

By: Senator(s) Blackwell

To: Public Health and
Welfare

SENATE BILL NO. 2664

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: PURPOSE**

13 The purpose of this Compact is to facilitate interstate
14 Practice of Dietetics with the goal of improving public access to
15 dietetics services. This Compact preserves the regulatory
16 authority of States to protect public health and safety through
17 the current system of State licensure, while also providing for
18 licensure portability through a Compact Privilege granted to
19 qualifying professionals.



20 This Compact is designed to achieve the following objectives:

21 A. Increase public access to dietetics services;

22 B. Provide opportunities for interstate practice by Licensed

23 Dietitians who meet uniform requirements;

24 C. Eliminate the necessity for Licenses in multiple States;

25 D. Reduce administrative burden on Member States and

26 Licensees;

27 E. Enhance the States' ability to protect the public's

28 health and safety;

29 F. Encourage the cooperation of Member States in regulating

30 multistate practice of Licensed Dietitians;

31 G. Support relocating Active Military Members and their

32 spouses;

33 H. Enhance the exchange of licensure, investigative, and

34 disciplinary information among Member States; and

35 I. Vest all Member States with the authority to hold a

36 Licensed Dietitian accountable for meeting all State practice laws

37 in the State in which the patient is located at the time care

38 is rendered.

39 **Section 2. DEFINITIONS**

40 As used in this Compact, and except as otherwise provided,

41 the following definitions shall apply:

42 A. "ACEND" means the Accreditation Council for Education in

43 Nutrition and Dietetics or its successor organization.



44 B. "Active Military Member" means any individual with
45 full-time duty status in the active armed forces of the United
46 States, including members of the National Guard and Reserve.

47 C. "Adverse Action" means any administrative, civil,
48 equitable or criminal action permitted by a State's laws which is
49 imposed by a Licensing Authority or other authority against a
50 Licensee, including actions against an individual's License or
51 Compact Privilege such as revocation, suspension, probation,
52 monitoring of the Licensee, limitation on the Licensee's
53 practice, or any other Encumbrance on licensure affecting a
54 Licensee's authorization to practice, including issuance of a
55 cease and desist action.

56 D. "Alternative Program" means a non-disciplinary monitoring
57 or practice remediation process approved by a Licensing Authority.

58 E. "Charter Member State" means any Member State which
59 enacted this Compact by law before the Effective Date specified in
60 Section 12.

61 F. "Continuing Education" means a requirement, as a
62 condition of License renewal, to provide evidence of participation
63 in, and completion of, educational and professional activities
64 relevant to practice or area of work.

65 G. "CDR" means the Commission on Dietetic Registration or
66 its successor organization.

67 H. "Compact Commission" means the government agency whose
68 membership consists of all States that have enacted this Compact,



which is known as the Dietitian Licensure Compact Commission, as described in Section 8, and which shall operate as an instrumentality of the Member States.

I. "Compact Privilege" means a legal authorization, which is equivalent to a License, permitting the Practice of Dietetics in a Remote State.

J. "Current Significant Investigative Information" means:

1. Investigative Information that a Licensing Authority, after a preliminary inquiry that includes notification and an opportunity for the subject Licensee to respond, if required by State law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or

2. Investigative Information that indicates that the subject Licensee represents an immediate threat to public health and safety regardless of whether the subject Licensee has been notified and had an opportunity to respond.

K. "Data System" means a repository of information about Licensees, including, but not limited to, Continuing Education, examination, licensure, investigative, Compact Privilege and Adverse Action information.

L. "Encumbered License" means a License in which an Adverse Action restricts a Licensee's ability to practice dietetics.



92 M. "Encumbrance" means a revocation or suspension of, or any
93 limitation on a Licensee's full and unrestricted Practice of
94 Dietetics by a Licensing Authority.

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

98 O. "Home State" means the Member State that is the
99 Licensee's primary State of residence or that has been designated
100 pursuant to Section 6.

101 P. "Investigative Information" means information, records,
102 and documents received or generated by a Licensing Authority
103 pursuant to an investigation.

104 Q. "Jurisprudence Requirement" means an assessment of an
105 individual's knowledge of the State laws and regulations governing
106 the Practice of Dietetics in such State.

