

By: Representative Currie

To: Public Health and Human Services

HOUSE BILL NO. 177

1 AN ACT TO ENACT INTO LAW THE DIETITIAN LICENSURE COMPACT AND
2 PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH
3 OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-10-3,
4 73-10-7, AND 73-10-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE
5 PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** The Dietitian Licensure Compact is enacted into
8 law and entered into by this state with any and all states legally
9 joining in the Compact in accordance with its terms, in the form
10 substantially as follows:

11 **DIETITIAN LICENSURE COMPACT**

12 **SECTION 1.**

13 **PURPOSE**

14 The purpose of this Compact is to facilitate interstate
15 practice of dietetics with the goal of improving public access to
16 dietetics services. This Compact preserves the regulatory
17 authority of states to protect public health and safety through
18 the current system of state licensure, while also providing for



19 licensure portability through a compact privilege granted to
20 qualifying professionals.

21 This Compact is designed to achieve the following objectives:

22 A. Increase public access to dietetics services;

23 B. Provide opportunities for interstate practice by licensed
24 dietitians who meet uniform requirements;

25 C. Eliminate the necessity for licenses in multiple states;

26 D. Reduce administrative burden on member states and
27 licensees;

28 E. Enhance the states' ability to protect the public's
29 health and safety;

30 F. Encourage the cooperation of member states in regulating
31 multistate practice of licensed dietitians;

32 G. Support relocating active military members and their
33 spouses;

34 H. Enhance the exchange of licensure, investigative, and
35 disciplinary information among member states; and

36 I. Vest all member states with the authority to hold a
37 licensed dietitian accountable for meeting all state practice laws
38 in the state in which the patient is located at the time care
39 is rendered.

40 **SECTION 2.**

41 **DEFINITIONS**

42 As used in this Compact, and except as otherwise provided,
43 the following definitions shall apply:



44 A. "ACEND" means the Accreditation Council for Education in
45 Nutrition and Dietetics or its successor organization.

46 B. "Active military member" means any individual with
47 full-time duty status in the active Armed Forces of the United
48 States, including members of the National Guard and Reserve.

49 C. "Adverse action" means any administrative, civil,
50 equitable or criminal action permitted by a state's laws that is
51 imposed by a licensing authority or other authority against a
52 licensee, including actions against an individual's license or
53 compact privilege such as revocation, suspension, probation,
54 monitoring of the licensee, limitation on the licensee's
55 practice, or any other encumbrance on licensure affecting a
56 licensee's authorization to practice, including issuance of a
57 cease and desist action.

58 D. "Alternative program" means a non-disciplinary monitoring
59 or practice remediation process approved by a licensing authority.

60 E. "Charter member state" means any member state that
61 enacted this Compact by law before the effective date specified in
62 Section 12.

63 F. "Continuing education" means a requirement, as a
64 condition of license renewal, to provide evidence of participation
65 in, and completion of, educational and professional activities
66 relevant to practice or area of work.

67 G. "CDR" means the Commission on Dietetic Registration or
68 its successor organization.



69 H. "Compact Commission" means the government agency whose
70 membership consists of all states that have enacted this Compact,
71 which is known as the Dietitian Licensure Compact Commission, as
72 described in Section 8, and which shall operate as an
73 instrumentality of the member states.

74 I. "Compact privilege" means a legal authorization, which is
75 equivalent to a license, permitting the practice of dietetics in a
76 remote state.

77 J. "Current significant investigative information" means:

78 1. Investigative information that a licensing
79 authority, after a preliminary inquiry that includes notification
80 and an opportunity for the subject licensee to respond, if
81 required by state law, has reason to believe is not groundless
82 and, if proved true, would indicate more than a minor infraction;
83 or

84 2. Investigative information that indicates that the
85 subject licensee represents an immediate threat to public health
86 and safety regardless of whether the subject licensee has been
87 notified and had an opportunity to respond.

88 K. "Data system" means a repository of information about
89 licensees, including, but not limited to, continuing education,
90 examination, licensure, investigative, compact privilege and
91 adverse action information.

92 L. "Encumbered license" means a license in which an adverse
93 action restricts a licensee's ability to practice dietetics.



94 M. "Encumbrance" means a revocation or suspension of, or any
95 limitation on a licensee's full and unrestricted practice of
96 dietetics by a licensing authority.

97 N. "Executive Committee" means a group of delegates elected
98 or appointed to act on behalf of, and within the powers granted to
99 them by, this Compact, and the Compact Commission.

100 O. "Home state" means the member state that is the
101 licensee's primary state of residence or that has been designated
102 pursuant to Section 6.

103 P. "Investigative information" means information, records,
104 and documents received or generated by a licensing authority
105 pursuant to an investigation.

106 Q. "Jurisprudence requirement" means an assessment of an
107 individual's knowledge of the state laws and regulations governing
108 the practice of dietetics in such state.

109 R. "License" means an authorization from a member state to
110 either:

111 1. Engage in the practice of dietetics (including
112 medical nutrition therapy); or

113 2. Use the title "dietitian," "licensed dietitian,"
114 "licensed dietitian nutritionist," "certified dietitian," or other
115 title describing a substantially similar practitioner as the
116 Compact Commission may further define by rule.



117 S. "Licensee" or "licensed dietitian" means an individual
118 who currently holds a license and who meets all of the
119 requirements outlined in Section 4.

120 T. "Licensing authority" means the board or agency of a
121 state, or equivalent, that is responsible for the licensing and
122 regulation of the practice of dietetics.

123 U. "Member state" means a state that has enacted the
124 Compact.

125 V. "Practice of dietetics" means the synthesis and
126 application of dietetics, primarily for the provision of nutrition
127 care services, including medical nutrition therapy, in person or
128 via telehealth, to prevent, manage, or treat diseases or medical
129 conditions and promote wellness.

130 W. "Registered dietitian" means a person who:

131 1. Has completed applicable education, experience,
132 examination, and recertification requirements approved by CDR;

133 2. Is credentialed by CDR as a registered dietitian or
134 a registered dietitian nutritionist; and

135 3. Is legally authorized to use the title registered
136 dietitian or registered dietitian nutritionist and the
137 corresponding abbreviations "RD" or "RDN."

138 X. "Remote state" means a member state other than the home
139 state, where a licensee is exercising or seeking to exercise a
140 compact privilege.



