

By Senator Bernard

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A bill to be entitled
An act relating to the Dietetics and Nutrition
Practice Act; amending s. 468.502, F.S.; revising
legislative findings, purpose, and intent; amending s.
468.503, F.S.; revising definitions and defining
terms; amending s. 468.504, F.S.; prohibiting persons
from engaging in specified conduct without holding the
applicable license; amending s. 468.505, F.S.;
revising exemptions from licensure requirements;
providing construction; deleting obsolete provisions;
amending s. 468.506, F.S.; revising the membership of
the Dietetics and Nutrition Practice Council; amending
s. 468.509, F.S.; revising licensure requirements for
dietitians and nutritionists; providing that persons
licensed or who have applied for licensure before a
specified date remain licensed, eligible for
reactivation of licensure, or eligible for licensure,
as applicable, under requirements in effect at the
time of application, provided certain conditions are
met; requiring that certain persons licensed as a
dietitian/nutritionist or a nutrition counselor as of
a specified date be issued a license to practice as a
dietitian or nutritionist, as applicable, without
meeting additional requirements, provided certain
conditions are met; deleting obsolete provisions;
amending s. 468.51, F.S.; conforming a provision to
changes made by the act; amending s. 468.511, F.S.;
revising requirements for temporary permits to
practice as a dietitian or nutritionist; deleting

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obsolete provisions; amending ss. 468.512 and 468.513, F.S.; conforming provisions to changes made by the act; amending s. 468.516, F.S.; specifying requirements an individual must meet to be a qualified supervisor for purposes of the act; deleting certain practice requirements for dietitians and nutritionists; amending ss. 468.517, 468.518, 381.00593, 501.0573, and 501.0575 F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 468.502, Florida Statutes, is amended to read:

468.502 Purpose and intent.—The Legislature finds that the practice of dietetics and the practice of nutrition ~~or nutrition counseling~~ by unskilled and incompetent practitioners present ~~presents~~ a danger to the public health and safety. The Legislature further finds that it is difficult for the public to make informed choices about dietitians and nutritionists and that the consequences of wrong choices could seriously endanger the public health and safety. The sole legislative purpose in enacting this part is to ensure that every person who practices medical nutrition therapy ~~dietetics and nutrition or nutrition counseling~~ in this state meets minimum requirements for safe practice. It is the legislative intent that any person practicing as a dietitian or nutritionist ~~dietetics and nutrition or nutrition counseling~~ who falls below minimum

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competency or who otherwise presents a danger to the public be prohibited from practicing in this state. It is also the intent of the Legislature that the practice of medical nutrition therapy ~~counseling~~ be authorized and regulated solely within the limits expressly provided by this part and any rules adopted pursuant thereto.

Section 2. Section 468.503, Florida Statutes, is amended to read:

468.503 Definitions.—As used in this part:

(1) "Board" means the Board of Medicine.

(2) "Commission" means the Commission on Dietetic Registration, the credentialing agency of the Academy of Nutrition and Dietetics.

(3) "Complex," with respect to a disease state, medical condition, or clinical presentation, means requiring the provision of medical nutrition therapy by a licensed dietitian due to one or more of the following:

(a) Instability of the patient's health status.

(b) The presence of multiple or interacting comorbidities.

(c) A high risk of complications or rapid clinical deterioration.

(d) The need for intensive monitoring.

(e) The need for advanced nutrition interventions, including therapeutic diets administered through enteral or parenteral routes.

Complex disease states, medical conditions, or clinical presentations include, but are not limited to, severe malnutrition, organ failure, conditions requiring enteral or

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parenteral nutrition, renal disease requiring dialysis, severe metabolic disturbances, post-bariatric surgery care, and critical illness.

(4) "Degree" means a degree received from an educational institution that at the time the degree was awarded was accredited by a national institutional accrediting body for higher education recognized by the Council for Higher Education Accreditation, the United States Department of Education, or a foreign equivalent approved by the board.

(5) "Department" means the Department of Health.

~~(4) "Dietetics" means the integration and application of the principles derived from the sciences of nutrition, biochemistry, food, physiology, and management and from the behavioral and social sciences to achieve and maintain a person's health throughout the person's life. It is an integral part of preventive, diagnostic, curative, and restorative health care of individuals, groups, or both.~~

~~(5) "Dietetics and nutrition practice" shall include assessing nutrition needs and status using appropriate data; recommending appropriate dietary regimens, nutrition support, and nutrient intake; ordering therapeutic diets; improving health status through nutrition research, counseling, and education; and developing, implementing, and managing nutrition care systems, which includes, but is not limited to, evaluating, modifying, and maintaining appropriate standards of high quality in food and nutrition care services.~~

(6) "Dietetic technician" means a person who assists in the provision of dietetic and nutrition services under the supervision of a qualified professional.

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117 (7) "General nonmedical nutrition information" means
118 information on any of the following:

119 (a) Principles of human nutrition and food preparation.

120 (b) Principles of self-care and a healthy relationship with
121 food.

122 (c) Essential nutrients needed by the human body.

123 (d) General and nonindividualized recommended amounts of
124 essential nutrients in the human body.

125 (e) Actions of nutrients in the human body.

126 (f) Nonindividualized effects of deficiencies or excesses
127 of nutrients in the human body.

128 (g) General education on foods, herbs, and dietary
129 supplements that are good sources of essential nutrients in the
130 human body.

131 (8) "Licensed dietitian ~~dietitian/nutritionist~~" means a
132 person licensed under s. 468.509(1) to engage in the practice of
133 dietetics and the practice of nutrition, including the provision
134 of medical nutrition therapy pursuant to s. 468.509.

135 ~~(9)-(8)~~ "Licensed nutrition counselor" means a person
136 licensed pursuant to s. 468.51.

137 (10) "Licensed nutritionist" means a person licensed under
138 s. 468.509(2) to engage in the practice of nutrition, including
139 the provision of noncomplex medical nutrition therapy.

140 (11) "Medical nutrition therapy" means the provision of any
141 of the following nutrition care services for the purpose of
142 management or treatment of a disease or medical condition:

143 (a) Nutrition assessment.

144 (b) Nutrition diagnosis.

145 (c) Nutrition intervention.

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(d) Nutrition monitoring and evaluation.

