

RDN Scope of Practice in California State Law, 2015 CA Business and Professions Code 2585-2586.8

Medical Nutrition Therapy

Upon referral by a health care provider authorized to prescribe dietary treatments, the RDN may perform medical nutrition therapy (MNT) for individuals or groups of patients in licensed institutional facilities or in private office settings.

Referral: The referral must include:

- Client/patient's diagnosis
- Objective of dietary treatment
- Signature of the referring health care provider

In a licensed health facility, the requirement for a referral is satisfied if a diet order or the above information is included in the patient's medical record. A facility's approved nutrition screening policy and procedure also suffices in place of a referral.

MNT includes:

- Conducting nutritional and dietary assessments
- Providing nutritional and dietary counseling
- Developing and recommending nutritional and dietary treatments, including therapeutic diets

Multidisciplinary Care

The RDN shall develop the patient's nutrition care plan in collaboration with a multidisciplinary team, including the treating physician and the RN.

Individualizing the Patient's Treatment/Care Plan

Unless otherwise stated in an order by a patient's provider, the RDN may individualize the patient's nutritional or dietary treatment plan as necessary, *within the parameters of the prescribed diet order**, by modifying the:

- distribution of food and nutrients served to the patient
(ex. between-meal or evening snacks/food/beverages)
- type of food and nutrients served to the patient
(ex. accommodating patient preferences – likes/dislikes; providing oral nutrition supplements)
- quantity of food and nutrients served to the patient
(ex. large/small portions, designed to match the patient's established nutritional requirements)

* Conversations with CDPH Licensing and Certification emphasized the following points:

a) Prescribed diet orders should align with facility-approved diets, which are explained clearly in the hospital's diet manual. The diet manual serves as the framework for individualizing or modifying a patient's diet, as it describes the purpose and principles of each diet, the meal pattern, the foods allowed and not allowed, and the nutritional adequacy and inadequacy of each diet AND's Nutrition Care Manual/Pediatric Nutrition Care Manual can be used as a reference but neither will suffice as a facility specific diet manual.

b) The RDN who assumes responsibility for individualizing the patient's nutritional care must also accept responsibility to revisit the nutritional/dietary treatment modifications at reasonable intervals, and adjust the plan of care according to the patient's changing needs.

Accept and Transmit Verbal and Electronic Orders

- The RDN may accept and transmit verbal or electronically transmitted orders from the referring physician pertinent to the implementation and provision of MNT. In a licensed health facility, the facility's policies and procedures should specify the orders the RDN may accept/transmit and the procedure for doing so.

Medical Laboratory Tests

- RDNs are permitted to initiate orders for medical lab tests related to nutrition therapeutic treatments when authorized by the referring physician. In a clinic setting where the physician is not present, there must be a written procedure, and an RN who is on duty in the clinic is informed of the test and given an opportunity to assess the patient.

Parenteral Nutrition

The RDN is not authorized to order or administer parenteral nutrition (central or peripheral vein nutrition).

Other Regulations that Impact Dietitian Practice

Licensed Health Facilities must operate in compliance with requirements from licensing and accrediting bodies. Facility policies and procedures related to RDN practice must be compliant with relevant regulations including, but not limited to California Title 22, CMS, The Joint Commission and the Healthcare Facility Accreditation Program (HFAP).

CA B & P Code 2068 states that any person may provide nutritional advice or give advice concerning proper nutrition but confers no authority to practice medicine, or undertake the prevention or treatment of disease. Providing “nutritional advice or giving advice concerning proper nutrition” is defined as “the giving of information as to the use and role of food and food ingredients, including dietary supplements”.

California Business and Profession Codes are available at www.leginfo.ca.gov.

Note: This document is designed to provide general information for dietetic practice in California and is not intended for use as legal advice.