141 Y. "Rule" means a regulation promulgated by the Compact
142 Commission that has the force of law.

143 Z. "Single state license" means a license issued by a member
144 state within the issuing state and does not include a compact
145 privilege in any other member state.

146 AA. "State" means any state, commonwealth, district, or
147 territory of the United States of America.

148 BB. "Unencumbered license" means a license that authorizes a
149 licensee to engage in the full and unrestricted practice of
150 dietetics.

151 **SECTION 3.**

152 **STATE PARTICIPATION IN THE COMPACT**

153 A. To participate in the Compact, a state must currently:

- 154 1. License and regulate the practice of dietetics; and
155 2. Have a mechanism in place for receiving and
156 investigating complaints about licensees.

157 B. A member state shall:

158 1. Participate fully in the Compact Commission's data
159 system, including using the unique identifier as defined in rules;

160 2. Notify the Compact Commission, in compliance with
161 the terms of the Compact and rules, of any adverse action or the
162 availability of current significant investigative information
163 regarding a licensee;

164 3. Implement or use procedures for considering the
165 criminal history record information of applicants for an initial



166 compact privilege. These procedures shall include the submission
167 of fingerprints or other biometric-based information by
168 applicants for the purpose of obtaining an applicant's criminal
169 history record information from the Federal Bureau of
170 Investigation and the agency responsible for retaining that
171 state's criminal records;

172 a. A member state must fully implement a criminal
173 history record information requirement, within a time frame
174 established by rule, which includes receiving the results of the
175 Federal Bureau of Investigation record search and shall use those
176 results in determining compact privilege eligibility.

177 b. Communication between a member state and the
178 Compact Commission or among member states regarding the
179 verification of eligibility for a compact privilege shall not
180 include any information received from the Federal Bureau of
181 Investigation relating to a federal criminal history record
182 information check performed by a member state.

183 4. Comply with and enforce the rules of the Compact
184 Commission;

185 5. Require an applicant for a compact privilege to
186 obtain or retain a license in the licensee's home state and meet
187 the home state's qualifications for licensure or renewal of
188 licensure, as well as all other applicable state laws; and



214 b. Complete all of the following:

215 i. An education program which is either:

216 a) A master's degree or doctoral degree

217 that is programmatically accredited by (i) ACEND; or (ii) a

218 dietetics accrediting agency recognized by the United

219 States Department of Education, which the Compact

220 Commission may by rule determine, and from a college or

221 university accredited at the time of graduation by the

222 appropriate regional accrediting agency recognized by the

223 Council on Higher Education Accreditation and the United

224 States Department of Education.

225 b) An academic degree from a college or

226 university in a foreign country equivalent to the degree described

227 in subparagraph (a) that is programmatically accredited by (i)

228 ACEND; or (ii) a dietetics accrediting agency recognized

229 by the United States Department of Education, which the

230 Compact Commission may by rule determine.

231 ii. A planned, documented, supervised

232 practice experience in dietetics that is programmatically

233 accredited by (i) ACEND, or (ii) a dietetics accrediting agency

234 recognized by the United States Department of Education, which the

235 Compact Commission may by rule determine and which involves at

236 least one thousand (1,000) hours of practice experience under the

237 supervision of a registered dietitian or a licensed dietitian.



238 iii. Successful completion of either: (i) the
239 Registration Examination for Dietitians administered by CDR, or
240 (ii) a national credentialing examination for dietitians approved
241 by the Compact Commission by rule; such completion being no more
242 than five (5) years before the date of the licensee's application
243 for initial licensure and accompanied by a period of continuous
244 licensure thereafter, all of which may be further governed by the
245 rules of the Compact Commission.

246 2. Hold an unencumbered license in the home state;

247 3. Notify the Compact Commission that the licensee is
248 seeking a compact privilege within a remote state(s);

249 4. Pay any applicable fees, including any state fee,
250 for the compact privilege;

251 5. Meet any jurisprudence requirements established by
252 the remote state(s) in which the licensee is seeking a compact
253 privilege; and

254 6. Report to the Compact Commission any adverse action,
255 encumbrance, or restriction on a license taken by any non-member
256 state within thirty (30) days from the date the action is taken.

257 B. The compact privilege is valid until the expiration date
258 of the home state license. To maintain a compact privilege,
259 renewal of the compact privilege shall be congruent with the
260 renewal of the home state license as the Compact Commission may
261 define by rule. The licensee must comply with the requirements of



262 subsection (A) of this section to maintain the compact privilege
263 in the remote state(s).

264 C. A licensee exercising a compact privilege shall adhere to
265 the laws and regulations of the remote state. Licensees shall be
266 responsible for educating themselves on, and complying with, any
267 and all state laws relating to the practice of dietetics in such
268 remote state.

269 D. Notwithstanding anything to the contrary provided in this
270 Compact or state law, a licensee exercising a compact privilege
271 shall not be required to complete continuing education
272 requirements required by a remote state. A licensee exercising a
273 compact privilege is only required to meet any continuing
274 education requirements as required by the home state.

275 **SECTION 5.**

276 **OBTAINING A NEW HOME STATE LICENSE BASED ON A COMPACT PRIVILEGE**

277 A. A licensee may hold a home state license, which allows
278 for a compact privilege in other member states, in only one (1)
279 member state at a time.

280 B. If a licensee changes home state by moving between two
281 (2) member states:

282 1. The licensee shall file an application for obtaining
283 a new home state license based on a compact privilege, pay all
284 applicable fees, and notify the current and new home state in
285 accordance with the rules of the Compact Commission.



286 2. Upon receipt of an application for obtaining a new
287 home state license by virtue of a compact privilege, the new home
288 state shall verify that the licensee meets the criteria in Section
289 4 via the data system, and require that the licensee complete the
290 following:

291 a. Federal Bureau of Investigation fingerprint
292 based criminal history record information check;

293 b. Any other criminal history record information
294 required by the new home state; and

295 c. Any jurisprudence requirements of the new home
296 state.

297 3. The former home state shall convert the former home
298 state license into a compact privilege once the new home state has
299 activated the new home state license in accordance with applicable
300 rules adopted by the Compact Commission.

301 4. Notwithstanding any other provision of this Compact,
302 if the licensee cannot meet the criteria in Section 4, the new
303 home state may apply its requirements for issuing a new single
304 state license.

305 5. The licensee shall pay all applicable fees to the
306 new home state in order to be issued a new home state license.