107 R. "License" means an authorization from a Member State to
108 either:

109 1. Engage in the Practice of Dietetics (including
110 medical nutrition therapy); or

111 2. Use the title "dietitian," "licensed dietitian,"
112 "licensed dietitian nutritionist," "certified dietitian," or other
113 title describing a substantially similar practitioner as the
114 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 utilize 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



186 6. Recognize a Compact Privilege granted to a Licensee
187 who meets all of the requirements outlined in Section 4 in
188 accordance with the terms of the Compact and Rules.

189 C. Member States may set and collect a fee for granting a
190 Compact Privilege.

191 D. Individuals not residing in a Member State shall continue
192 to be able to apply for a Member State's Single State License as
193 provided under the laws of each Member State. However, the
194 Single State License granted to these individuals shall not be
195 recognized as granting a Compact Privilege to engage in the
196 Practice of Dietetics in any other Member State.

197 E. Nothing in this Compact shall affect the requirements
198 established by a Member State for the issuance of a Single State
199 License.

200 F. At no point shall the Compact Commission have the power
201 to define the requirements for the issuance of a Single State
202 License to practice dietetics. The Member States shall retain
203 sole jurisdiction over the provision of these requirements.

204 **Section 4. COMPACT PRIVILEGE**

205 A. To exercise the Compact Privilege under the terms and
206 provisions of the Compact, the Licensee shall:

207 1. Satisfy one of the following:

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

210 b. Complete all of the following:



211 i. An education program which is either:

212 a) A master's degree or doctoral degree
213 that is programmatically accredited by (i) ACEND; or (ii) a
214 dietetics accrediting agency recognized by the United
215 States Department of Education, which the Compact
216 Commission may by Rule determine, and from a college or
217 university accredited at the time of graduation by the
218 appropriate regional accrediting agency recognized by the
219 Council on Higher Education Accreditation and the United
220 States Department of Education.

221 b) An academic degree from a college or
222 university in a foreign country equivalent to the degree described
223 in subparagraph (a) that is programmatically accredited by (i)
224 ACEND; or (ii) a dietetics accrediting agency recognized
225 by the United States Department of Education, which the
226 Compact Commission may by Rule determine.

227 ii. A planned, documented, supervised
228 practice experience in dietetics that is programmatically
229 accredited by (i) ACEND, or (ii) a dietetics accrediting agency
230 recognized by the United States Department of Education which the
231 Compact Commission may by Rule determine and which involves at
232 least 1000 hours of practice experience under the supervision of a
233 Registered Dietitian or a Licensed Dietitian.

234 iii. Successful completion of either: (i) the
235 Registration Examination for Dietitians administered by CDR, or



(ii) a national credentialing examination for dietitians approved by the Compact Commission by Rule; such completion being no more than five years prior to the date of the Licensee's application for initial licensure and accompanied by a period of continuous licensure thereafter, all of which may be further governed by the Rules of the Compact Commission.

2. Hold an Unencumbered License in the Home State;

3. Notify the Compact Commission that the Licensee is seeking a Compact Privilege within a Remote State(s);

4. Pay any applicable fees, including any State fee, for the Compact Privilege;

5. Meet any Jurisprudence Requirements established by the Remote State(s) in which the Licensee is seeking a Compact Privilege; and

6. Report to the Compact Commission any Adverse Action, Encumbrance, or restriction on a License taken by any non-Member State within 30 days from the date the action is taken.

B. The Compact Privilege is valid until the expiration date of the Home State License. To maintain a Compact Privilege, renewal of the Compact Privilege shall be congruent with the renewal of the Home State License as the Compact Commission may define by Rule. The Licensee must comply with the requirements of Section 4(A) 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 Member State at a time.

B. If a Licensee changes Home State by moving between two 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.

2. Upon receipt of an application for obtaining a new Home State License by virtue of a Compact Privilege, the new Home



State shall verify that the Licensee meets the criteria in Section 4 via the Data System, and require that the Licensee complete the following:

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

b. Any other criminal history record information required by the new Home State; and

c. Any Jurisprudence Requirements of the new Home State.

3. The former Home State shall convert the former Home State License into a Compact Privilege once the new Home State has activated the new Home State License in accordance with applicable Rules adopted by the Compact Commission.

4. Notwithstanding any other provision of this Compact, if the Licensee cannot meet the criteria in Section 4, the new Home State may apply its requirements for issuing a new Single State License.