(12) "Medical weight control" means medical nutrition therapy provided for the purpose of reducing, maintaining, or gaining weight.

(13) "Noncomplex," with respect to a disease state, medical condition, or clinical presentation, means one that is stable or well-managed, does not involve rapid clinical deterioration or high-acuity care needs, and can be safely addressed through medical nutrition therapy delivered in low-acuity outpatient settings by a practitioner practicing within his or her demonstrated level of competence. Noncomplex disease states, medical conditions, or clinical presentations do not require intensive monitoring, do not involve multiple interacting comorbidities, and do not necessitate advanced interventions, such as therapeutic diets delivered through enteral or parenteral nutrition.

(14) "Nonmedical weight control" means nutrition care services for the purpose of reducing, maintaining, or gaining weight which do not constitute the treatment or management of a disease or medical condition. The term includes weight control services for healthy population groups to achieve or maintain a healthy weight.

(15) ~~(9)~~ "Nutrition assessment" means the ongoing, dynamic, and systematic process of ordering, obtaining, verifying, and interpreting biochemical, anthropometric, physical, nutrigenomic, and dietary data to make decisions about the nature and cause of nutrition-related problems relative to patient and community needs. Such assessment involves not only initial data collection, but also reassessment and analysis of

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175 patient or community needs and provides the foundation for
176 nutrition diagnosis and nutritional recommendations and orders.
177 Nutrition assessment may require ordering laboratory tests to
178 check and track nutritional status. The collection of nutrition-
179 related data does not, by itself, constitute a nutrition
180 assessment.

181 (16) "Nutrition care process" means the systematic problem-
182 solving method that licensed dietitians use to critically think
183 and make decisions when providing medical nutrition therapy or
184 to address nutrition-related problems and provide safe and
185 effective care. The nutrition care process consists of four
186 distinct, but interrelated steps, including nutrition
187 assessment, nutrition diagnosis, nutrition intervention, and
188 nutrition monitoring and evaluation.

189 (17) "Nutrition care services" means any part or all of the
190 following services provided within a systematic process of care:

191 (a) Assessing and evaluating the nutritional needs of
192 individuals and groups and determining resources and constraints
193 in a practice setting, including ordering of nutrition-related
194 laboratory tests to check and track nutrition status.

195 (b) Identifying nutrition problems and establishing
196 priorities, goals, and objectives that meet nutritional needs
197 and are consistent with available resources and constraints.

198 (c) Creating individualized dietary plans and issuing and
199 implementing orders to meet nutritional needs of healthy
200 individuals and individuals with diseases or medical conditions,
201 including ordering therapeutic diets and monitoring their
202 effectiveness.

203 (d) Determining and providing appropriate nutrition

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intervention in health and disease, including nutrition
counseling on food and prescription drug interactions.

(e) Developing, implementing, and managing nutrition care
systems.

(f) Evaluating, making changes in, and maintaining
appropriate standards of quality in food and nutrition services
evaluation of the nutrition needs of individuals or groups,
using appropriate data to determine nutrient needs or status and
make appropriate nutrition recommendations.

~~(18)~~ ~~(10)~~ "Nutrition counseling" means a supportive process,
characterized by a collaborative counselor-patient relationship
with individuals or groups, to establish food and nutrition
priorities, goals, and individualized action plans and general
physical activity guidance, which process acknowledges and
fosters responsibility for self-care to promote health and
wellness or to treat or manage an existing disease or medical
condition advising and assisting individuals or groups on
appropriate nutrition intake by integrating information from the
nutrition assessment.

(19) "Nutrition diagnosis" means identifying and labeling
nutrition problems managed and treated by a licensed dietitian
or licensed nutritionist but does not include a medical
diagnosis of the health status of an individual.

(20) "Nutrition intervention" means purposefully planned
actions, including nutrition counseling, intended to positively
change a nutrition-related behavior, risk factor, environmental
condition, or aspect of health status of an individual and his
or her family or caregivers, target groups, or community at
large. The term includes approving, ordering, and monitoring

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therapeutic diets and counseling on food and prescription drug interactions.

(21) "Nutrition monitoring and evaluation" means identifying patient outcomes relevant to the nutrition diagnosis, intervention plans, and goals and comparing those outcomes with previous status, intervention goals, or a reference standard to determine the progress made in achieving desired outcomes of nutrition care and whether planned interventions should be continued or revised.

(22) "Patient" means an individual who is the recipient of nutrition care services from a person licensed under this part.

(23) "Practice of dietetics" means the integration and application of scientific principles derived from the study of food, nutrition, biochemistry, metabolism, nutrigenomics, physiology, pharmacology, food systems, food management, and behavioral and social sciences to achieve and maintain optimal nutrition status of individuals and groups across their lifespans. The term includes the provision of nutrition care services, including medical nutrition therapy, delivered in person or through telehealth, to prevent, manage, or treat complex diseases or medical conditions and promote wellness in inpatient and outpatient settings. The term also includes developing and ordering therapeutic diets, through oral, enteral, and parenteral routes, and providing other advanced medical nutrition therapy and related support activities consistent with current competencies required of academic and supervised practice programs accredited by the Accreditation Council for Education in Nutrition and Dietetics and in accordance with the commission's Scope and Standards of Practice

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for the Registered Dietitian.

(24) "Practice of nutrition" means the integration and application of scientific principles derived from the study of nutrition science, cellular and systemic metabolism, biochemistry, physiology, and behavioral sciences to support and maintain health throughout the lifespan. The term includes the provision of nutrition care services, including medical nutrition therapy, delivered in person or through telehealth, for the prevention, management, or treatment of noncomplex diseases and medical conditions in low-acuity outpatient settings, and for the promotion of wellness. The term also includes, consistent with the practitioner's level of competence, ordering oral therapeutic diets, ordering medical laboratory tests related to nutrition interventions, and recommending vitamin, mineral, and other dietary supplements. The term excludes the provision of medical nutrition therapy for complex conditions and the delivery of medical nutrition therapy in inpatient or high-acuity outpatient settings.

(25) "Qualified supervisor" means an individual meeting the requirements of s. 468.516 who provides supervision and assumes full professional responsibility for the work of the supervisee by verifying, directing, and approving the provided nutrition care services, medical nutrition therapy, and other work being supervised.