307 C. If a licensee changes their state of residence by moving
308 from a member state to a non-member state, or from a non-member
309 state to a member state, the state criteria shall apply for
310 issuance of a single state license in the new state.



311 D. Nothing in this Compact shall interfere with a licensee's
312 ability to hold a single state license in multiple states;
313 however, for the purposes of this Compact, a licensee shall have
314 only one (1) home state license.

315 E. Nothing in this Compact shall affect the requirements
316 established by a member state for the issuance of a single state
317 license.

318 **SECTION 6.**

319 **ACTIVE MILITARY MEMBERS OR THEIR SPOUSES**

320 An active military member, or their spouse, shall designate a
321 home state where the individual has a current license in good
322 standing. The individual may retain the home state designation
323 during the period the service member is on active duty.

324 **SECTION 7.**

325 **ADVERSE ACTIONS**

326 A. In addition to the other powers conferred by state law, a
327 remote state shall have the authority, in accordance with existing
328 state due process law, to:

329 1. Take adverse action against a licensee's compact
330 privilege within that member state; and

331 2. Issue subpoenas for both hearings and investigations
332 that require the attendance and testimony of witnesses as well as
333 the production of evidence. Subpoenas issued by a licensing
334 authority in a member state for the attendance and testimony of
335 witnesses or the production of evidence from another member state



336 shall be enforced in the latter state by any court of competent
337 jurisdiction, according to the practice and procedure applicable
338 to subpoenas issued in proceedings pending before that court. The
339 issuing authority shall pay any witness fees, travel expenses,
340 mileage, and other fees required by the service statutes of the
341 state in which the witnesses or evidence are located.

342 B. Only the home state shall have the power to take adverse
343 action against a licensee's home state license.

344 C. For purposes of taking adverse action, the home state
345 shall give the same priority and effect to reported conduct
346 received from a member state as it would if the conduct had
347 occurred within the home state. In so doing, the home state shall
348 apply its own state laws to determine appropriate action.

349 D. The home state shall complete any pending investigations
350 of a licensee who changes home states during the course of the
351 investigations. The home state shall also have authority to
352 take appropriate action(s) and shall promptly report the
353 conclusions of the investigations to the administrator of the data
354 system. The administrator of the data system shall promptly
355 notify the new home state of any adverse actions.

356 E. A member state, if otherwise permitted by state law, may
357 recover from the affected licensee the costs of investigations and
358 dispositions of cases resulting from any adverse action taken
359 against that licensee.



360 F. A member state may take adverse action based on the
361 factual findings of another remote state, provided that the member
362 state follows its own procedures for taking the adverse action.

363 G. Joint investigations:

364 1. In addition to the authority granted to a member
365 state by its respective state law, any member state may
366 participate with other member states in joint investigations
367 of licensees.

368 2. Member states shall share any investigative,
369 litigation, or compliance materials in furtherance of any joint
370 investigation initiated under the Compact.

371 H. If adverse action is taken by the home state against a
372 licensee's home state license resulting in an encumbrance on the
373 home state license, the licensee's compact privilege(s) in all
374 other member states shall be revoked until all encumbrances have
375 been removed from the home state license. All home state
376 disciplinary orders that impose adverse action against a licensee
377 shall include a statement that the licensee's compact privileges
378 are revoked in all member states during the pendency of the order.

379 I. Once an encumbered license in the home state is restored
380 to an unencumbered license (as certified by the home state's
381 licensing authority), the licensee must meet the requirements
382 of section 4(a) and follow the administrative requirements to
383 reapply to obtain a compact privilege in any remote state.



384 J. If a member state takes adverse action, it shall promptly
385 notify the administrator of the data system. The administrator of
386 the data system shall promptly notify the other member
387 states of any adverse actions.

388 K. Nothing in this Compact shall override a member state's
389 decision that participation in an alternative program may be used
390 in lieu of adverse action.

391 **SECTION 8.**

392 **ESTABLISHMENT OF THE DIETITIAN LICENSURE COMPACT COMMISSION**

393 A. The compact member states create and establish a joint
394 government agency whose membership consists of all member states
395 that have enacted the Compact known as the Dietitian Licensure
396 Compact Commission. The Compact Commission is an instrumentality
397 of the compact states acting jointly and not an instrumentality of
398 any one (1) state. The Compact Commission shall come into
399 existence on or after the effective date of the Compact
400 as set forth in Section 12.

401 B. Membership, voting, and meetings.

402 1. Each member state shall have and be limited to one
403 (1) delegate selected by that member state's licensing authority.

404 2. The delegate shall be the primary administrator of
405 the licensing authority or their designee.

406 3. The Compact Commission shall by rule or bylaw
407 establish a term of office for delegates and may by rule or bylaw
408 establish term limits.



409 4. The Compact Commission may recommend removal or
410 suspension of any delegate from office.

411 5. A member state's licensing authority shall fill any
412 vacancy of its delegate occurring on the Compact Commission within
413 sixty (60) days of the vacancy.

414 6. Each delegate shall be entitled to one (1) vote on
415 all matters before the Compact Commission requiring a vote by the
416 delegates.

417 7. Delegates shall meet and vote by such means as set
418 forth in the bylaws. The bylaws may provide for delegates to meet
419 and vote in-person or by telecommunication, video conference, or
420 other means of communication.

421 8. The Compact Commission shall meet at least once
422 during each calendar year. Additional meetings may be held as set
423 forth in the bylaws. The Compact Commission may meet in person or
424 by telecommunication, video conference, or other means of
425 communication.

