

By: Representative Currie

To: Public Health and Human
Services

HOUSE BILL NO. 1493

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.



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

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

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

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

W. "Registered dietitian" means a person who:

1. Has completed applicable education, experience, examination, and recertification requirements approved by CDR;
2. Is credentialed by CDR as a registered dietitian or a registered dietitian nutritionist; and
3. Is legally authorized to use the title registered dietitian or registered dietitian nutritionist and the corresponding abbreviations "RD" or "RDN."

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



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

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

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

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

SECTION 3.

STATE PARTICIPATION IN THE COMPACT

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

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

B. A member state shall:

1. Participate fully in the Compact Commission's data system, including using the unique identifier as defined in rules;
2. Notify the Compact Commission, in compliance with the terms of the Compact and rules, of any adverse action or the availability of current significant investigative information regarding a licensee;
3. Implement or use procedures for considering the criminal history record information of applicants for an initial



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

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

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

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

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



189 6. Recognize a compact privilege granted to a licensee
190 who meets all of the requirements outlined in Section 4 in
191 accordance with the terms of the Compact and rules.

192 C. Member states may set and collect a fee for granting a
193 compact privilege.

194 D. Individuals not residing in a member state shall continue
195 to be able to apply for a member state's single state license as
196 provided under the laws of each member state. However, the
197 single state license granted to these individuals shall not be
198 recognized as granting a compact privilege to engage in the
199 practice of dietetics in any other member state.

200 E. Nothing in this Compact shall affect the requirements
201 established by a member state for the issuance of a single state
202 license.

203 F. At no point shall the Compact Commission have the power
204 to define the requirements for the issuance of a single state
205 license to practice dietetics. The member states shall retain
206 sole jurisdiction over the provision of these requirements.

207 **SECTION 4.**

208 **COMPACT PRIVILEGE**

209 A. To exercise the compact privilege under the terms and
210 provisions of the Compact, the licensee shall:

211 1. Satisfy one (1) of the following:

212 a. Hold a valid current registration that gives
213 the applicant the right to use the term Registered Dietitian; or



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; or

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



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

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

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

SECTION 5.

OBTAINING A NEW HOME STATE LICENSE BASED ON A COMPACT PRIVILEGE

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

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

1. The licensee shall file an application for obtaining a new home state license based on a compact privilege, pay all applicable fees, and notify the current and new home state in 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.



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

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

SECTION 6.

ACTIVE MILITARY MEMBERS OR THEIR SPOUSES

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

SECTION 7.

ADVERSE ACTIONS

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

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

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



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

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

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

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

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



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

G. Joint investigations:

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

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

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

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



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

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

SECTION 8.

ESTABLISHMENT OF THE DIETITIAN LICENSURE COMPACT COMMISSION

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

B. Membership, voting, and meetings.

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

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

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



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

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

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

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

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

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

- 428 1. Establish the fiscal year of the Compact Commission;
429 2. Establish code of conduct and conflict of interest
430 policies;
431 3. Establish and amend rules and bylaws;
432 4. Maintain its financial records in accordance with
433 the bylaws;



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

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

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

445 8. Purchase and maintain insurance and bonds;

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

449 10. Conduct an annual financial review;

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

456 12. Assess and collect fees;



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

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

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

469 16. Establish a budget and make expenditures;

470 17. Borrow money;

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

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

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



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

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

485 D. The Executive Committee.

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

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

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

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

500 d. Prepare and recommend the budget;

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

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



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

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

515 a. The chair and vice chair of the Compact
516 Commission shall be voting members of the Executive Committee;
517 b. Five (5) voting members from the current
518 membership of the Compact Commission, elected by the Compact
519 Commission;
520 c. One (1) ex-officio, nonvoting member from a
521 recognized professional association representing dietitians; and
522 d. One (1) ex-officio, nonvoting member from a
523 recognized national credentialing organization for dietitians.

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

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



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

532 b. The Executive Committee shall give thirty (30)
533 days' notice of its meetings, posted on the website of the Compact
534 Commission and as determined to provide notice to persons
535 with an interest in the business of the Compact Commission.

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

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

540 F. Meetings of the Compact Commission.

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

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

549 b. The Compact Commission may hold a special
550 meeting when it must meet to conduct emergency business by giving
551 twenty four (24) hours' notice to all member states, on the
552 Compact Commission's website, and other means as provided in the
553 Compact Commission's rules. The Compact Commission's legal



counsel shall certify that the Compact Commission's need to meet
qualifies as an emergency.