5. The Licensee shall pay all applicable fees to the new Home State in order to be issued a new Home State License.

C. If a Licensee changes their State of residence by moving from a Member State to a non-Member State, or from a non-Member State to a Member State, the State criteria shall apply for 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 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 Section 4(A) 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 State 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 hereby 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 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.

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



405 5. A Member State's Licensing Authority shall fill any
406 vacancy of its delegate occurring on the Compact Commission within
407 60 days of the vacancy.

408 6. Each delegate shall be entitled to one vote on all
409 matters before the Compact Commission requiring a vote by the
410 delegates.

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

415 8. The Compact Commission shall meet at least once
416 during each calendar year. Additional meetings may be held as set
417 forth in the bylaws. The Compact Commission may meet in person or
418 by telecommunication, video conference, or other means of
419 communication.

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

- 421 1. Establish the fiscal year of the Compact Commission;
- 422 2. Establish code of conduct and conflict of interest
423 policies;
- 424 3. Establish and amend Rules and bylaws;
- 425 4. Maintain its financial records in accordance with
426 the bylaws;
- 427 5. Meet and take such actions as are consistent with
428 the provisions of this Compact, the Compact Commission's Rules,
429 and the bylaws;



430 6. Initiate and conclude legal proceedings or actions
431 in the name of the Compact Commission, provided that the standing
432 of any Licensing Authority to sue or be sued under applicable law
433 shall not be affected;

434 7. Maintain and certify records and information
435 provided to a Member State as the authenticated business records
436 of the Compact Commission, and designate an agent to do so on the
437 Compact Commission's behalf;

438 8. Purchase and maintain insurance and bonds;

439 9. Borrow, accept, or contract for services of
440 personnel, including, but not limited to, employees of a Member
441 State;

442 10. Conduct an annual financial review;

443 11. Hire employees, elect or appoint officers, fix
444 compensation, define duties, grant such individuals appropriate
445 authority to carry out the purposes of the Compact, and establish
446 the Compact Commission's personnel policies and programs relating
447 to conflicts of interest, qualifications of personnel, and other
448 related personnel matters;

449 12. Assess and collect fees;

450 13. Accept any and all appropriate donations, grants of
451 money, other sources of revenue, equipment, supplies, materials,
452 services, and gifts, and receive, utilize, and dispose of the



453 same; provided that at all times the Compact Commission shall
454 avoid any actual or appearance of impropriety or conflict of
455 interest;

456 14. Lease, purchase, retain, own, hold, improve, or use
457 any property, real, personal, or mixed, or any undivided interest
458 therein;

459 15. Sell, convey, mortgage, pledge, lease, exchange,
460 abandon, or otherwise dispose of any property real, personal, or
461 mixed;

462 16. Establish a budget and make expenditures;

463 17. Borrow money;

464 18. Appoint committees, including standing committees,
465 composed of members, State regulators, State legislators or their
466 representatives, and consumer representatives, and such other
467 interested persons as may be designated in this Compact or the
468 bylaws;

469 19. Provide and receive information from, and cooperate
470 with, law enforcement agencies;

471 20. Establish and elect an Executive Committee,
472 including a chair and a vice chair;

473 21. Determine whether a State's adopted language is
474 materially different from the model compact language such that the
475 State would not qualify for participation in the Compact; and

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



478 D. The Executive Committee

479 1. The Executive Committee shall have the power to act
480 on behalf of the Compact Commission according to the terms of this
481 Compact. The powers, duties, and responsibilities of the
482 Executive Committee shall include:

483 a. Oversee the day-to-day activities of the
484 administration of the Compact including enforcement and compliance
485 with the provisions of the Compact, its Rules and bylaws, and
486 other such duties as deemed necessary;

487 b. Recommend to the Compact Commission changes to
488 the Rules or bylaws, changes to this Compact legislation, fees
489 charged to Compact Member States, fees charged to Licensees, and
490 other fees;

491 c. Ensure Compact administration services are
492 appropriately provided, including by contract;

493 d. Prepare and recommend the budget;

494 e. Maintain financial records on behalf of the
495 Compact Commission;

496 f. Monitor Compact compliance of Member States and
497 provide compliance reports to the Compact Commission;

498 g. Establish additional committees as necessary;

499 h. Exercise the powers and duties of the Compact
500 Commission during the interim between Compact Commission meetings,
501 except for adopting or amending Rules, adopting or amending
502 bylaws, and exercising any other powers and duties expressly



reserved to the Compact Commission by Rule or bylaw; and

i. Other duties as provided in the Rules or bylaws of the Compact Commission.