426 C. The Compact Commission shall have the following powers:

427 1. Establish the fiscal year of the Compact Commission;

428 2. Establish code of conduct and conflict of interest
429 policies;

430 3. Establish and amend rules and bylaws;

431 4. Maintain its financial records in accordance with
432 the bylaws;



433 5. Meet and take such actions as are consistent with
434 the provisions of this Compact, the Compact Commission's rules,
435 and the bylaws;

436 6. Initiate and conclude legal proceedings or actions
437 in the name of the Compact Commission, provided that the standing
438 of any licensing authority to sue or be sued under applicable law
439 shall not be affected;

440 7. Maintain and certify records and information
441 provided to a member state as the authenticated business records
442 of the Compact Commission, and designate an agent to do so on the
443 Compact Commission's behalf;

444 8. Purchase and maintain insurance and bonds;

445 9. Borrow, accept, or contract for services of
446 personnel, including, but not limited to, employees of a member
447 state;

448 10. Conduct an annual financial review;

449 11. Hire employees, elect or appoint officers, fix
450 compensation, define duties, grant such individuals appropriate
451 authority to carry out the purposes of the Compact, and establish
452 the Compact Commission's personnel policies and programs relating
453 to conflicts of interest, qualifications of personnel, and other
454 related personnel matters;

455 12. Assess and collect fees;



456 13. Accept any and all appropriate donations, grants of
457 money, other sources of revenue, equipment, supplies, materials,
458 services, and gifts, and receive, use, and dispose of the
459 same; provided that at all times the Compact Commission shall
460 avoid any actual or appearance of impropriety or conflict of
461 interest;

462 14. Lease, purchase, retain, own, hold, improve, or use
463 any property, real, personal, or mixed, or any undivided interest
464 therein;

465 15. Sell, convey, mortgage, pledge, lease, exchange,
466 abandon, or otherwise dispose of any property real, personal, or
467 mixed;

468 16. Establish a budget and make expenditures;

469 17. Borrow money;

470 18. Appoint committees, including standing committees,
471 composed of members, state regulators, state legislators or their
472 representatives, and consumer representatives, and such other
473 interested persons as may be designated in this Compact or the
474 bylaws;

475 19. Provide and receive information from, and cooperate
476 with, law enforcement agencies;

477 20. Establish and elect an Executive Committee,
478 including a chair and a vice chair;



479 21. Determine whether a state's adopted language is
480 materially different from the model compact language such that the
481 state would not qualify for participation in the Compact; and

482 22. Perform such other functions as may be necessary or
483 appropriate to achieve the purposes of this Compact.

484 D. The Executive Committee.

485 1. The Executive Committee shall have the power to act
486 on behalf of the Compact Commission according to the terms of this
487 Compact. The powers, duties, and responsibilities of the
488 Executive Committee shall include:

489 a. Oversee the day-to-day activities of the
490 administration of the Compact including enforcement and compliance
491 with the provisions of the Compact, its rules and bylaws, and
492 other such duties as deemed necessary;

493 b. Recommend to the Compact Commission changes to
494 the rules or bylaws, changes to this compact legislation, fees
495 charged to compact member states, fees charged to licensees, and
496 other fees;

497 c. Ensure Compact administration services are
498 appropriately provided, including by contract;

499 d. Prepare and recommend the budget;

500 e. Maintain financial records on behalf of the
501 Compact Commission;

502 f. Monitor Compact compliance of member states and
503 provide compliance reports to the Compact Commission;



504 g. Establish additional committees as necessary;
505 h. Exercise the powers and duties of the Compact
506 Commission during the interim between Compact Commission meetings,
507 except for adopting or amending rules, adopting or amending
508 bylaws, and exercising any other powers and duties expressly
509 reserved to the Compact Commission by rule or bylaw; and
510 i. Other duties as provided in the rules or bylaws
511 of the Compact Commission.

512 2. The Executive Committee shall be composed of nine
513 (9) members:

514 a. The chair and vice chair of the Compact
515 Commission shall be voting members of the Executive Committee;

516 b. Five (5) voting members from the current
517 membership of the Compact Commission, elected by the Compact
518 Commission;

519 c. One (1) ex-officio, nonvoting member from a
520 recognized professional association representing dietitians; and

521 d. One (1) ex-officio, nonvoting member from a
522 recognized national credentialing organization for dietitians.

523 3. The Compact Commission may remove any member of the
524 Executive Committee as provided in the Compact Commission's
525 bylaws.

526 4. The Executive Committee shall meet at least
527 annually.



528 a. Executive Committee meetings shall be open to
529 the public, except that the Executive Committee may meet in a
530 closed, non-public meeting as provided in subsection (F) (2).

531 b. The Executive Committee shall give thirty-days'
532 notice of its meetings, posted on the website of the Compact
533 Commission and as determined to provide notice to persons
534 with an interest in the business of the Compact Commission.

535 c. The Executive Committee may hold a special
536 meeting in accordance with subsection (F) (1) (b).

537 E. The Compact Commission shall adopt and provide to the
538 member states an annual report.

539 F. Meetings of the Compact Commission.

540 1. All meetings shall be open to the public, except
541 that the Compact Commission may meet in a closed, non-public
542 meeting as provided in paragraph (2) of this subsection (F).

543 a. Public notice for all meetings of the full
544 Compact Commission shall be given in the same manner as required
545 under the rulemaking provisions in Section 10, except that
546 the Compact Commission may hold a special meeting as provided in
547 paragraph (1) (b) of this subsection (F).

548 b. The Compact Commission may hold a special
549 meeting when it must meet to conduct emergency business by giving
550 twenty-four hours' notice to all member states, on the Compact
551 Commission's website, and other means as provided in the Compact
552 Commission's rules. The Compact Commission's legal counsel shall



553 certify that the Compact Commission's need to meet qualifies as an
554 emergency.

555 2. The Compact Commission or the Executive Committee or
556 other committees of the Compact Commission may convene in a
557 closed, non-public meeting for the Compact Commission or Executive
558 Committee or other committees of the Compact Commission
559 to receive legal advice or to discuss:

560 a. Non-compliance of a member state with its
561 obligations under the Compact;

562 b. The employment, compensation, discipline, or
563 other matters, practices, or procedures related to specific
564 employees;

565 c. Current or threatened discipline of a licensee
566 by the Compact Commission or by a member state's licensing
567 authority;

568 d. Current, threatened, or reasonably anticipated
569 litigation;

570 e. Negotiation of contracts for the purchase,
571 lease, or sale of goods, services, or real estate;

572 f. Accusing any person of a crime or formally
573 censuring any person;

574 g. Trade secrets or commercial or financial
575 information that is privileged or confidential;



576 h. Information of a personal nature where
577 disclosure would constitute a clearly unwarranted invasion of
578 personal privacy;

579 i. Investigative records compiled for law
580 enforcement purposes;

581 j. Information related to any investigative
582 reports prepared by or on behalf of or for use of the Compact
583 Commission or other committee charged with responsibility of
584 investigation or determination of compliance issues pursuant to
585 the Compact;

586 k. Matters specifically exempted from disclosure
587 by federal or member state law; or

588 l. Other matters as specified in the rules of the
589 Compact Commission.

590 3. If a meeting, or portion of a meeting, is closed,
591 the presiding officer shall state that the meeting will be closed
592 and reference each relevant exempting provision, and such
593 reference shall be recorded in the minutes.

