

**ARTICLE 20.5-02
INITIAL LICENSURE AND RENEWALS**

| | |
|------------|--------------------------------|
| Chapter | |
| 20.5-02-01 | Initial Licensure and Renewals |
| 20.5-02-02 | Code of Ethics |
| 20.5-02-03 | Grievances |

**CHAPTER 20.5-02-01
INITIAL LICENSURE AND RENEWALS**

| | |
|---------------|-----------------------|
| Section | |
| 20.5-02-01-01 | Licensure Application |
| 20.5-02-01-02 | Initial Licensure |
| 20.5-02-01-03 | Licensure Renewal |
| 20.5-02-01-04 | Fees |
| 20.5-02-01-05 | Continuing Education |
| 20.5-02-01-06 | Provisional License |

20.5-02-01-01. Licensure application.

An application for a license for dietetic practice must be made to the state board of dietetic practice on forms approved by the board found at www.ndbodp.com. The application must contain such information as the board may reasonably require.

1. Each application for a license as a licensed registered dietitian must be accompanied by:
 - a. The prescribed fee;
 - b. Verification of registration by the commission on dietetic registration of the academy of nutrition and dietetics or its predecessor or successor organization; and
 - c. A background check or fingerprinting if requested by the board.
2. Each application for a license as a licensed nutritionist must be accompanied by:
 - a. The prescribed fee; and
 - b. Proof that the applicant:
 - (1) Has received a master's or doctorate degree from an accredited college or university in a field of nutrition as specified in North Dakota Century Code section 43-44-07 and have completed coursework leading to competence in medical nutrition therapy. A transcript must be mailed or electronically sent to the board from the college or university of origin. If the degree is greater than ten years old, the applicant shall submit evidence of at least seventy-five continuing professional education units received in the past five years.
 - (2) Has completed a board-approved internship demonstrating competency in nutrition care services and the provision of medical nutrition therapy of not less than one thousand hours. The scope of activities may include up to three hundred hours of alternate supervised experiential learning, such as observational client-practitioner interactions, simulation, case studies, and role playing, but also must include at least seven hundred hours in a professional work setting. This experience must be under the supervision of a qualified supervisor as defined in North Dakota Century Code section 43-44-01 and need not be a paid experience. The following is necessary to determine and verify the supervised practice experience:

- (a) The qualified supervisor shall have primary responsibility of all nutrition care services rendered by the individual and have access to all relevant patient records kept during the supervised practice experience. Medical nutrition therapy may not be provided by the individual without onsite supervision by the supervisor.
 - (b) If there is more than one supervisor or facility for different parts of the supervised practice experience, information and verification of each part is required.
 - (c) The supervisee shall identify as a student or trainee throughout the supervised practice experience.
 - (d) The applicant shall provide to the board for each supervisor or facility:
 - [1] The name and address of the facility providing the supervised practice experience;
 - [2] The name, address, phone, and title of the supervisor who supervised the supervised practice experience;
 - [3] A summary of nutrition services performed, along with dates and hours spent performing them documented on a board-approved form;
 - [4] Evidence the supervisor met the requirements of a qualified supervisor as defined in North Dakota Century Code section 43-44-01 at the time of supervision; and
 - [5] An attestation that the supervisor is not related to, married to, or domestic partners with the supervisee.
 - (e) Each supervisor shall review the evidence provided by the applicant and verify the information is true, including:
 - [1] That the applicant participated in nutrition services under the supervisor's supervision, stating the total number of hours for each required category;
 - [2] Providing a summary of the nutrition services provided under the supervisor's supervision;
 - [3] Attesting that onsite supervision as defined in North Dakota Century Code section 43-44-01 was provided for activities constituting medical nutrition therapy, and general supervision was provided for all other nutrition care services completed by the individual; and
 - [4] Providing an evaluation of the applicant for the board to be able to assess the applicant's competence in the areas of nutrition assessment; nutrition intervention, education, counseling, or management; and nutrition monitoring or evaluation for the treatment or management of a disease or medical condition.
- (3) Has passed a board-approved examination administered by the board for certification of nutrition specialists or the diplomate examination administered by the American clinical board of nutrition or has valid certification and has been given the right to use the credential certified nutrition specialist or diplomate of the American clinical board of nutrition.

- (4) A background check or fingerprinting if requested by the board.
3. Each application for a provisional license must be accompanied by:
 - a. The prescribed fee;
 - b. Written confirmation of the date that a board-approved examination is scheduled;
 - c. Proof of being under the supervision of a North Dakota licensed dietitian or nutritionist; and
 - d. A background check or fingerprinting if requested by the board.