2. The Executive Committee shall be composed of nine members:

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

b. Five voting members from the current membership of the Compact Commission, elected by the Compact Commission;

c. One ex-officio, nonvoting member from a recognized professional association representing dietitians; and

d. One ex-officio, nonvoting member from a recognized national credentialing organization for dietitians.

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

4. The Executive Committee shall meet at least annually.

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

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



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

E. The Compact Commission shall adopt and provide to the Member States an annual report.

F. Meetings of the Compact Commission

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

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

b. The Compact Commission may hold a special meeting when it must meet to conduct emergency business by giving 24 hours' notice to all Member States, on the Compact Commission's website, and other means as provided in the 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:



552 a. Non-compliance of a Member State with its
553 obligations under the Compact;
554 b. The employment, compensation, discipline, or
555 other matters, practices, or procedures related to specific
556 employees;
557 c. Current or threatened discipline of a Licensee
558 by the Compact Commission or by a Member State's Licensing
559 Authority;
560 d. Current, threatened, or reasonably anticipated
561 litigation;
562 e. Negotiation of contracts for the purchase,
563 lease, or sale of goods, services, or real estate;
564 f. Accusing any person of a crime or formally
565 censuring any person;
566 g. Trade secrets or commercial or financial
567 information that is privileged or confidential;
568 h. Information of a personal nature where
569 disclosure would constitute a clearly unwarranted invasion of
570 personal privacy;
571 i. Investigative records compiled for law
572 enforcement purposes;
573 j. Information related to any investigative
574 reports prepared by or on behalf of or for use of the Compact
575 Commission or other committee charged with responsibility of



investigation or determination of compliance issues pursuant to
the Compact;

k. Matters specifically exempted from disclosure
by federal or Member State law; or

l. Other matters as specified in the Rules of the
Compact Commission.

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

4. The Compact Commission shall keep minutes that fully
and clearly describe all matters discussed in a meeting and shall
provide a full and accurate summary of actions taken, and the
reasons therefore, including a description of the views expressed.
All documents considered in connection with an action shall be
identified in such minutes. All minutes and documents of a closed
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 of the Compact Commission shall be subject to the financial review and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Compact Commission shall be subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the Compact Commission.

H. Qualified Immunity, Defense, and Indemnification



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

641 2. The Compact Commission shall defend any member,
642 officer, executive director, employee, and representative of the
643 Compact Commission in any civil action seeking to impose liability
644 arising out of any actual or alleged act, error, or omission that
645 occurred within the scope of Compact Commission employment,
646 duties, or responsibilities, or as determined by the Compact
647 Commission that the person against whom the claim is made had a
648 reasonable basis for believing occurred within the scope of
649 Compact Commission employment, duties, or responsibilities;
650 provided that nothing herein shall be construed to prohibit that



651 person from retaining their own counsel at their own expense; and
652 provided further, that the actual or alleged act, error, or
653 omission did not result from that person's intentional or willful
654 or wanton misconduct.

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

666 4. Nothing herein shall be construed as a limitation on
667 the liability of any Licensee for professional malpractice or
668 misconduct, which shall be governed solely by any other
669 applicable State laws.

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



675 6. Nothing in this Compact shall be construed to be a
676 waiver of sovereign immunity by the Member States or by the
677 Compact Commission.

678 **Section 9. DATA SYSTEM**

679 A. The Compact Commission shall provide for the development,
680 maintenance, operation, and utilization of a coordinated Data
681 System.

682 B. The Compact Commission shall assign each applicant for a
683 Compact Privilege a unique identifier, as determined by the Rules.

684 C. Notwithstanding any other provision of State law to the
685 contrary, a Member State shall submit a uniform data set to the
686 Data System on all individuals to whom this Compact is applicable
687 as required by the Rules of the Compact Commission, including:

- 688 1. Identifying information;
- 689 2. Licensure data;
- 690 3. Adverse Actions against a License or Compact
691 Privilege and information related thereto;
- 692 4. Non-confidential information related to Alternative
693 Program participation, the beginning and ending dates of such
694 participation, and other information related to such participation
695 not made confidential under Member State law;
- 696 5. Any denial of application for licensure, and the
697 reason(s) for such denial;
- 698 6. The presence of Current Significant Investigative
699 Information; and



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

D. The records and information provided to a Member State pursuant to this Compact or through the Data System, when certified by the Compact Commission or an agent thereof, shall constitute the authenticated business records of the Compact Commission, and shall be entitled to any associated hearsay exception in any relevant judicial, quasi-judicial, or administrative proceedings in a Member State.