594 4. The Compact Commission shall keep minutes that fully
595 and clearly describe all matters discussed in a meeting and shall
596 provide a full and accurate summary of actions taken, and the
597 reasons therefore, including a description of the views expressed.
598 All documents considered in connection with an action shall be
599 identified in such minutes. All minutes and documents of a closed
600 meeting shall remain under seal, subject to release only by a



601 majority vote of the Compact Commission or order of a court of
602 competent jurisdiction.

603 G. Financing of the Compact Commission.

604 1. The Compact Commission shall pay, or provide for the
605 payment of, the reasonable expenses of its establishment,
606 organization, and ongoing activities.

607 2. The Compact Commission may accept any and all
608 appropriate revenue sources as provided in subsection (C)(13).

609 3. The Compact Commission may levy on and collect an
610 annual assessment from each member state and impose fees on
611 licensees of member states to whom it grants a compact privilege
612 to cover the cost of the operations and activities of the Compact
613 Commission and its staff, which must, in a total amount, be
614 sufficient to cover its annual budget as approved each year for
615 which revenue is not provided by other sources. The aggregate
616 annual assessment amount for member states shall be allocated
617 based upon a formula that the Compact Commission shall promulgate
618 by rule.

619 4. The Compact Commission shall not incur obligations
620 of any kind prior to securing the funds adequate to meet the same;
621 nor shall the Compact Commission pledge the credit of any of the
622 member states, except by and with the authority of the member
623 state.

624 5. The Compact Commission shall keep accurate accounts
625 of all receipts and disbursements. The receipts and disbursements



626 of the Compact Commission shall be subject to the financial review
627 and accounting procedures established under its bylaws. However,
628 all receipts and disbursements of funds handled by the Compact
629 Commission shall be subject to an annual financial review by a
630 certified or licensed public accountant, and the report
631 of the financial review shall be included in and become part of
632 the annual report of the Compact Commission.

633 H. Qualified immunity, defense, and indemnification.

634 1. The members, officers, executive director, employees
635 and representatives of the Compact Commission shall be immune from
636 suit and liability, both personally and in their official
637 capacity, for any claim for damage to or loss of property or
638 personal injury or other civil liability caused by or arising out
639 of any actual or alleged act, error, or omission that occurred, or
640 that the person against whom the claim is made had a reasonable
641 basis for believing occurred within the scope of Compact
642 Commission employment, duties, or responsibilities; provided that
643 nothing in this paragraph shall be construed to protect any
644 such person from suit or liability for any damage, loss, injury,
645 or liability caused by the intentional or willful or wanton
646 misconduct of that person. The procurement of insurance
647 of any type by the Compact Commission shall not in any way
648 compromise or limit the immunity granted under this paragraph.

649 2. The Compact Commission shall defend any member,
650 officer, executive director, employee, and representative of the



651 Compact Commission in any civil action seeking to impose liability
652 arising out of any actual or alleged act, error, or omission that
653 occurred within the scope of Compact Commission employment,
654 duties, or responsibilities, or as determined by the Compact
655 Commission that the person against whom the claim is made had a
656 reasonable basis for believing occurred within the scope of
657 Compact Commission employment, duties, or responsibilities;
658 provided that nothing in this paragraph shall be construed to
659 prohibit that person from retaining their own counsel at their own
660 expense; and provided further, that the actual or alleged act,
661 error, or omission did not result from that person's intentional
662 or willful or wanton misconduct.

663 3. The Compact Commission shall indemnify and hold
664 harmless any member, officer, executive director, employee, and
665 representative of the Compact Commission for the amount of any
666 settlement or judgment obtained against that person arising out of
667 any actual or alleged act, error, or omission that occurred within
668 the scope of Compact Commission employment, duties, or
669 responsibilities, or that such person had a reasonable basis for
670 believing occurred within the scope of Compact Commission
671 employment, duties, or responsibilities, provided that the actual
672 or alleged act, error, or omission did not result from the
673 intentional or willful or wanton misconduct of that person.

674 4. Nothing in this subsection (H) shall be construed as
675 a limitation on the liability of any licensee for professional



701 4. Non-confidential information related to alternative
702 program participation, the beginning and ending dates of such
703 participation, and other information related to such participation
704 not made confidential under member state law;

705 5. Any denial of application for licensure, and the
706 reason(s) for such denial;

707 6. The presence of current significant investigative
708 information; and

709 7. Other information that may facilitate the
710 administration of this Compact or the protection of the public, as
711 determined by the rules of the Compact Commission.

712 D. The records and information provided to a member state
713 pursuant to this Compact or through the data system, when
714 certified by the Compact Commission or an agent thereof, shall
715 constitute the authenticated business records of the Compact
716 Commission, and shall be entitled to any associated hearsay
717 exception in any relevant judicial, quasi-judicial, or
718 administrative proceedings in a member state.

719 E. Current significant investigative information pertaining
720 to a licensee in any member state will only be available to other
721 member states.

722 F. It is the responsibility of the member states to report
723 any adverse action against a licensee and to monitor the data
724 system to determine whether any adverse action has been taken



725 against a licensee. Adverse action information pertaining to a
726 licensee in any member state will be available to any other member
727 state.

728 G. Member states contributing information to the data system
729 may designate information that may not be shared with the public
730 without the express permission of the contributing state.

731 H. Any information submitted to the data system that is
732 subsequently expunged pursuant to federal law or the laws of the
733 member state contributing the information shall be removed
734 from the data system.

735 **SECTION 10**

736 **RULEMAKING**

737 A. The Compact Commission shall promulgate reasonable rules
738 in order to effectively and efficiently implement and administer
739 the purposes and provisions of the Compact. A rule shall be
740 invalid and have no force or effect only if a court of competent
741 jurisdiction holds that the rule is invalid because the Compact
742 Commission exercised its rulemaking authority in a manner that is
743 beyond the scope and purposes of the Compact, or the powers
744 granted under this Compact, or based upon another applicable
745 standard of review.

746 B. The rules of the Compact Commission shall have the force
747 of law in each member state, provided that where the rules
748 conflict with the laws or regulations of a member state that
749 relate to the procedures, actions, and processes a licensed



750 dietitian is permitted to undertake in that state and the
751 circumstances under which they may do so, as held by a court
752 of competent jurisdiction, the rules of the Compact Commission
753 shall be ineffective in that state to the extent of the conflict.