For individuals applying for a provisional license as a nutritionist, applicants also must submit:

- a. Evidence of successful completion of academic requirements within the past five years. A transcript must be mailed or electronically sent to the board from the college or university of origin; and
 - b. Evidence of successful completion of supervised practice requirements within the past five years.
4. Each application for limited practice without a license must be accompanied by:
 - a. The prescribed fee; and
 - b. Written verification of licensure from the licensing authority, which includes that jurisdiction's requirements for licensure and confirms the licensee is in good standing.
 5. All applications must be signed by the applicant.
 6. The board may request such additional information or clarification of information provided in the application as it deems necessary.
 7. Any applicant who was previously issued a license from the board will have any prior licensing records, including complaints and disciplinary measures taken, applied to the record of the new license.

History: Effective December 1, 1986; amended effective May 1, 1987; October 1, 2000; January 1, 2006; April 1, 2013; July 1, 2022.

General Authority: NDCC 43-44-03

Law Implemented: NDCC 43-44-07, 43-44-08

20.5-02-01-02. Initial licensure.

An applicant shall be issued a license based on compliance with requirements stated in North Dakota Century Code chapter 43-44 and the rules in the chapter.

It is the responsibility of the licensee to immediately notify the board of any change to the licensee contact information, including name change, electronic mail address, and mailing address.

History: Effective December 1, 1986; amended effective October 1, 2000; July 1, 2022.

General Authority: NDCC 43-44-03

Law Implemented: NDCC 43-44-09

20.5-02-01-03. Licensure renewal.

1. For renewals submitted before September 30, 2022. Licenses are renewable annually and are effective for a renewal year which runs from October first to the following September thirtieth.

- a. Applications for renewal of license will be mailed by the board on or before June first to all licenseholders. Fees are payable to the board on or before July first of the year preceding the renewal year.
 - b. License fees are considered delinquent and a late charge is assessed if the renewal application is not postmarked on or before July first of the year preceding the renewal year.
 - c. A licensee may have the licensee's license renewed up to one year after the license has lapsed without submitting a new application. To apply for renewal of a lapsed license, an applicant must submit:
 - (1) The renewal form;
 - (2) The initial license fee;
 - (3) Late charges assessed by the board;
 - (4) CPE unit activity form; and
 - (5) Commission on dietetic registration card for LRD only.
 - d. Renewal licenses must be mailed on or before September twentieth of the renewal year if the renewal request is complete and postmarked on or before July first.
 - e. Notwithstanding the provisions in this section regarding renewal of lapsed licenses, once a license has lapsed, the person who held the lapsed license may not practice as a dietitian or use a title reserved under state law for individuals who are licensed by the board until the person's license is renewed or until a new license is issued. A person whose license has lapsed but who continues to practice as a dietitian or use a restricted title violates state law and this chapter. Such a violation is grounds for denying an application by the former licensee for renewal of the lapsed license or for a new license.
2. For renewals submitted on or after October 1, 2022. Licenses are renewable annually and are effective for a renewal year which runs from October first to the following September thirtieth.
- a. Instructions for renewal of license must be mailed or sent by electronic mail by the board at least ninety days before the end of the licensing year to all licenseholders. Fees are payable to the board on or before August first of the year preceding the renewal year.
 - b. License fees are considered delinquent and a late charge is assessed if the renewal application is not postmarked on or before August first of the year preceding the renewal year.
 - c. A licensee may have the licensee's license renewed up to one year after the license has lapsed without submitting a new application. To apply for renewal of a lapsed license, an applicant must submit:
 - (1) The renewal form;
 - (2) The renewal license fee;
 - (3) Late charges assessed by the board;
 - (4) Confirmation of compliance with continuing education requirements; and
 - (5) Verification of current registration as a registered dietitian nutritionist with the commission on dietetic registration or certification as a certified nutrition specialist or

diplomate of the American clinical board of nutrition. Licensed nutritionists who are grandfathered in do not need to meet this requirement.

- d. Renewal licenses must be sent by electronic mail on or before September thirtieth of the renewal year if the renewal request is complete and postmarked on or before August first.
- e. Notwithstanding the provisions in this section regarding renewal of lapsed licenses, once a license has lapsed, the person who held the lapsed license may not practice as a dietitian or nutritionist or use a title reserved under state law for individuals who are licensed by the board until the person's license is renewed or until a new license is issued. A person whose license has lapsed but who continues to practice as a dietitian or nutritionist or use a restricted title violates state law and this chapter. Such a violation is grounds for denying an application by the former licensee for renewal of the lapsed license or for a new license.

History: Effective December 1, 1986; amended effective October 1, 2000; January 1, 2006; July 1, 2022.

General Authority: NDCC 43-44-03

Law Implemented: NDCC 43-44-03, 43-44-14

20.5-02-01-04. Fees.