E. Current Significant Investigative Information pertaining to a Licensee in any Member State will only be available to other Member States.

F. It is the responsibility of the Member States to report any Adverse Action against a Licensee and to monitor the Data System to determine whether any Adverse Action has been taken against a Licensee. Adverse Action information pertaining to a Licensee in any Member State will be available to any other Member State.

G. Member States contributing information to the Data System may designate information that may not be shared with the public without the express permission of the contributing State.

H. Any information submitted to the Data System that is subsequently expunged pursuant to federal law or the laws of the Member State contributing the information shall be removed



from the Data System.

Section 10. RULEMAKING

A. The Compact Commission shall promulgate reasonable Rules in order to effectively and efficiently implement and administer the purposes and provisions of the Compact. A Rule shall be invalid and have no force or effect only if a court of competent jurisdiction holds that the Rule is invalid because the Compact Commission exercised its rulemaking authority in a manner that is beyond the scope and purposes of the Compact, or the powers granted hereunder, or based upon another applicable standard of review.

B. The Rules of the Compact Commission shall have the force of law in each Member State, provided however that where the Rules conflict with the laws or regulations of a Member State that 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 thereunder. Rules shall become binding on the day following adoption or as of the date specified in the Rule or amendment, whichever is later.



749 D. If a majority of the legislatures of the Member States
750 rejects a Rule or portion of a Rule, by enactment of a statute or
751 resolution in the same manner used to adopt the Compact within
752 four (4) years of the date of adoption of the Rule, then such Rule
753 shall have no further force and effect in any Member State.

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

756 F. Prior to adoption of a proposed Rule, the Compact
757 Commission shall hold a public hearing and allow persons to
758 provide oral and written comments, data, facts, opinions, and
759 arguments.

760 G. Prior to adoption of a proposed Rule by the Compact
761 Commission, and at least thirty (30) days in advance of the
762 meeting at which the Compact Commission will hold a public hearing
763 on the proposed Rule, the Compact Commission shall provide a
764 Notice of Proposed rulemaking:

765 1. On the website of the Compact Commission or other
766 publicly accessible platform;

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

769 3. In such other way(s) as the Compact Commission may
770 by Rule specify.

771 H. The Notice of Proposed rulemaking shall include:



772 1. The time, date, and location of the public hearing
773 at which the Compact Commission will hear public comments on the
774 proposed Rule and, if different, the time, date, and location
775 of the meeting where the Compact Commission will consider and vote
776 on the proposed Rule;

777 2. If the hearing is held via telecommunication, video
778 conference, or other means of communication, the Compact
779 Commission shall include the mechanism for access to the
780 hearing in the Notice of Proposed rulemaking;

781 3. The text of the proposed Rule and the reason
782 therefore;

783 4. A request for comments on the proposed Rule from any
784 interested person; and

785 5. The manner in which interested persons may submit
786 written comments.

787 I. All hearings will be recorded. A copy of the recording
788 and all written comments and documents received by the Compact
789 Commission in response to the proposed Rule shall be available to
790 the public.

791 J. Nothing in this Section shall be construed as requiring a
792 separate hearing on each Rule. Rules may be grouped for the
793 convenience of the Compact Commission at hearings required by this
794 Section.



795 K. The Compact Commission shall, by majority vote of all
796 members, take final action on the proposed Rule based on the
797 rulemaking record and the full text of the Rule.

798 1. The Compact Commission may adopt changes to the
799 proposed Rule provided the changes do not enlarge the original
800 purpose of the proposed Rule.

801 2. The Compact Commission shall provide an explanation
802 of the reasons for substantive changes made to the proposed Rule
803 as well as reasons for substantive changes not made that were
804 recommended by commenters.

805 3. The Compact Commission shall determine a reasonable
806 effective date for the Rule. Except for an emergency as provided
807 in Section 10(L), the effective date of the Rule shall be no
808 sooner than 30 days after issuing the notice that it adopted or
809 amended the Rule.