~~(11) "Preprofessional experience component" means a planned and continuous supervised practice experience in dietetics or nutrition.~~

~~(26)(12)~~ "Registered dietitian" ~~or "registered dietitian/nutritionist"~~ means a person credentialed as a

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291 registered dietitian or a registered dietitian nutritionist by
292 the commission or its successor organization and authorized to
293 use such title and the corresponding abbreviations "R.D." or
294 "R.D.N." an individual registered with the commission.

295 (27) "Telehealth" means the use of electronic information
296 and telecommunications technologies to provide services under
297 this part between a practitioner in one location and an
298 individual in another location to support clinical health care,
299 public health, patient health-related education, and health
300 administration.

301 (28) "Therapeutic diet" means a diet intervention ordered
302 by a physician or other authorized provider, including a
303 licensed dietitian or, for oral diets only, a licensed
304 nutritionist. The term includes provision of food, fluids, or
305 nutrients by oral, enteral, or parenteral routes, or the
306 provision of mechanically altered food when medically indicated,
307 for the treatment of a disease or clinical condition to modify,
308 eliminate, decrease, or increase specific macronutrients or
309 micronutrients.

310 (29) "Unrestricted practice of medical nutrition therapy"
311 means the provision of medical nutrition therapy by an
312 individual who is responsible for his or her own practice or
313 treatment procedures.

314 Section 3. Section 468.504, Florida Statutes, is amended to
315 read:

316 468.504 License required.—Except as otherwise provided in
317 this part, a person may not do any of the following:

318 (1) ~~No person may~~ Engage in or offer to provide medical
319 nutrition therapy unless the person is licensed under this part.

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(2) Designate or hold himself or herself out as a licensed dietitian or use or assume the titles "licensed dietitian," "dietitian," "dietitian nutritionist," or any other title indicating that the person is a licensed dietitian, or append to or use in conjunction with that person's name the letters "L.D.," unless the person is a licensed dietitian under s. 468.509(1).

(3) Use or assume the title "licensed nutritionist," or append to or use in conjunction with that person's name the letters "L.N.," unless the person is a licensed nutritionist under s. 468.509(2) or a licensed nutrition counselor under s. 468.51.

(4) Designate or hold himself or herself out as a nutritionist or use or assume the title "nutritionist," unless the person is licensed under ~~for remuneration in dietetics and nutrition practice or nutrition counseling or hold himself or herself out as a practitioner of dietetics and nutrition practice or nutrition counseling unless the person is licensed in accordance with the provisions of this part.~~

Section 4. Section 468.505, Florida Statutes, is amended to read:

468.505 Exemptions; exceptions.—

(1) ~~Nothing in~~ This part may not be construed as prohibiting or restricting the practice, services, or activities of:

(a) A person licensed in this state under chapter 457, chapter 458, chapter 459, chapter 460, chapter 461, chapter 462, chapter 463, part I of chapter 464, chapter 465, chapter 466, chapter 480, chapter 490, or chapter 491, when engaging in the

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profession or occupation for which he or she is licensed, or of any person employed by and under the supervision of the licensee when rendering services within the scope of the profession or occupation of the licensee.

(b) A dietitian or nutritionist serving in the armed forces or the United States Public Health Service or employed by the Veterans Administration and who is engaging in the practice of medical nutrition therapy or using government-issued titles, provided such practice or title use is related to such service or employment ~~person employed as a dietitian by the government of the United States, if the person engages in dietetics solely under direction or control of the organization by which the person is employed.~~

(c) ~~A person employed as a cooperative extension home economist.~~

~~(d)~~ A person pursuing a course of study leading to a degree in dietetics and nutrition from a program or school accredited pursuant to s. 468.509 ~~s. 468.509(3)~~, if the activities and services constitute a part of a supervised course of study, the person is under the direction of a qualified supervisor as specified in s. 468.516, and ~~if~~ the person is designated by a title that clearly indicates the person's status as a student or trainee.

(d)(e) A person fulfilling a ~~the~~ supervised experience component under ~~of~~ s. 468.509, if the activities and services constitute a part of the experience necessary to meet the requirements of s. 468.509, the person practices under this paragraph only while supervised by a qualified supervisor as specified in s. 468.516, and the person is designated by a title

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that clearly indicates the person's status as a student or trainee.

(e)~~(f)~~ Any dietitian or nutritionist from another state practicing medical nutrition therapy ~~dietetics or nutrition~~ incidental to a course of study when taking or giving a postgraduate course or other course of study in this state, provided such dietitian or nutritionist is licensed in another jurisdiction or is a registered dietitian or holds an appointment on the faculty of a school accredited pursuant to s. 468.509 ~~s. 468.509(3)~~.

(f)~~(g)~~ A person who markets or distributes food, food materials, or dietary supplements, or any person who engages in the explanation of the use and benefits of those products or the preparation of those products, if that person does not engage in the practice of medical nutrition therapy and the person does not represent himself or herself using titles or abbreviations as prohibited under s. 468.504 ~~for a fee in dietetics and nutrition practice or nutrition counseling.~~

(g)~~(h)~~ A person who markets or distributes food, food materials, or dietary supplements, or any person who engages in the explanation of the use of those products or the preparation of those products, as an employee of an establishment permitted pursuant to chapter 465, if that person does not engage in the practice of medical nutrition therapy and the person does not represent himself or herself using titles or abbreviations as prohibited under s. 468.504.

(h)~~(i)~~ A person who is employed by the state, a county, a municipal agency, or any other political subdivision, or a person who contracts with any of the foregoing, for the purposes

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of providing nutrition care services for the Women, Infants, and Children program, and who uses the title of "nutritionist" in the course of his or her official duties ~~An educator who is in the employ of a nonprofit organization approved by the council; a federal, state, county, or municipal agency, or other political subdivision; an elementary or secondary school; or an accredited institution of higher education the definition of which, as provided in s. 468.509(3), applies to other sections of this part, insofar as the activities and services of the educator are part of such employment.~~

(i)-(j) Persons who do not represent themselves using titles or abbreviations as prohibited under s. 468.504 when providing medical weight control for obesity as part of any of the following:

1. An instructional program that has been approved in writing by at least one of the following:

a. A licensed nutritionist or licensed dietitian; or
b. A health care practitioner licensed or certified in this state whose authorized scope of practice includes medical nutrition therapy.