The board has adopted the following fee payment schedule:

1. Initial license fee:

| | |
|--|---------|
| Licensed registered dietitian | \$75.00 |
| Licensed nutritionist | \$75.00 |
| Provisional license | \$25.00 |
| Provisional licensee examination passage | \$50.00 |
| Limited practice without a license | \$25.00 |

2. License fees for renewal are:

| | |
|-------------------------------|---------|
| Licensed registered dietitian | \$50.00 |
| Licensed nutritionist | \$50.00 |
| Provisional license | \$25.00 |

- 3. Late fees in the amount of fifty percent of the renewal fee must be charged for all applications received by the board which are postmarked after August first of the year prior to the year of renewal.
- 4. Initial and renewal licensing fees are waived for active military personnel stationed in North Dakota and serving in the United States armed forces, including reserve components, and their spouses. Proof of active duty in North Dakota must be submitted to the board with application.
- 5. Practitioners who initially become licensed within ninety days of the end of the renewal year are exempt from licensure renewal for a period of one year.
- 6. Limited practice without a license application requires a fee of twenty-five dollars.

History: Effective December 1, 1986; amended effective October 1, 1993; October 1, 2000; January 1, 2006; July 1, 2022.

General Authority: NDCC 43-44-03

Law Implemented: NDCC 43-44-03, 43-44-05, 43-44-12

20.5-02-01-05. Continuing education.

To renew a license, a person must present proof of having attended continuing education approved by the board. The licensee must have attended at least seventy-five hours of continuing education in the licensee's five-year recertification cycle. The five-year recertification cycle for licensed registered dietitians is based on the commission on dietetic registration's recertification cycle. For the licensed nutritionist, it is based on the year of initial licensure. The applicant must retain evidence of having attended the continuing education hours and submit upon request.

1. Continuing education courses must be related to or increase the professional competence of the attendee. This determination will be made by the board through approval of requested courses. Continuing education designed for the general public does not meet requirements for professional continuing education. One continuing professional education unit is equivalent to one clock-hour unless otherwise noted.
2. The board shall accept continuing education that is approved or provided by the board for certification of nutrition specialists, the commission on dietetic registration, and any other organization approved by the board.
 - a. A licensed nutritionist shall meet the continuing education requirements set by the board. The following forms of continuing education may be approved for licensed nutritionists:
 - (1) Nonacademic coursework: recorded online academic lectures or seminars. Nutrition-related academic coursework, including distance learning, at a United States regionally accredited college or university may be awarded continuing professional education units according to the listing below.

| Continuing Professional Education Units Approved | Course Credits | Course Audited |
|--|--|---|
| 1 semester credit-hour | 15 continuing professional education units | 8 continuing professional education units |
| 1 trimester credit-hour | 14 continuing professional education units | 7 continuing professional education units |
| 1 quarter credit-hour | 10 continuing professional education units | 5 continuing professional education units |

- (2) Exhibits or poster viewing. A maximum of fifteen continuing professional education units are allowed per five-year cycle.
- (3) Interactive workshops. The workshop must include interactive discussions or participation among attendees.
- (4) Lectures, seminars, webinars, or teleseminars. Lecture or seminar content must be nutrition related. Web or telephone conference seminars must occur in real time and include a provision for discussion and interaction between the presenter and attendees.
- (5) Recorded preapproved activities. The recorded presentation must be preapproved by a board-approved provider. The recording must be listened to or viewed within one year of the original date of the live presentation. Licensees may claim up to

thirty continuing professional education units under this activity type per five-year cycle.

- (6) Professional reading. Peer-reviewed, nutrition-related articles from professional journals and professional newsletters may be awarded continuing professional education units. The article must be read within five years of the date the article was published. One article is equivalent to one-half of one hour continuing professional education units.
 - (7) Certificate programs. Must be sponsored by the commission on dietetic registration or another accredited provider approved by the board.
 - (8) Programs that do not meet the above criteria may be submitted to the board for review.
- b. If a grandfathered licensed nutritionist chooses to provide medical nutrition therapy, then before doing so the nutritionist must complete fifteen continuing professional education units specific to medical nutrition therapy. A grandfathered licensed nutritionist who chooses to provide medical nutrition therapy must submit a minimum of fifteen continuing professional education units specific to medical nutrition therapy per five-year cycle.

History: Effective December 1, 1986; amended effective October 1, 2000; January 1, 2006; July 1, 2022.

General Authority: NDCC 43-44-03

Law Implemented: NDCC 43-44-03, 43-44-09.1

20.5-02-01-06. Provisional license.

An applicant shall provide evidence of completing the educational and supervised practice requirements and provide evidence of making application to take the registered dietitian nutritionist examination or the certified nutrition specialist examination or the diplomate of the American clinical board of nutrition examination.

1. A provisional license must be issued for the period of time up to the scheduled examination date and upon the applicant completing the requirements for application as referenced in section 20.5-02-01-01.
2. Following the successful passing of one of the licensing examinations, the provisionally licensed dietitian or nutritionist may apply for licensure as a registered dietitian or nutritionist and is required to pay a licensing fee of fifty dollars.
3. If the provisionally licensed dietitian or nutritionist does not successfully pass the licensing examination, the provisionally licensed dietitian or nutritionist may renew a maximum of one time until the date of the next examination, at which time the provisional license expires and must be surrendered to the board.

History: Effective July 1, 2022.

General Authority: NDCC 43-44-12

Law Implemented: NDCC 43-44-12