810 L. Upon determination that an emergency exists, the Compact
811 Commission may consider and adopt an emergency Rule with 24 hours'
812 notice, with opportunity to comment, provided that the usual
813 rulemaking procedures provided in the Compact and in this Section
814 shall be retroactively applied to the Rule as soon as reasonably
815 possible, in no event later than ninety (90) days after the
816 effective date of the Rule. For the purposes of this provision,
817 an emergency Rule is one that must be adopted immediately in order
818 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 prior to 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



844 1. The executive and judicial branches of State
845 government in each Member State shall enforce this Compact and
846 take all actions necessary and appropriate to implement this
847 Compact.

848 2. Except as otherwise provided in this Compact, venue
849 is proper and judicial proceedings by or against the Compact
850 Commission shall be brought solely and exclusively in a court of
851 competent jurisdiction where the principal office of the Compact
852 Commission is located. The Compact Commission may waive venue and
853 jurisdictional defenses to the extent it adopts or consents to
854 participate in alternative dispute resolution proceedings.
855 Nothing herein shall affect or limit the selection or propriety of
856 venue in any action against a Licensee for professional
857 malpractice, misconduct, or any such similar matter.

858 3. The Compact Commission shall be entitled to receive
859 service of process in any proceeding regarding the enforcement or
860 interpretation of the Compact and shall have standing to intervene
861 in such a proceeding for all purposes. Failure to provide the
862 Compact Commission service of process shall render a judgment or
863 order void as to the Compact Commission, this Compact, or
864 promulgated Rules.

865 B. Default, Technical Assistance, and Termination

866 1. If the Compact Commission determines that a Member
867 State has defaulted in the performance of its obligations or
868 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 given by the Compact Commission to the governor, the majority and minority leaders of the defaulting State's legislature, the defaulting State's Licensing Authority, and each of the Member States' Licensing Authority.

E. A State that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the



893 effective date of termination, including obligations that extend
894 beyond the effective date of termination.

895 F. Upon the termination of a State's membership from this
896 Compact, that State shall immediately provide notice to all
897 Licensees within that State of such termination. The
898 terminated State shall continue to recognize all Compact
899 Privileges granted pursuant to this Compact for a minimum of six
900 months after the date of said notice of termination.

901 G. The Compact Commission shall not bear any costs related
902 to a State that is found to be in default or that has been
903 terminated from the Compact, unless agreed upon in writing between
904 the Compact Commission and the defaulting State.

905 H. The defaulting State may appeal the action of the Compact
906 Commission by petitioning the U.S. District Court for the District
907 of Columbia or the federal district where the Compact Commission
908 has its principal offices. The prevailing party shall be awarded
909 all costs of such litigation, including reasonable attorney's
910 fees.

911 I. Dispute Resolution

912 1. Upon request by a Member State, the Compact
913 Commission shall attempt to resolve disputes related to the
914 Compact that arise among Member States and between Member
915 and non-Member States.



916 2. The Compact Commission shall promulgate a Rule
917 providing for both mediation and binding dispute resolution for
918 disputes as appropriate.

919 J. Enforcement

920 1. By supermajority vote, the Compact Commission may
921 initiate legal action against a Member State in default in the
922 United States District Court for the District of Columbia
923 or the federal district where the Compact Commission has its
924 principal offices to enforce compliance with the provisions of the
925 Compact and its promulgated Rules. The relief sought may include
926 both injunctive relief and damages. In the event judicial
927 enforcement is necessary, the prevailing party shall be awarded
928 all costs of such litigation, including reasonable attorney's
929 fees. The remedies herein shall not be the exclusive remedies of
930 the Compact Commission. The Compact Commission may pursue any
931 other remedies available under federal or the defaulting Member
932 State's law.

933 2. A Member State may initiate legal action against the
934 Compact Commission in the U.S. District Court for the District of
935 Columbia or the federal district where the Compact Commission has
936 its principal offices to enforce compliance with the provisions of
937 the Compact and its promulgated Rules. The relief sought may
938 include both injunctive relief and damages. In the event judicial
939 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 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.

2. Member States enacting the Compact subsequent to the seven initial Charter Member States shall be subject to the



process set forth in Section 8(C)(21) to determine if their enactments are materially different from the model Compact statute and whether they qualify for participation in the Compact.