754 C. The Compact Commission shall exercise its rulemaking
755 powers pursuant to the criteria set forth in this section and the
756 rules adopted under this section. Rules shall become binding on
757 the day following adoption or as of the date specified in the rule
758 or amendment, whichever is later.

759 D. If a majority of the legislatures of the member states
760 rejects a rule or portion of a rule, by enactment of a statute or
761 resolution in the same manner used to adopt the Compact within
762 four (4) years of the date of adoption of the rule, then such rule
763 shall have no further force and effect in any member state.

764 E. Rules shall be adopted at a regular or special meeting of
765 the Compact Commission.

766 F. Before adoption of a proposed rule, the Compact
767 Commission shall hold a public hearing and allow persons to
768 provide oral and written comments, data, facts, opinions, and
769 arguments.

770 G. Before adoption of a proposed rule by the Compact
771 Commission, and at least thirty (30) days in advance of the
772 meeting at which the Compact Commission will hold a public hearing
773 on the proposed rule, the Compact Commission shall provide a
774 notice of proposed rulemaking:



775 1. On the website of the Compact Commission or other
776 publicly accessible platform;

777 2. To persons who have requested notice of the Compact
778 Commission's notices of proposed rulemaking; and

779 3. In such other way(s) as the Compact Commission may
780 by rule specify.

781 H. The notice of proposed rulemaking shall include:

782 1. The time, date, and location of the public hearing
783 at which the Compact Commission will hear public comments on the
784 proposed rule and, if different, the time, date, and location
785 of the meeting where the Compact Commission will consider and vote
786 on the proposed rule;

787 2. If the hearing is held via telecommunication, video
788 conference, or other means of communication, the Compact
789 Commission shall include the mechanism for access to the
790 hearing in the notice of proposed rulemaking;

791 3. The text of the proposed rule and the reason
792 therefor;

793 4. A request for comments on the proposed rule from any
794 interested person; and

795 5. The manner in which interested persons may submit
796 written comments.

797 I. All hearings will be recorded. A copy of the recording
798 and all written comments and documents received by the Compact



799 Commission in response to the proposed rule shall be available to
800 the public.

801 J. Nothing in this section shall be construed as requiring a
802 separate hearing on each rule. Rules may be grouped for the
803 convenience of the Compact Commission at hearings required by this
804 section.

805 K. The Compact Commission shall, by majority vote of all
806 members, take final action on the proposed rule based on the
807 rulemaking record and the full text of the rule.

808 1. The Compact Commission may adopt changes to the
809 proposed rule provided the changes do not enlarge the original
810 purpose of the proposed rule.

811 2. The Compact Commission shall provide an explanation
812 of the reasons for substantive changes made to the proposed rule
813 as well as reasons for substantive changes not made that were
814 recommended by commenters.

815 3. The Compact Commission shall determine a reasonable
816 effective date for the rule. Except for an emergency as provided
817 in subsection (L) of this section, the effective date of the rule
818 shall be no sooner than thirty (30) days after issuing the notice
819 that it adopted or amended the rule.

820 L. Upon determination that an emergency exists, the Compact
821 Commission may consider and adopt an emergency rule with
822 twenty-four hours' notice, with opportunity to comment, provided
823 that the usual rulemaking procedures provided in the Compact and



824 in this section shall be retroactively applied to the rule as soon
825 as reasonably possible, in no event later than ninety (90) days
826 after the effective date of the rule. For the purposes of this
827 provision, an emergency rule is one that must be adopted
828 immediately in order to:

829 1. Meet an imminent threat to public health, safety, or
830 welfare;

831 2. Prevent a loss of Compact Commission or member state
832 funds;

833 3. Meet a deadline for the promulgation of a rule that
834 is established by federal law or rule; or

835 4. Protect public health and safety.

836 M. The Compact Commission or an authorized committee of the
837 Compact Commission may direct revision to a previously adopted
838 rule for purposes of correcting typographical errors, errors in
839 format, errors in consistency, or grammatical errors. Public
840 notice of any revision shall be posted on the website of the
841 Compact Commission. The revision shall be subject to
842 challenge by any person for a period of thirty (30) days after
843 posting. The revision may be challenged only on grounds that the
844 revision results in a material change to a rule. A challenge
845 shall be made in writing and delivered to the Compact Commission
846 before the end of the notice period. If no challenge is made, the
847 revision will take effect without further action. If the revision



848 is challenged, the revision may not take effect without the
849 approval of the Compact Commission.

850 N. No member state's rulemaking requirements shall apply
851 under this Compact.

852 **SECTION 11.**

853 **OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

854 A. Oversight.

855 1. The executive and judicial branches of state
856 government in each member state shall enforce this Compact and
857 take all actions necessary and appropriate to implement this
858 Compact.

859 2. Except as otherwise provided in this Compact, venue
860 is proper and judicial proceedings by or against the Compact
861 Commission shall be brought solely and exclusively in a court of
862 competent jurisdiction where the principal office of the Compact
863 Commission is located. The Compact Commission may waive venue and
864 jurisdictional defenses to the extent it adopts or consents to
865 participate in alternative dispute resolution proceedings.
866 Nothing in this paragraph shall affect or limit the selection or
867 propriety of venue in any action against a licensee for
868 professional malpractice, misconduct, or any such similar matter.

869 3. The Compact Commission shall be entitled to receive
870 service of process in any proceeding regarding the enforcement or
871 interpretation of the Compact and shall have standing to intervene
872 in such a proceeding for all purposes. Failure to provide the



873 Compact Commission service of process shall render a judgment or
874 order void as to the Compact Commission, this Compact, or
875 promulgated rules.

876 B. Default, technical assistance, and termination.

877 1. If the Compact Commission determines that a member
878 state has defaulted in the performance of its obligations or
879 responsibilities under this Compact or the promulgated rules, the
880 Compact Commission shall provide written notice to the defaulting
881 state. The notice of default shall describe the default, the
882 proposed means of curing the default, and any other action that
883 the Compact Commission may take and shall offer training and
884 specific technical assistance regarding the default.

885 2. The Compact Commission shall provide a copy of the
886 notice of default to the other member states.

887 C. If a state in default fails to cure the default, the
888 defaulting state may be terminated from the Compact upon an
889 affirmative vote of a majority of the delegates of the member
890 states, and all rights, privileges, and benefits conferred on that
891 state by this Compact may be terminated on the effective date of
892 termination. A cure of the default does not relieve the offending
893 state of obligations or liabilities incurred during the period of
894 default.