2. A plan of care that is overseen by a health care practitioner licensed in this state whose scope of practice otherwise authorizes the health care practitioner to provide and delegate medical nutrition therapy services, as long as the medical weight control services are not discretionary and do not require the exercise of professional judgment ~~Any person who provides weight control services or related weight control products, provided the program has been reviewed by, consultation is available from, and no program change can be~~

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~~initiated without prior approval by a licensed dietitian/nutritionist, a dietitian or nutritionist licensed in another state that has licensure requirements considered by the council to be at least as stringent as the requirements for licensure under this part, or a registered dietitian.~~

(j) ~~(k)~~ An out-of-state dietitian or nutritionist who provides medical nutrition therapy services through telehealth to a patient located in this state, if the out-of-state practitioner is a dietitian or nutritionist licensed or certified in good standing in any state or territory and provides medical nutrition therapy services through telehealth:

1. In consultation with a medical nutrition therapy practitioner licensed in this state who has a practitioner-patient relationship with the patient;

2. For a patient with whom the practitioner has a current practitioner-patient relationship, and the patient is temporarily present in this state; or

3. Pursuant to a current practitioner-patient relationship, and such care is limited to temporary or short-term follow-up medical nutrition therapy services to ensure continuity of care.

By engaging in telehealth with a patient located in this state, a dietitian or nutritionist otherwise exempted from licensure under this paragraph consents to application of the laws and rules of this state governing dietitians and nutritionists, the jurisdiction of this state, and the jurisdiction of the Dietetics and Nutrition Practice Council ~~A person employed by a hospital licensed under chapter 395, by a nursing home licensed under part II of chapter 400, by an assisted living facility~~

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licensed under chapter 429, or by a continuing care facility certified under chapter 651, if the person is employed in compliance with the laws and rules adopted thereunder regarding the operation of its dietetic department.

(k)~~(l)~~ A person employed by a nursing facility exempt from licensing under s. 395.002(12), or a person exempt from licensing under s. 464.022.

(l)~~(m)~~ A person who does not represent himself or herself using titles or abbreviations as prohibited under s. 468.504, including a dietetic technician who assists with the provision of medical nutrition therapy, if the person performs only support activities that are not discretionary and that do not require the exercise of professional judgment for their performance and the person is directly supervised by a licensed dietitian, licensed nutritionist, or a health care practitioner licensed in this state acting within the scope of such practitioner's license ~~A person employed as a dietetic technician.~~

(m)~~(n)~~ A person who provides individualized nutrition recommendations for the wellness and primary prevention of chronic disease, health coaching, holistic and wellness education, guidance, motivation, behavior change management, services for nonmedical weight control, or other nutrition care services, if all of the following conditions apply:

1. The services do not constitute medical nutrition therapy.

2. The person does not represent himself or herself using titles or abbreviations as prohibited under s. 468.504.

3. The person does not hold himself or herself out as

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494 licensed or qualified to engage in the practice of medical
495 nutrition therapy ~~Any person who provides information, wellness~~
496 ~~recommendations, or advice concerning nutrition, or who markets~~
497 ~~food, food materials, or dietary supplements for remuneration,~~
498 ~~if such person does not provide such services to a person under~~
499 ~~the direct care and supervision of a medical doctor for a~~
500 ~~disease or medical condition requiring nutrition intervention,~~
501 ~~not including obesity or weight loss, and does not represent~~
502 ~~himself or herself as a dietitian, licensed dietitian,~~
503 ~~registered dietitian, nutritionist, licensed nutritionist,~~
504 ~~nutrition counselor, or licensed nutrition counselor, or use any~~
505 ~~word, letter, symbol, or insignia indicating or implying that he~~
506 ~~or she is a dietitian, nutritionist, or nutrition counselor.~~

507 (2) ~~Nothing in~~ This part may not be construed to prohibit
508 or limit any person from the free dissemination of information,
509 or from conducting a class or seminar or giving a speech,
510 related to nutrition.

511 (3) ~~The provisions of~~ This part has ~~have~~ no application to
512 the practice of the religious tenets of any church in this
513 state.

514 (4) This part may not be construed to prohibit an
515 individual from identifying himself or herself by an earned,
516 federally trademarked nutrition credential. However, such
517 identification does not authorize the individual to engage in
518 the practice of medical nutrition therapy or identify using the
519 general titles of "dietitian," "dietitian nutritionist," or
520 "nutritionist" unless the individual is also licensed under this
521 part. ~~Notwithstanding any other provision of this part, an~~
522 ~~individual registered by the commission has the right to use the~~

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~~title "Registered Dietitian" or "Registered Dietitian/Nutritionist," and the designation "R.D." or "R.D.N." An individual certified by the Certification Board for Nutrition Specialists has the right to use the title "Certified Nutrition Specialist" and the designation "CNS," and an individual certified by the American Clinical Board of Nutrition has the right to use the title "Diplomate of the American Clinical Board of Nutrition" and use the designation "DACBN."~~

Section 5. Section 468.506, Florida Statutes, is amended to read:

468.506 Dietetics and Nutrition Practice Council.—There is created the Dietetics and Nutrition Practice Council under the supervision of the board. The council shall consist of three dietitians and one nutritionist ~~four persons~~ licensed under this part and one consumer who is 60 years of age or older. ~~Council members shall be appointed by the board. Licensed members shall be appointed based on the proportion of licensees within each of the respective disciplines.~~ Members shall be appointed for 4-year staggered terms. In order to be eligible for appointment, each licensed member must have been a licensee under this part for at least 3 years prior to his or her appointment. No council member shall serve more than two successive terms. The board may delegate such powers and duties to the council as it may deem proper to carry out the operations and procedures necessary to effectuate the provisions of this part. However, the powers and duties delegated to the council by the board must encompass the practice of both dietetics and nutrition ~~practice and nutrition counseling~~. Any time there is a vacancy on the council, any professional association composed of persons licensed under this

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part may recommend licensees to fill the vacancy to the board in a number at least twice the number of vacancies to be filled, and the board may appoint from the submitted list, in its discretion, any of those persons so recommended. Any professional association composed of persons licensed under this part may file an appeal regarding a council appointment with the State Surgeon General, whose decision shall be final. The board shall fix council members' compensation and pay their expenses in the same manner as provided in s. 456.011.

