

By: Representative Currie

To: Public Health and Human Services

HOUSE BILL NO. 177

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

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

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

11 **DIETITIAN LICENSURE COMPACT**

12 **SECTION 1.**

13 **PURPOSE**

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



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

21 This Compact is designed to achieve the following objectives:

22 A. Increase public access to dietetics services;

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

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

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

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

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

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

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

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

40 **SECTION 2.**

41 **DEFINITIONS**

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



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

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

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

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

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

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

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



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

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

77 J. "Current significant investigative information" means:

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

151 **SECTION 3.**

152 **STATE PARTICIPATION IN THE COMPACT**

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

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

157 B. A member state shall:

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



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

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

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

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

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







214                   b. Complete all of the following:

215                    i. An education program which is either:

216                      a) A master's degree or doctoral degree

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

218 dietetics accrediting agency recognized by the United

219 States Department of Education, which the Compact

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

221 university accredited at the time of graduation by the

222 appropriate regional accrediting agency recognized by the

223 Council on Higher Education Accreditation and the United

224 States Department of Education.

225                      b) An academic degree from a college or

226 university in a foreign country equivalent to the degree described

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

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

229 by the United States Department of Education, which the

230 Compact Commission may by rule determine.

231                    ii. A planned, documented, supervised

232 practice experience in dietetics that is programmatically

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

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

235 Compact Commission may by rule determine and which involves at

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

237 supervision of a registered dietitian or a licensed dietitian.



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

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

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

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

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

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

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



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

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

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

275 **SECTION 5.**

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

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

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

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



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

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

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

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

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

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

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

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



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

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

318 **SECTION 6.**

319 **ACTIVE MILITARY MEMBERS OR THEIR SPOUSES**

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

324 **SECTION 7.**

325 **ADVERSE ACTIONS**

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

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

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



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

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

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

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

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



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

363 G. Joint investigations:

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

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

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

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





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

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

391 **SECTION 8.**

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

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

401 B. Membership, voting, and meetings.

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

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

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



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

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

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

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

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

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

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

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

430           3. Establish and amend rules and bylaws;

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



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

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

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

444           8. Purchase and maintain insurance and bonds;

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

448           10. Conduct an annual financial review;

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

455           12. Assess and collect fees;



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

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

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

468           16. Establish a budget and make expenditures;

469           17. Borrow money;

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

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

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



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

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

484           D. The Executive Committee.

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

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

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

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

499           d. Prepare and recommend the budget;

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

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



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

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

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

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

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

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

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

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



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

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

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

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

539           F. Meetings of the Compact Commission.

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

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

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



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

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

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

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

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

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

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

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

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





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

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

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

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

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

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

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



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

603 G. Financing of the Compact Commission.

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

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

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

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

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



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

633 H. Qualified immunity, defense, and indemnification.

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

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



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

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

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





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

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

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

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

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

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

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



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

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

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

735 **SECTION 10**

736 **RULEMAKING**

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

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



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

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

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

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

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

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





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

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

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

781           H. The notice of proposed rulemaking shall include:

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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

835           4. Protect public health and safety.

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



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

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

852 **SECTION 11.**

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

854 A. Oversight.

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

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

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

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



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

876 B. Default, technical assistance, and termination.

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

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

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

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



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

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

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

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

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

922 I. Dispute resolution.



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

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

930           J. Enforcement.

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

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



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

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

954 **SECTION 12.**

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

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

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

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

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





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

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

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

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

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





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

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

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



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

1045 **SECTION 14.**

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

1086 (i) Providing medical nutrition therapy.

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

1090 (iii) Providing case management services.

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



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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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





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

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

