of the American Dietetic Association. These standards are:

- (1) The dietetic practitioner establishes performance criteria, compares actual performance with expected performance, documents results and takes appropriate action.
- (2) The dietetic practitioner develops, implements, and evaluates an individual plan for practice based on assessment of consumer needs, current knowledge, and current experience.
- (3) The dietetic practitioner, utilizing unique knowledge of nutrition, collaborates with other professionals, personnel, and/or consumers, in integrating, interpreting, and communicating nutrition care principles.
- (4) The dietetic practitioner engages in life-long self-development to improve knowledge and skills.
- (5) The dietetic practitioner generates, interprets, and uses research to enhance dietetic practice.
- (6) The dietetic practitioner identifies, monitors, analyzes and justifies the use of resources.

Stat. Auth.: ORS Ch. 691

Hist.: LDB 1-1990(Temp), f. 8-23-90, cert. ef. 9-4-90; LDB 2-1990, f. & cert. ef. 12-20-90

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