Section 6. Section 468.509, Florida Statutes, is amended to read:

468.509 Dietitian and nutritionist ~~Dietitian/nutritionist~~; requirements for licensure.—

(1) To be licensed as a dietitian, a person must apply to the department on forms furnished by the department and demonstrate to the board's satisfaction that the applicant is capable and professionally competent to safely engage in the practice of dietetics and nutrition. The department shall issue a license to each applicant who submits a completed application, remits the applicable fee, submits to background screening in accordance with s. 456.0135, and whom the board certifies as meeting all of the following criteria:

(a) The applicant submitted proof of completion of all the following educational, supervised practice experience, and examination requirements:

1. Obtained a master's degree or doctoral degree in a program of study accredited by the Accreditation Council for Education in Nutrition and Dietetics, or its successor organization.

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581 2. Satisfactorily completed a planned, documented,
582 preprofessional experience component in the practice of
583 dietetics and practice of nutrition approved by the examining
584 board and accredited by the Accreditation Council for Education
585 in Nutrition and Dietetics, or its successor organization, which
586 involved at least 1,000 hours of supervised practice experience
587 under the supervision of a qualified supervisor as specified in
588 s. 468.516. An applicant must have completed the preprofessional
589 experience under this subparagraph within 5 years after
590 completing the program of study under subparagraph 1. unless the
591 examining board, for extraordinary circumstances, granted an
592 extension for additional time.

593 3. Passed the registration examination for dietitians
594 administered by the Commission on Dietetic Registration, or its
595 successor organization. If passage of the examination occurred
596 more than 5 years before the application, the applicant must
597 demonstrate completion of 75 hours of continuing education
598 meeting the continuing education criteria of the board for each
599 5-year period that has lapsed since the passage of such
600 examination.

601 (b) The applicant submits proof of holding a valid current
602 registration with the Commission on Dietetic Registration, or
603 its successor organization, which gives the applicant the right
604 to use the term "registered dietitian," "registered dietitian
605 nutritionist," "R.D.," or "R.D.N."

606 (2) To be licensed as a nutritionist, a person must apply
607 to the department on forms furnished by the department and
608 demonstrate to the board's satisfaction that the applicant is
609 capable and professionally competent to safely engage in the

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610 practice of nutrition. The department shall issue a license to
611 each applicant who submits a completed application, remits the
612 applicable fee, submits to background screening in accordance
613 with s. 456.0135, and whom the board certifies as meeting all of
614 the following educational, supervised practice experience, and
615 examination requirements:

616 (a) Has obtained a master's or doctoral degree with a major
617 in human nutrition, foods and nutrition, community nutrition,
618 public health nutrition, nutrition education, nutrition,
619 nutrition science, clinical nutrition, applied clinical
620 nutrition, nutrition counseling, nutrition and functional
621 medicine, nutritional biochemistry, nutrition and integrative
622 health, or a comparable major, or a doctoral degree or validated
623 foreign equivalent, in a field of clinical health care.

624 Regardless of the course of study, the applicant must have
625 completed coursework leading to competence in noncomplex medical
626 nutrition therapy, which includes, but is not limited to:

627 1. Fifteen semester hours of courses on clinical or life
628 sciences, including at least three semester hours in human
629 anatomy and physiology or the equivalent; and

630 2. Fifteen semester hours of courses on nutrition and
631 metabolism, including at least six semester hours in
632 biochemistry.

633 (b) Has completed a planned, documented, and continuous
634 preprofessional experience component demonstrating competence in
635 the practice of nutrition, which is approved by the examining
636 board and involved at least 1,000 hours of supervised practice
637 experience under the supervision of a qualified supervisor, with
638 at least 200 hours each in the practice areas of nutrition

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assessment, nutrition intervention, and nutrition monitoring and evaluation. An applicant must have completed the preprofessional experience component within 5 years after completing the course of study under paragraph (a) unless the examining board, for extraordinary circumstances, granted an extension for additional time. To satisfy the requirements of this paragraph, the preprofessional experience component must be determined by the board to have prepared the applicant to provide nutrition care services for various populations of diverse cultures and genders and across the life cycle and to be able to competently formulate actionable medical nutrition therapies and interventions, education, counseling, and ongoing care for the prevention, modulation, and management of a range of noncomplex medical conditions.

(c)1. Has passed the certified nutrition specialist examination administered by the Board for Certification of Nutrition Specialists, or its successor organization, or an equivalent examination on all aspects of the practice of nutrition which has been reviewed under a program that requires a master's or higher level degree, is accredited by the National Commission for Certifying Agencies, and is approved by the examining board. If passage of the examination occurred more than 5 years before the application, the applicant must demonstrate completion of 75 hours of continuing education meeting the continuing education criteria of the board for each 5-year period that has elapsed since the passage of such examination; or

2. Holds a valid current certification with the Board for Certification of Nutrition Specialists, or its successor

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organization, which gives the applicant the right to use the title "certified nutrition specialist."

(3) All persons licensed or who have applied for licensure before July 1, 2026, remain licensed, eligible for reactivation of licensure, or eligible for licensure, as applicable, under the requirements in place at the time of application, so long as the applicant or licensee remains in good standing and maintains an active or inactive license, as applicable.

(a) Any person who is licensed as a dietitian/nutritionist as of July 1, 2026, must be issued a license to practice as a dietitian without meeting any additional requirements so long as such person holds the registered dietitian credential issued by the Commission on Dietetic Registration.

(b) Any person who is licensed as a dietitian/nutritionist as of July 1, 2026, and does not hold the registered dietitian credential issued by the Commission on Dietetic Registration must be issued a license to practice as a nutritionist without meeting any additional requirements.