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

4. Any State that joins the Compact subsequent to the Compact Commission's initial adoption of the Rules and bylaws shall be subject to the Rules and bylaws as they exist on the date on which the Compact becomes law in that State. Any Rule that has been previously adopted by the Compact Commission shall have the full force and effect of law on the day the Compact becomes law in that State.

B. Any Member State may withdraw from this Compact by enacting a statute repealing the same.

1. A Member State's withdrawal shall not take effect until 180 days after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing State's Licensing Authority to comply with the investigative and Adverse Action reporting requirements of this Compact prior to the effective date of withdrawal.



989 3. Upon the enactment of a statute withdrawing from
990 this Compact, a State shall immediately provide notice of such
991 withdrawal to all Licensees within that State. Notwithstanding
992 any subsequent statutory enactment to the contrary, such
993 withdrawing State shall continue to recognize all Compact
994 Privileges granted pursuant to this Compact for a minimum of 180
995 days after the date of such notice of withdrawal.

996 C. Nothing contained in this Compact shall be construed to
997 invalidate or prevent any licensure agreement or other cooperative
998 arrangement between a Member State and a non-Member State that
999 does not conflict with the provisions of this Compact.

1000 D. This Compact may be amended by the Member States. No
1001 amendment to this Compact shall become effective and binding upon
1002 any Member State until it is enacted into the laws of all Member
1003 States.

1004 **Section 13. CONSTRUCTION AND SEVERABILITY**

1005 A. This Compact and the Compact Commission's rulemaking
1006 authority shall be liberally construed so as to effectuate the
1007 purposes and the implementation and administration of the
1008 Compact. Provisions of the Compact expressly authorizing or
1009 requiring the promulgation of Rules shall not be construed to
1010 limit the Compact Commission's rulemaking authority solely
1011 for those purposes.



1012 B. The provisions of this Compact shall be severable and if
1013 any phrase, clause, sentence, or provision of this Compact is held
1014 by a court of competent jurisdiction to be contrary to the
1015 constitution of any Member State, a State seeking participation in
1016 the Compact, or of the United States, or the applicability thereof
1017 to any government, agency, person, or circumstance is held to be
1018 unconstitutional by a court of competent jurisdiction, the
1019 validity of the remainder of this Compact and the applicability
1020 thereof to any other government, agency, person, or circumstance
1021 shall not be affected thereby.

1022 C. Notwithstanding Section 13(B), the Compact Commission may
1023 deny a State's participation in the Compact or, in accordance with
1024 the requirements of Section 11(B), terminate a Member State's
1025 participation in the Compact, if it determines that a
1026 constitutional requirement of a Member State is a material
1027 departure from the Compact. Otherwise, if this Compact shall be
1028 held to be contrary to the constitution of any Member State, the
1029 Compact shall remain in full force and effect as to the remaining
1030 Member States and in full force and effect as to the Member State
1031 affected as to all severable matters.

1032 **Section 14. CONSISTENT EFFECT AND CONFLICT WITH OTHER**
1033 **STATE LAWS**

1034 A. Nothing herein shall prevent or inhibit the enforcement
1035 of any other law of a Member State that is not inconsistent with
1036 the Compact.



1037 B. Any laws, statutes, regulations, or other legal
1038 requirements in a Member State in conflict with the Compact are
1039 superseded to the extent of the conflict.

1040 C. All permissible agreements between the Compact Commission
1041 and the Member States are binding in accordance with their terms.

1042 **SECTION 2.** Section 73-10-3, Mississippi Code of 1972, is
1043 amended as follows:

1044 73-10-3. (1) For the purposes of this chapter the following
1045 terms shall have the meanings set forth herein:

1046 (a) "Advisory council" means the Mississippi Council of
1047 Advisors in Dietetics established in this chapter.

1048 (b) "Board" means the Mississippi State Board of
1049 Health.

1050 (c) "Association" means the American Dietetic
1051 Association (ADA).

1052 (d) "Mississippi association" means the Mississippi
1053 Dietetic Association, an affiliate of the American Dietetic
1054 Association.

1055 (e) "Commission on Dietetic Registration" (CDR) means
1056 the Commission on Dietetic Registration that is a member of the
1057 National Commission for Health Certifying Agencies.

1058 (f) "Degree" means a degree received from a college or
1059 university that was accredited through the Council on
1060 Postsecondary Accreditation and the United States Department of
1061 Education at the time the degree was conferred.