895 D. Termination of membership in the Compact shall be imposed
896 only after all other means of securing compliance have been
897 exhausted. Notice of intent to suspend or terminate shall be



898 given by the Compact Commission to the governor, the majority and
899 minority leaders of the defaulting state's legislature, the
900 defaulting state's licensing authority, and each of the
901 member states' licensing authority.

902 E. A state that has been terminated is responsible for all
903 assessments, obligations, and liabilities incurred through the
904 effective date of termination, including obligations that extend
905 beyond the effective date of termination.

906 F. Upon the termination of a state's membership from this
907 Compact, that state shall immediately provide notice to all
908 licensees within that state of such termination. The
909 terminated state shall continue to recognize all compact
910 privileges granted pursuant to this Compact for a minimum of six
911 (6) months after the date of the notice of termination.

912 G. The Compact Commission shall not bear any costs related
913 to a state that is found to be in default or that has been
914 terminated from the Compact, unless agreed upon in writing between
915 the Compact Commission and the defaulting state.

916 H. The defaulting state may appeal the action of the Compact
917 Commission by petitioning the United States District Court for the
918 District of Columbia or the federal district where the Compact
919 Commission has its principal offices. The prevailing party shall
920 be awarded all costs of such litigation, including reasonable
921 attorney's fees.

922 I. Dispute resolution.



923 1. Upon request by a member state, the Compact
924 Commission shall attempt to resolve disputes related to the
925 Compact that arise among member states and between member
926 and non-member states.

927 2. The Compact Commission shall promulgate a rule
928 providing for both mediation and binding dispute resolution for
929 disputes as appropriate.

930 J. Enforcement.

931 1. By supermajority vote, the Compact Commission may
932 initiate legal action against a member state in default in the
933 United States District Court for the District of Columbia
934 or the federal district where the Compact Commission has its
935 principal offices to enforce compliance with the provisions of the
936 Compact and its promulgated rules. The relief sought may include
937 both injunctive relief and damages. If judicial enforcement is
938 necessary, the prevailing party shall be awarded all costs of such
939 litigation, including reasonable attorney's fees. The remedies
940 herein shall not be the exclusive remedies of the Compact
941 Commission. The Compact Commission may pursue any other remedies
942 available under federal or the defaulting member state's law.

943 2. A member state may initiate legal action against the
944 Compact Commission in the United States District Court for the
945 District of Columbia or the federal district where the Compact
946 Commission has its principal offices to enforce compliance with
947 the provisions of the Compact and its promulgated rules. The



948 relief sought may include both injunctive relief and damages. If
949 judicial enforcement is necessary, the prevailing party shall be
950 awarded all costs of such litigation, including reasonable
951 attorney's fees.

952 3. No party other than a member state shall enforce
953 this Compact against the Compact Commission.

954 **SECTION 12.**

955 **EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT**

956 A. The Compact shall come into effect on the date on which
957 the Compact statute is enacted into law in the seventh member
958 state.

959 1. On or after the effective date of the Compact, the
960 Compact Commission shall convene and review the enactment of each
961 of the first seven (7) member states ("charter member states") to
962 determine if the statute enacted by each such charter member state
963 is materially different than the model Compact statute.

964 a. A charter member state whose enactment is found
965 to be materially different from the model Compact statute shall be
966 entitled to the default process set forth in Section 11.

967 b. If any member state is later found to be in
968 default, or is terminated, or withdraws from the Compact, the
969 Compact Commission shall remain in existence and the Compact shall
970 remain in effect even if the number of member states should be
971 less than seven (7).



972 2. Member states enacting the Compact after the seven
973 (7) initial charter member states shall be subject to the process
974 set forth in Section 8(C)(21) to determine if their enactments are
975 materially different from the model Compact statute and whether
976 they qualify for participation in the Compact.

977 3. All actions taken for the benefit of the Compact
978 Commission or in furtherance of the purposes of the administration
979 of the Compact prior to the effective date of the Compact or the
980 Compact Commission coming into existence shall be considered to
981 be actions of the Compact Commission unless specifically
982 repudiated by the Compact Commission.

983 4. Any state that joins the Compact after the Compact
984 Commission's initial adoption of the rules and bylaws shall be
985 subject to the rules and bylaws as they exist on the date on which
986 the Compact becomes law in that state. Any rule that has
987 been previously adopted by the Compact Commission shall have the
988 full force and effect of law on the day the Compact becomes law in
989 that state.

990 B. Any member state may withdraw from this Compact by
991 enacting a statute repealing the same.

992 1. A member state's withdrawal shall not take effect
993 until one hundred eighty (180) days after enactment of the
994 repealing statute.



1018 A. This Compact and the Compact Commission's rulemaking
1019 authority shall be liberally construed so as to effectuate the
1020 purposes and the implementation and administration of the
1021 Compact. Provisions of the Compact expressly authorizing or
1022 requiring the promulgation of rules shall not be construed to
1023 limit the Compact Commission's rulemaking authority solely
1024 for those purposes.

1025 B. The provisions of this Compact shall be severable and if
1026 any phrase, clause, sentence, or provision of this Compact is held
1027 by a court of competent jurisdiction to be contrary to the
1028 constitution of any member state, a state seeking participation in
1029 the Compact, or of the United States, or the applicability thereof
1030 to any government, agency, person, or circumstance is held to be
1031 unconstitutional by a court of competent jurisdiction, the
1032 validity of the remainder of this Compact and the applicability
1033 thereof to any other government, agency, person, or circumstance
1034 shall not be affected thereby.

1035 C. Notwithstanding Section 13(B), the Compact Commission may
1036 deny a state's participation in the Compact or, in accordance with
1037 the requirements of Section 11(B), terminate a member state's
1038 participation in the Compact, if it determines that a
1039 constitutional requirement of a member state is a material
1040 departure from the Compact. Otherwise, if this Compact shall be
1041 held to be contrary to the constitution of any member state, the
1042 Compact shall remain in full force and effect as to the remaining



1043 member states and in full force and effect as to the member state
1044 affected as to all severable matters.

1045 **SECTION 14.**

1046 **CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS**

1047 A. Nothing in this Compact shall prevent or inhibit the
1048 enforcement of any other law of a member state that is not
1049 inconsistent with the Compact.