(c) Any person who is licensed as a nutrition counselor as of July 1, 2026, must be issued a license to practice as a nutritionist without meeting any additional requirements. ~~Any person desiring to be licensed as a dietitian/nutritionist shall apply to the department to take the licensure examination.~~

~~(2) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.~~

~~(3) The department shall examine any applicant who the board certifies has completed the application form, submitted to background screening, and remitted the application and examination fees specified in s. 468.508 and who:~~

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~~(a)1. Possesses a baccalaureate or postbaccalaureate degree with a major course of study in human nutrition, food and nutrition, dietetics, or food management, or an equivalent major course of study, from a school or program accredited, at the time of the applicant's graduation, by the appropriate accrediting agency recognized by the Commission on Recognition of Postsecondary Accreditation and the United States Department of Education; and~~

~~2. Has completed a preprofessional experience component of not less than 900 hours or has education or experience determined to be equivalent by the board; or~~

~~(b)1. Has an academic degree, from a foreign country, that has been validated by an accrediting agency approved by the United States Department of Education as equivalent to the baccalaureate or postbaccalaureate degree conferred by a regionally accredited college or university in the United States;~~

~~2. Has completed a major course of study in human nutrition, food and nutrition, dietetics, or food management; and~~

~~3. Has completed a preprofessional experience component of not less than 900 hours or has education or experience determined to be equivalent by the board.~~

~~(4) The board shall waive the examination requirement for an applicant who presents evidence satisfactory to the board that the applicant is:~~

~~(a) A registered dietitian or registered dietitian/nutritionist who is registered with the commission and complies with the qualifications under this section; or~~

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~~(b) A certified nutrition specialist who is certified by the Certification Board for Nutrition Specialists or who is a Diplomate of the American Clinical Board of Nutrition and complies with the qualifications under this section.~~

~~(5) The department shall license as a dietitian/nutritionist any applicant who has remitted the initial licensure fee and has passed the examination in accordance with this section.~~

Section 7. Section 468.51, Florida Statutes, is amended to read:

468.51 Nutrition counselor; renewal of licensure.—Any person previously certified as qualified by the board and holding a license to practice as a nutrition counselor in this state which was issued during the period from July 1, 1988, to March 30, 1997, based upon documentation that the person was employed as a practitioner of nutrition counseling previous to and on April 1, 1988, shall be eligible to renew his or her license as a nutritionist pursuant to s. 468.514.

Section 8. Section 468.511, Florida Statutes, is amended to read:

468.511 ~~Dietitian/nutritionist~~; Temporary permit.—

(1) The board may issue a temporary permit for an individual to engage in the practice of dietetics and the practice of nutrition under the supervision of a licensed dietitian upon filing an application with appropriate fees and submission of evidence of successful completion of the education and preprofessional experience requirements for dietitian licensure provided for in s. 468.509(1).

(2) The board may issue a temporary permit for an

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individual to engage in the practice of nutrition under the supervision of a licensed dietitian or licensed nutritionist upon filing an application with appropriate fees and submission of evidence of successful completion of the education and supervised practice requirements for nutritionist licensure provided for in s. 468.509(2) ~~A temporary permit to practice dietetics and nutrition may be issued by the board on the filing of an application, payment of a temporary permit fee, and the submission of evidence of the successful completion of the educational requirement under s. 468.509. The initial application shall be signed by the supervising licensee.~~

~~(2) A person practicing under a temporary permit shall be under the supervision and direction of a licensed dietitian/nutritionist.~~

~~(3) A temporary permit expires shall ~~expire~~ 1 year after ~~from~~ the date of issuance.~~

~~(4) The board may grant one extension of a temporary permit ~~may be granted~~ for good cause shown.~~

~~(5) If the board determines that an applicant is qualified to be licensed by endorsement under s. 468.513, the board may issue the applicant a temporary permit to practice dietetics and nutrition until the next board meeting at which license applications are to be considered, but not for a longer period of time.~~

~~(6) If the board determines that an applicant has not passed an examination recognized by the board and is not qualified to be licensed by endorsement, but has otherwise met all the requirements of s. 468.509 and has made application for the next scheduled examination, the board may issue the~~

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784 ~~applicant a temporary permit allowing him or her to practice~~
785 ~~dietetics and nutrition under the supervision of a licensed~~
786 ~~dietitian/nutritionist until notification of the results of the~~
787 ~~examination.~~

788 Section 9. Section 468.512, Florida Statutes, is amended to
789 read:

790 468.512 License to be displayed.—

791 ~~(1)(a) A licensed dietitian/nutritionist may use the words~~
792 ~~"dietitian," "licensed dietitian," "nutritionist," or "licensed~~
793 ~~nutritionist," in connection with the licensee's name or place~~
794 ~~of business, to denote licensure under this part.~~

795 ~~(b) A licensed nutrition counselor may use the words~~
796 ~~"nutrition counselor," "licensed nutrition counselor,"~~
797 ~~"nutritionist," or "licensed nutritionist," in connection with~~
798 ~~the licensee's name or place of business, to denote licensure~~
799 ~~under this part.~~

800 ~~(2) Each person to whom a license is issued a license~~ under
801 this part shall keep such license conspicuously displayed in his
802 or her office, place of business, or place of employment and,
803 whenever required, shall exhibit such license to any member or
804 authorized representative of the board.

805 Section 10. Section 468.513, Florida Statutes, is amended
806 to read:

807 468.513 ~~Dietitian/nutritionist;~~ Licensure by endorsement.—
808 The department shall issue a license to practice as a dietitian
809 or nutritionist ~~dietetics and nutrition~~ by endorsement to any
810 applicant who submits to background screening in accordance with
811 s. 456.0135 and meets the requirements for licensure by
812 endorsement under s. 456.0145, upon receipt of a completed

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application and the fee specified in s. 468.508.

Section 11. Section 468.516, Florida Statutes, is amended to read:

468.516 Qualified supervisors ~~Practice requirements.~~—

(1) To be a qualified supervisor for purposes of this part, an individual must meet all the following requirements:

(a) Only supervise a clinical activity or nutrition care service that the individual is qualified and authorized to perform.

(b) Develop and carry out a program for advancing and optimizing the quality of care provided by the student or trainee being supervised. A qualified supervisor and a student or trainee being supervised shall identify and document goals for supervised practice experience, the assignment of clinical tasks as appropriate to the supervisee's evolving level of competence, the supervisee's relationship and access to the qualified supervisor, and a process for evaluating the student's or trainee's performance.

(c) Oversee the activities of and approve and accept responsibility for the nutrition care services rendered by the student or trainee.