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

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

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

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

d. Current, threatened, or reasonably anticipated
litigation;

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

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

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



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

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

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

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

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

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

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



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

G. Financing of the Compact Commission.

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

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

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

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

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



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

634 H. Qualified immunity, defense, and indemnification.

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

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



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

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

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



malpractice or misconduct, which shall be governed solely by any other applicable state laws.

5. Nothing in this Compact shall be interpreted to waive or otherwise abrogate a member state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation.

6. Nothing in this Compact shall be construed to be a waiver of sovereign immunity by the member states or by the Compact Commission.

SECTION 9.

DATA SYSTEM

A. The Compact Commission shall provide for the development, maintenance, operation, and utilization of a coordinated data system.

B. The Compact Commission shall assign each applicant for a compact privilege a unique identifier, as determined by the rules.

C. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable as required by the rules of the Compact Commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege and information related thereto;



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

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

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

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

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

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

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



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

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

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

736 SECTION 10

737 RULEMAKING

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

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



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

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

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

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

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

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



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

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

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

782 H. The notice of proposed rulemaking shall include:

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

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

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

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

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

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



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

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

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

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

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

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

821 L. Upon determination that an emergency exists, the Compact
822 Commission may consider and adopt an emergency rule with twenty
823 four (24) hours' notice, with opportunity to comment, provided
824 that the usual rulemaking procedures provided in the Compact and



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

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of Compact Commission or member state funds;
3. Meet a deadline for the promulgation of a rule that is established by federal law or rule; or
4. Protect public health and safety.

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



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

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

SECTION 11.

OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Oversight.

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

2. Except as otherwise provided in this Compact, venue is proper and judicial proceedings by or against the Compact Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Compact Commission is located. The Compact Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

Nothing in this paragraph shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

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



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

B. Default, technical assistance, and termination.

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

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

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

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



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

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

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

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

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

923 I. Dispute resolution.



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

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

931 J. Enforcement.

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

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



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

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

SECTION 12.

EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

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

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

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

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



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

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

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

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

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



996 2. Withdrawal shall not affect the continuing
997 requirement of the withdrawing state's licensing authority to
998 comply with the investigative and adverse action reporting
999 requirements of this Compact before the effective date of
1000 withdrawal.

1001 3. Upon the enactment of a statute withdrawing from
1002 this Compact, a state shall immediately provide notice of such
1003 withdrawal to all licensees within that state. Notwithstanding
1004 any later statutory enactment to the contrary, such
1005 withdrawing state shall continue to recognize all compact
1006 privileges granted pursuant to this Compact for a minimum of one
1007 hundred eighty (180) days after the date of such notice of
1008 withdrawal.

1009 C. Nothing contained in this Compact shall be construed to
1010 invalidate or prevent any licensure agreement or other cooperative
1011 arrangement between a member state and a non-member state that
1012 does not conflict with the provisions of this Compact.

1013 D. This Compact may be amended by the member states. No
1014 amendment to this Compact shall become effective and binding upon
1015 any member state until it is enacted into the laws of all member
1016 states.

1017 **SECTION 13.**

1018 **CONSTRUCTION AND SEVERABILITY**



1019 A. This Compact and the Compact Commission's rulemaking
1020 authority shall be liberally construed so as to effectuate the
1021 purposes and the implementation and administration of the
1022 Compact. Provisions of the Compact expressly authorizing or
1023 requiring the promulgation of rules shall not be construed to
1024 limit the Compact Commission's rulemaking authority solely
1025 for those purposes.

1026 B. The provisions of this Compact shall be severable and if
1027 any phrase, clause, sentence, or provision of this Compact is held
1028 by a court of competent jurisdiction to be contrary to the
1029 constitution of any member state, a state seeking participation in
1030 the Compact, or of the United States, or the applicability thereof
1031 to any government, agency, person, or circumstance is held to be
1032 unconstitutional by a court of competent jurisdiction, the
1033 validity of the remainder of this Compact and the applicability
1034 thereof to any other government, agency, person, or circumstance
1035 shall not be affected thereby.

1036 C. Notwithstanding subsection B of this section, the Compact
1037 Commission may deny a state's participation in the Compact or, in
1038 accordance with the requirements of Section 11(B), terminate a
1039 member state's participation in the Compact, if it determines that
1040 a constitutional requirement of a member state is a material
1041 departure from the Compact. Otherwise, if this Compact shall be
1042 held to be contrary to the constitution of any member state, the
1043 Compact shall remain in full force and effect as to the remaining



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

SECTION 14.

CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

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

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

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

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

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

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

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

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

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



1069 (e) "Commission on Dietetic Registration" (CDR) means
1070 the Commission on Dietetic Registration that is a member of the
1071 National Commission for Health Certifying Agencies.

1072 (f) "Degree" means a degree received from a college or
1073 university that was accredited through the Council on
1074 Postsecondary Accreditation and the United States Department of
1075 Education at the time the degree was conferred.

1076 (g) "Registered dietitian" means a person registered by
1077 the Commission on Dietetic Registration.

1078 (h) "Licensed dietitian" means a person who is licensed
1079 under this chapter or holds a compact privilege.

1080 (i) "Provisionally licensed dietitian" means a person
1081 provisionally licensed under this chapter.

1082 (j) "Dietetics practice" means the integration and
1083 application of the principles derived from the sciences of
1084 nutrition, biochemistry, food, physiology, management and
1085 behavioral and social sciences to achieve and maintain people's
1086 health. Dietetics practice includes, but is not limited to:

1087 (i) Providing medical nutrition therapy.

1088 (ii) Development, administration, evaluation and
1089 consultation regarding nutritional care standards of quality in
1090 food services and medical nutrition therapy.

1091 (iii) Providing case management services.

1092 (k) "Medical nutrition therapy" is a nutritional
1093 diagnostic therapy and counseling services for the purpose of



1094 disease management. It means the assessment of the nutritional
1095 status of patients with a condition, illness or injury that
1096 appropriately requires medical nutrition therapy as part of the
1097 treatment. The assessment includes review and analysis of medical
1098 and diet history, blood chemistry lab values and anthropometric
1099 measurements to determine nutritional status and treatment
1100 modalities.

1101 Therapy ranges from diet modification and nutrition
1102 counseling to administration of specialized nutrition therapies
1103 such as intravenous medical nutritional products as determined
1104 necessary to manage a condition or treat illness or injury.

1105 (l) "Diet modification and nutrition counseling" means
1106 intervention and advice in assisting individuals or groups in the
1107 development of personal diet plans to achieve appropriate
1108 nutritional intake. To develop the diet plan, the dietitian
1109 integrates information from the nutritional assessment with
1110 information on food and other sources of nutrients and meal
1111 preparation consistent with cultural background and socioeconomic
1112 status.

1113 (m) "Specialized nutrition therapies" mean medical
1114 foods, enteral nutrition delivered via tube, or parenteral
1115 nutrition delivered by intravenous infusion.

1116 (n) "Nutrition educator" shall mean one who
1117 communicates scientific nutrition information to individuals
1118 and/or groups and who provides information on food sources of



1119 nutrients to meet normal nutrition need based on the most current
1120 "Recommended Dietary Allowances" of the Food and Nutrition Board,
1121 National Academy of Sciences, National Research Council.

1122 (o) "Dietitian" means one engaged in dietetics
1123 practice, medical nutrition therapy or nutrition education. The
1124 terms dietitian or dietician are used interchangeably in this
1125 chapter.

1126 (p) "Direct, technical supervision" means the direct,
1127 technical supervision by a licensed dietitian, as prescribed in
1128 regulations by the board, of the dietetics practice or medical
1129 nutrition therapy provided to an individual and/or group by a
1130 provisionally licensed dietitian.

1131 (q) "Department" means the Mississippi State Department
1132 of Health.

1133 (2) All other terms shall have their commonly ascribed
1134 definitions unless some other meaning is clearly intended from its
1135 context.

1136 **SECTION 3.** Section 73-10-7, Mississippi Code of 1972, is
1137 amended as follows:

1138 73-10-7. It shall be unlawful for any person, corporation or
1139 association to, in any manner, represent himself or itself as a
1140 dietitian or nutritionist, send out billings as providing services
1141 covered in Section 73-10-3(j), or use in connection with his or
1142 its name, the titles "dietitian," "dietician" or "nutritionist" or
1143 use the letters "LD," "LN" or any other facsimile thereof when he



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

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

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

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



1169 applicant, military spouse or person who establishes residence in
1170 this state shall be subject to the provisions of Section 73-50-1
1171 or 73-50-2, as applicable.

1172 **SECTION 5.** This act shall take effect and be in force from
1173 and after July 1, 2025.