1050 B. Any laws, statutes, regulations, or other legal
1051 requirements in a member state in conflict with the Compact are
1052 superseded to the extent of the conflict.

1053 C. All permissible agreements between the Compact Commission
1054 and the member states are binding in accordance with their terms.

1055 **SECTION 2.** Section 73-10-3, Mississippi Code of 1972, is
1056 amended as follows:

1057 73-10-3. (1) For the purposes of this chapter the following
1058 terms shall have the meanings set forth herein:

1059 (a) "Advisory council" means the Mississippi Council of
1060 Advisors in Dietetics established in this chapter.

1061 (b) "Board" means the Mississippi State Board of
1062 Health.

1063 (c) "Association" means the American Dietetic
1064 Association (ADA).

1065 (d) "Mississippi association" means the Mississippi
1066 Dietetic Association, an affiliate of the American Dietetic
1067 Association.



1068 (e) "Commission on Dietetic Registration" (CDR) means
1069 the Commission on Dietetic Registration that is a member of the
1070 National Commission for Health Certifying Agencies.

1071 (f) "Degree" means a degree received from a college or
1072 university that was accredited through the Council on
1073 Postsecondary Accreditation and the United States Department of
1074 Education at the time the degree was conferred.

1075 (g) "Registered dietitian" means a person registered by
1076 the Commission on Dietetic Registration.

1077 (h) "Licensed dietitian" means a person who is licensed
1078 under this chapter or holds a compact privilege.

1079 (i) "Provisionally licensed dietitian" means a person
1080 provisionally licensed under this chapter.

1081 (j) "Dietetics practice" means the integration and
1082 application of the principles derived from the sciences of
1083 nutrition, biochemistry, food, physiology, management and
1084 behavioral and social sciences to achieve and maintain people's
1085 health. Dietetics practice includes, but is not limited to:

1086 (i) Providing medical nutrition therapy.

1087 (ii) Development, administration, evaluation and
1088 consultation regarding nutritional care standards of quality in
1089 food services and medical nutrition therapy.

1090 (iii) Providing case management services.

1091 (k) "Medical nutrition therapy" is a nutritional
1092 diagnostic therapy and counseling services for the purpose of



1093 disease management. It means the assessment of the nutritional
1094 status of patients with a condition, illness or injury that
1095 appropriately requires medical nutrition therapy as part of the
1096 treatment. The assessment includes review and analysis of medical
1097 and diet history, blood chemistry lab values and anthropometric
1098 measurements to determine nutritional status and treatment
1099 modalities.

1100 Therapy ranges from diet modification and nutrition
1101 counseling to administration of specialized nutrition therapies
1102 such as intravenous medical nutritional products as determined
1103 necessary to manage a condition or treat illness or injury.

1104 (l) "Diet modification and nutrition counseling" means
1105 intervention and advice in assisting individuals or groups in the
1106 development of personal diet plans to achieve appropriate
1107 nutritional intake. To develop the diet plan, the dietitian
1108 integrates information from the nutritional assessment with
1109 information on food and other sources of nutrients and meal
1110 preparation consistent with cultural background and socioeconomic
1111 status.

1112 (m) "Specialized nutrition therapies" mean medical
1113 foods, enteral nutrition delivered via tube, or parenteral
1114 nutrition delivered by intravenous infusion.

1115 (n) "Nutrition educator" shall mean one who
1116 communicates scientific nutrition information to individuals
1117 and/or groups and who provides information on food sources of



1118 nutrients to meet normal nutrition need based on the most current
1119 "Recommended Dietary Allowances" of the Food and Nutrition Board,
1120 National Academy of Sciences, National Research Council.

1121 (o) "Dietitian" means one engaged in dietetics
1122 practice, medical nutrition therapy or nutrition education. The
1123 terms dietitian or dietician are used interchangeably in this
1124 chapter.

1125 (p) "Direct, technical supervision" means the direct,
1126 technical supervision by a licensed dietitian, as prescribed in
1127 regulations by the board, of the dietetics practice or medical
1128 nutrition therapy provided to an individual and/or group by a
1129 provisionally licensed dietitian.

1130 (q) "Department" means the Mississippi State Department
1131 of Health.

1132 (2) All other terms shall have their commonly ascribed
1133 definitions unless some other meaning is clearly intended from its
1134 context.

1135 **SECTION 3.** Section 73-10-7, Mississippi Code of 1972, is
1136 amended as follows:

1137 73-10-7. It shall be unlawful for any person, corporation or
1138 association to, in any manner, represent himself or itself as a
1139 dietitian or nutritionist, send out billings as providing services
1140 covered in Section 73-10-3(j), or use in connection with his or
1141 its name, the titles "dietitian," "dietician" or "nutritionist" or
1142 use the letters "LD," "LN" or any other facsimile thereof when he



1143 or she is not licensed in accordance with the provisions of this
1144 chapter, holds a compact privilege or meets the exemptions in
1145 paragraph (c) of Section 73-10-13. Notwithstanding any other
1146 provision of this chapter, a dietitian registered by the
1147 Commission on Dietetic Registration (CDR) shall have the right to
1148 use the title "Registered Dietitian" and the designation "R.D."
1149 Registered dietitians shall be licensed according to the
1150 provisions of this chapter to practice dietetics or provide
1151 medical nutrition therapy.

1152 **SECTION 4.** Section 73-10-15, Mississippi Code of 1972, is
1153 amended as follows:

1154 73-10-15. (1) Other than those who hold a compact
1155 privilege, a nonresident dietitian may practice dietetics in
1156 Mississippi for five (5) days per year with current other state's
1157 licensure or with current registration with the Commission on
1158 Dietetics Registration.

1159 (2) The board may waive the prescribed examination for
1160 licensure and grant a license to any person who shall present
1161 proof of current licensure as a dietitian in another state, the
1162 District of Columbia, or territory of the United States which
1163 requires standards for licensure considered by the advisory
1164 council to be greater than or equal to the requirements for
1165 licensure of this chapter, if such state or territory extends
1166 reciprocity to licensees of the State of Mississippi. The
1167 issuance of a license by reciprocity to a military-trained



1168 applicant, military spouse or person who establishes residence in
1169 this state shall be subject to the provisions of Section 73-50-1
1170 or 73-50-2, as applicable.

1171 **SECTION 5.** This act shall take effect and be in force from
1172 and after July 1, 2024.