(d) At a minimum, be physically on-site and present where the supervisee is providing nutrition care services or be immediately and continuously available to the supervisee by means of two-way, real-time audiovisual technology that allows for the direct, contemporaneous interaction by sight and sound between the qualified supervisor and the supervisee. If the qualified supervisor assigns a nutrition care service to a supervisee which is to be provided in a setting where the

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qualified supervisor is not routinely present, the qualified supervisor must ensure that the means and methods of supervision are adequate to ensure appropriate patient care, which may include synchronous videoconferencing or another method of communication and oversight which is appropriate to the care setting and the education and experience of the supervisee.

(e) Review on a regular basis the charts, records, and clinical notes of the supervisee and maintain responsibility for the supervisee's clinical recordkeeping.

(f) Be available to render assistance during the provision of nutrition care services when requested by the patient, or arrange for another qualified practitioner lawfully able to render nutrition care services to be available in the absence of the qualified supervisor.

(g) Limit the assignment of nutrition care services to those services that are within the training and experience of the supervisee and customary to the practice of the qualified supervisor.

(2) To supervise the provision of medical nutrition therapy, a qualified supervisor, in addition to meeting the requirements of subsection (1), must meet one of the following requirements:

(a) Be licensed as a dietitian or nutritionist or other health care practitioner whose scope of practice includes medical nutrition therapy in the state where such supervised practice experience takes place.

(b) Meet the exemption requirements of s. 468.505(1)(b).

(c) Meet such other criteria as the board may establish by rule for instances when a state where the supervised practice

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871 takes place does not provide for licensure or certification of
872 dietitians or nutritionists.

873 ~~(1)(a) A licensee under this part shall not implement a~~
874 ~~dietary plan for a condition for which the patient is under the~~
875 ~~active care of a physician licensed under chapter 458 or chapter~~
876 ~~459, without the oral or written dietary order of the referring~~
877 ~~physician. In the event the licensee is unable to obtain~~
878 ~~authorization or consultation after a good faith effort to~~
879 ~~obtain it from the physician, the licensee may use professional~~
880 ~~discretion in providing nutrition services until authorization~~
881 ~~or consultation is obtained from the physician.~~

882 ~~(b) The licensee shall refer a patient to a physician~~
883 ~~licensed under chapter 458 or chapter 459 upon the recognition~~
884 ~~of a condition within the scope of practice as authorized under~~
885 ~~chapter 458 or chapter 459, unless the patient has been referred~~
886 ~~by or is currently being treated by a physician licensed under~~
887 ~~chapter 458 or chapter 459.~~

888 ~~(2)(a) A licensee under this part shall not implement a~~
889 ~~dietary plan for a chiropractic condition for which the patient~~
890 ~~is under the active care of a chiropractic physician licensed~~
891 ~~under chapter 460, without the oral or written dietary order of~~
892 ~~the referring chiropractic physician. In the event the licensee~~
893 ~~is unable to obtain authorization or consultation after a good~~
894 ~~faith effort to obtain it from the chiropractic physician, the~~
895 ~~licensee may use professional discretion in providing nutrition~~
896 ~~services until authorization or consultation is obtained from~~
897 ~~the chiropractic physician.~~

898 ~~(b) The licensee shall refer a patient to a chiropractic~~
899 ~~physician licensed under chapter 460 upon the recognition of a~~

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condition within the scope of practice as authorized under chapter 460, unless the patient has been referred or is currently being treated by a chiropractic physician licensed under chapter 460.

~~(3) This section does not preclude a licensed dietitian/nutritionist from independently ordering a therapeutic diet if otherwise authorized to order such a diet in this state.~~

Section 12. Section 468.517, Florida Statutes, is amended to read:

468.517 Prohibitions; penalties.—

(1) A person may not knowingly:

(a) Engage in the practice of medical nutrition therapy ~~dietetics and nutrition practice or nutrition counseling for remuneration~~ unless the person is licensed under this part or is otherwise exempt under s. 468.505;

(b) Use titles as specified in s. 468.504 ~~the name or title "dietitian," "licensed dietitian," "nutritionist," "licensed nutritionist," "nutrition counselor," or "licensed nutrition counselor," or any other words, letters, abbreviations, or insignia indicating or implying that he or she is a dietitian, nutritionist, or nutrition counselor, or otherwise hold himself or herself out as such,~~ unless the person holds the applicable ~~is the holder of a valid~~ license issued under this part;

(c) Present as his or her own the license of another;

(d) Give false or forged evidence to the board or a member thereof;

(e) Use or attempt to use a license that has been suspended, revoked, or placed on inactive or delinquent status;

(f) Employ unlicensed persons to engage in medical

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929 nutrition therapy ~~dietetics and nutrition practice or nutrition~~
930 ~~counseling~~; or

931 (g) Conceal information relative to any violation of this
932 part.

933 (2) A person who violates any provision of this section
934 commits a misdemeanor of the first degree, punishable as
935 provided in s. 775.082 or s. 775.083.

936 Section 13. Section 468.518, Florida Statutes, is amended
937 to read:

938 468.518 Grounds for disciplinary action.—

939 (1) The following acts constitute grounds for denial of a
940 license or disciplinary action, as specified in s. 456.072(2):

941 (a) Violating any provision of this part, any board or
942 department rule adopted pursuant thereto, or any lawful order of
943 the board or department previously entered in a disciplinary
944 hearing held pursuant to this part, or failing to comply with a
945 lawfully issued subpoena of the department. The provisions of
946 this paragraph also apply to any order or subpoena previously
947 issued by the Department of Health during its period of
948 regulatory control over this part.

949 (b) Being unable to engage in the practice of dietetics ~~and~~
950 ~~nutrition practice~~ or nutrition ~~counseling~~ with reasonable skill
951 and safety to patients by reason of illness or use of alcohol,
952 drugs, narcotics, chemicals, or any other type of material or as
953 a result of any mental or physical condition.

954 1. A licensee whose license is suspended or revoked
955 pursuant to this paragraph shall, at reasonable intervals, be
956 given an opportunity to demonstrate that he or she can resume
957 the competent practice of dietetics or nutrition, as applicable,

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and ~~nutrition or nutrition counseling~~ with reasonable skill and safety to patients.

2. Neither the record of the proceeding nor the orders entered by the board in any proceeding under this paragraph may be used against a licensee in any other proceeding.