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

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

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

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

(i) Providing medical nutrition therapy.

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

(iii) Providing case management services.

(k) "Medical nutrition therapy" is a nutritional diagnostic therapy and counseling services for the purpose of disease management. It means the assessment of the nutritional status of patients with a condition, illness or injury that appropriately requires medical nutrition therapy as part of the treatment. The assessment includes review and analysis of medical and diet history, blood chemistry lab values and anthropometric measurements to determine nutritional status and treatment modalities.



1087 Therapy ranges from diet modification and nutrition
1088 counseling to administration of specialized nutrition therapies
1089 such as intravenous medical nutritional products as determined
1090 necessary to manage a condition or treat illness or injury.

1091 (1) "Diet modification and nutrition counseling" means
1092 intervention and advice in assisting individuals or groups in the
1093 development of personal diet plans to achieve appropriate
1094 nutritional intake. To develop the diet plan, the dietitian
1095 integrates information from the nutritional assessment with
1096 information on food and other sources of nutrients and meal
1097 preparation consistent with cultural background and socioeconomic
1098 status.

1099 (m) "Specialized nutrition therapies" mean medical
1100 foods, enteral nutrition delivered via tube, or parenteral
1101 nutrition delivered by intravenous infusion.

1102 (n) "Nutrition educator" shall mean one who
1103 communicates scientific nutrition information to individuals
1104 and/or groups and who provides information on food sources of
1105 nutrients to meet normal nutrition need based on the most current
1106 "Recommended Dietary Allowances" of the Food and Nutrition Board,
1107 National Academy of Sciences, National Research Council.

1108 (o) "Dietitian" means one engaged in dietetics
1109 practice, medical nutrition therapy or nutrition education. The
1110 terms dietitian or dietician are used interchangeably in this
1111 chapter.



1112 (p) "Direct, technical supervision" means the direct,
1113 technical supervision by a licensed dietitian, as prescribed in
1114 regulations by the board, of the dietetics practice or medical
1115 nutrition therapy provided to an individual and/or group by a
1116 provisionally licensed dietitian.

1117 (q) "Department" means the Mississippi State Department
1118 of Health.

1119 (2) All other terms shall have their commonly ascribed
1120 definitions unless some other meaning is clearly intended from its
1121 context.

1122 **SECTION 3.** Section 73-10-7, Mississippi Code of 1972, is
1123 amended as follows:

1124 73-10-7. It shall be unlawful for any person, corporation or
1125 association to, in any manner, represent himself or itself as a
1126 dietitian or nutritionist, send out billings as providing services
1127 covered in Section 73-10-3(j), or use in connection with his or
1128 its name, the titles "dietitian," "dietician" or "nutritionist" or
1129 use the letters "LD," "LN" or any other facsimile thereof when he
1130 or she is not licensed in accordance with the provisions of this
1131 chapter, holds a compact privilege or meets the exemptions in
1132 paragraph (c) of Section 73-10-13. Notwithstanding any other
1133 provision of this chapter, a dietitian registered by the
1134 Commission on Dietetic Registration (CDR) shall have the right to
1135 use the title "Registered Dietitian" and the designation "R.D."
1136 Registered dietitians shall be licensed according to the



1137 provisions of this chapter to practice dietetics or provide
1138 medical nutrition therapy.

1139 **SECTION 4.** Section 73-10-15, Mississippi Code of 1972, is
1140 amended as follows:

1141 73-10-15. (1) Besides those who hold a compact privilege, a
1142 nonresident dietitian may practice dietetics in Mississippi for
1143 five (5) days per year with current other state's licensure or
1144 with current registration with the Commission on Dietetics
1145 Registration.

1146 (2) The board may waive the prescribed examination for
1147 licensure and grant a license to any person who shall present
1148 proof of current licensure as a dietitian in another state, the
1149 District of Columbia, or territory of the United States which
1150 requires standards for licensure considered by the advisory
1151 council to be greater than or equal to the requirements for
1152 licensure of this chapter, if such state or territory extends
1153 reciprocity to licensees of the State of Mississippi. The
1154 issuance of a license by reciprocity to a military-trained
1155 applicant, military spouse or person who establishes residence in
1156 this state shall be subject to the provisions of Section 73-50-1
1157 or 73-50-2, as applicable.

1158 **SECTION 5.** This act shall take effect and be in force from
1159 and after July 1, 2025.