(c) Attempting to procure or procuring a license to practice dietetics ~~and nutrition~~ or nutrition ~~counseling~~ by fraud or material misrepresentation of material fact.

(d) Having a license to practice dietetics ~~and nutrition~~ or nutrition ~~counseling~~ revoked, suspended, or otherwise acted against, including the denial of licensure by the licensing authority of another state, district, territory, or country.

(e) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of dietetics ~~and nutrition~~ or nutrition ~~counseling~~ or the ability to practice dietetics ~~and nutrition~~ or nutrition ~~counseling~~.

(f) Making or filing a report or record that the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records include only those that are signed in the capacity of a licensed dietitian, nutritionist, or ~~dietitian/nutritionist or licensed~~ nutrition counselor.

(g) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content.

(h) Committing an act of fraud or deceit, or of negligence, incompetency, or misconduct in the practice of dietetics, and

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987 nutrition, or nutrition counseling.

988 (i) Practicing with a revoked, suspended, inactive, or
989 delinquent license.

990 (j) Treating or undertaking to treat human ailments by
991 means other than by the practice of dietetics, and nutrition,
992 ~~practice~~ or nutrition counseling.

993 (k) Failing to maintain acceptable standards of practice as
994 set forth by the board and the council in rules adopted pursuant
995 to this part.

996 (l) Engaging directly or indirectly in the dividing,
997 transferring, assigning, rebating, or refunding of fees received
998 for professional services, or profiting by means of a credit or
999 other valuable consideration, such as an unearned commission,
1000 discount, or gratuity, with any person referring a patient or
1001 with any relative or business associate of the referring person.
1002 Nothing in this part prohibits the members of any regularly and
1003 properly organized business entity that is composed of licensees
1004 under this part and recognized under the laws of this state from
1005 making any division of their total fees among themselves as they
1006 determine necessary.

1007 (m) Advertising, by or on behalf of a licensee under this
1008 part, any method of assessment or treatment which is
1009 experimental or without generally accepted scientific
1010 validation.

1011 (n) Violating any provision of this chapter or chapter 456,
1012 or any rules adopted pursuant thereto.

1013 (2) The board may enter an order denying licensure or
1014 imposing any of the penalties in s. 456.072(2) against any
1015 applicant for licensure or licensee who is found guilty of

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violating any provision of subsection (1) of this section or who is found guilty of violating any provision of s. 456.072(1).

(3) The department shall reissue the license of a disciplined dietitian, nutritionist, ~~dietitian/nutritionist~~ or nutrition counselor upon certification by the board that he or she ~~the disciplined dietitian/nutritionist or nutrition counselor~~ has complied with all of the terms and conditions set forth in the final order.

Section 14. Subsection (3) of section 381.00593, Florida Statutes, is amended to read:

381.00593 Public school volunteer health care practitioner program.—

(3) For purposes of this section, the term "health care practitioner" means a physician licensed under chapter 458; an osteopathic physician licensed under chapter 459; a chiropractic physician licensed under chapter 460; a podiatric physician licensed under chapter 461; an optometrist licensed under chapter 463; an advanced practice registered nurse, registered nurse, or licensed practical nurse licensed under part I of chapter 464; a pharmacist licensed under chapter 465; a dentist or dental hygienist licensed under chapter 466; a midwife licensed under chapter 467; a speech-language pathologist or audiologist licensed under part I of chapter 468; a dietitian or nutritionist ~~dietitian/nutritionist~~ licensed under part X of chapter 468; or a physical therapist licensed under chapter 486.

Section 15. Subsection (4) of section 501.0573, Florida Statutes, is amended to read:

501.0573 Weight-loss provider requirements.—Each weight-loss provider shall:

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(4) Provide the name, address, and qualifications of the person who has reviewed and approved the weight-loss program according to s. 468.505(1)(i) ~~s. 468.505(1)(j)~~.

Section 16. Subsection (1) of section 501.0575, Florida Statutes, is amended to read:

501.0575 Weight-Loss Consumer Bill of Rights.—

(1) The Weight-Loss Consumer Bill of Rights shall consist of the following provisions:

(A) WARNING: RAPID WEIGHT LOSS MAY CAUSE SERIOUS HEALTH PROBLEMS. RAPID WEIGHT LOSS IS WEIGHT LOSS OF MORE THAN 1 1/2 POUNDS TO 2 POUNDS PER WEEK OR WEIGHT LOSS OF MORE THAN 1 PERCENT OF BODY WEIGHT PER WEEK AFTER THE SECOND WEEK OF PARTICIPATION IN A WEIGHT-LOSS PROGRAM.

(B) CONSULT YOUR PERSONAL PHYSICIAN BEFORE STARTING ANY WEIGHT-LOSS PROGRAM.

(C) ONLY PERMANENT LIFESTYLE CHANGES, SUCH AS MAKING HEALTHFUL FOOD CHOICES AND INCREASING PHYSICAL ACTIVITY, PROMOTE LONG-TERM WEIGHT LOSS.

(D) QUALIFICATIONS OF THIS PROVIDER ARE AVAILABLE UPON REQUEST.

(E) YOU HAVE A RIGHT TO:

1. ASK QUESTIONS ABOUT THE POTENTIAL HEALTH RISKS OF THIS PROGRAM AND ITS NUTRITIONAL CONTENT, PSYCHOLOGICAL SUPPORT, AND EDUCATIONAL COMPONENTS.

2. RECEIVE AN ITEMIZED STATEMENT OF THE ACTUAL OR ESTIMATED PRICE OF THE WEIGHT-LOSS PROGRAM, INCLUDING EXTRA PRODUCTS, SERVICES, SUPPLEMENTS, EXAMINATIONS, AND LABORATORY TESTS.

3. KNOW THE ACTUAL OR ESTIMATED DURATION OF THE PROGRAM.

4. KNOW THE NAME, ADDRESS, AND QUALIFICATIONS OF THE

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1074 DIETITIAN OR NUTRITIONIST WHO HAS REVIEWED AND APPROVED THE
1075 WEIGHT-LOSS PROGRAM ACCORDING TO s. 468.505(1)(i) ~~s.~~
1076 ~~468.505(1)(j)~~, FLORIDA STATUTES.

1077 Section 17. This act shall take effect July 1, 2026.