

	Affected:	No ___; Yes XXX	
	The Division will incur minimal costs of approximately \$50.00 to print and distribute the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.		
	B) Local government:		
	Affected:	No XXX; Yes ___	
	The proposed amendments only apply to certified dietitians and applicants for licensure in that classification. As a result, the proposed amendments do not apply to local governments.		
	C) Small businesses ("small business" means a business employing fewer than 50 persons):		
	Affected:	No XXX; Yes ___	
	The proposed amendments only apply to certified dietitians and applicants for licensure in that classification. Licensees and applicants for licensure may work in a small business; however, the proposed amendments would not directly affect the business. The Division anticipates it is unlikely the proposed amendments will result in any costs or savings primarily because the certification examination is now offered anytime by appointment and given the fact that no one has applied for temporary certification with the Division since 1999.		
	D) Persons other than small businesses, businesses, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):		
	Affected:	No XXX; Yes ___	
	The proposed amendments only apply to certified dietitians and applicants for licensure in that classification. The Division anticipates it is unlikely the proposed amendments will result in any costs or savings primarily because the certification examination is now offered anytime by appointment and given the fact that no one has applied for temporary certification with the Division since 1999.		
8.	Compliance costs for affected persons:		
	The proposed amendments only apply to certified dietitians and applicants for licensure in that classification. The Division anticipates it is unlikely the proposed amendments will result in any costs or savings primarily because the certification examination is now offered anytime by appointment and given the fact that no one has applied for temporary certification with the Division since 1999.		
9.	A) Comments by the department head on the fiscal impact the rule may have on businesses:		
	This rule filing updates an existing definition to include a credentialing agency's changed name and deletes a section that has become unnecessary due to increased availability of the licensing examination. No fiscal impact to businesses is anticipated.		
	B) Name and title of department head commenting on the fiscal impacts:		
	Francine A. Giani, Executive Director		
10.	This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.		
	State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :		
	Section 58-49-1	Subsection 58-1-106(1)(a)	
	Subsection 58-1-202(1)(a)		
11.	This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Division of Administrative Rules; <i>if none, leave blank</i>):		
		First Incorporation	Second Incorporation
	Official Title of Materials Incorporated (from title page)		
	Publisher		
	Date Issued		
	Issue, or version		
	ISBN Number (optional)		
	ISSN Number (optional)		

	Cost of Incorporated Reference		
	Action: Adds, updates, or removes		
(If this rule incorporates more than two items by reference, please attach additional pages)			
12.	The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)		
	A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):	12/16/2013	
	B) A public hearing (optional) will be held:		
	On (mm/dd/yyyy):	At (hh:mm AM/PM):	At (place):
13.	This rule change may become effective on (mm/dd/yyyy):	12/23/2013	
	NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.		
14.	Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")); may not include the name of the agency:		
	licensing	dietitians	
15.	Attach an RTF document containing the text of this rule change (filename):	R156-49.pro	
To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> , and delaying the first possible effective date.			
AGENCY AUTHORIZATION			
Agency head or designee, and title:	Mark B. Steinagel, Director	Date (mm/dd/yyyy):	10/29/2013

R156. Commerce, Occupational and Professional Licensing.

R156-49. Dietitian Certification Act Rule.

R156-49-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 49, as used in Title 58, Chapters 1 and 49 or this rule:

(1) "CDR" means the Commission on Dietetic Registration which is the credentialing agency for the Academy of Nutrition and Dietetics (formerly the American Dietetic Association).

(2) "Competency examination", as used in Subsection 58-49-4(4), means the Registration Examination for Dietitians or Dietitian Nutritionists established by the CDR.

(3) "Internship or pre-planned professional baccalaureate or post-baccalaureate experience", as used in Subsection 58-49-4(3), means completion of the supervised practice requirements established by the CDR.

(4) "Under the supervision of a certified dietitian", as used in Subsection [~~R156-49-304(1)(d)~~]58-49-4(3), means that the supervising certified dietitian is responsible for the dietetic activities performed by the [~~temporary certificate holder~~] student or intern.

R156-49-103. Authority - Purpose.

This rule is adopted by the [~~d~~]Division under the authority of Subsection 58-1-106(1)(a) to enable the [~~d~~]Division to administer Title 58, Chapter 49.

R156-49-302. Qualification for Licensure - CDR Registered Dietitian.

In accordance with Section 58-49-4, CDR registration as a Registered Dietitian is documentation that an individual has completed the requirements of Subsections 58-49-4(2), (3) and (4).

R156-49-303. Renewal Cycle - Procedures.

(1) In accordance with Subsection 58-1-308(1) (a), the renewal date for the two-year renewal cycle applicable to licensees under Title 58, Chapter 49 is established by rule in Section R156-1-308a.

(2) Renewal procedures shall be in accordance with Section R156-1-308c. [

~~**R156-49-304. Temporary Dietitian Certificate - Supervision Required.**~~

~~(1) In accordance with Section 58-1-303, an applicant for temporary dietitian certification shall:~~

~~(a) submit an application for temporary dietitian certification in the form prescribed by the division;~~

~~(b) pay a fee determined by the department under Section 63J-1-504;~~

~~(c) meet all the requirements for certification, except passing the CDR Registration Examination; and~~

~~(d) practice dietetics only under the supervision of a certified dietitian.~~

~~(2) The temporary certificate will not be issued for a period~~

~~greater than 10 months.~~

~~— (3) The temporary certificate will not be renewed or extended for any purpose.]~~

KEY: licensing, dietitians

Date of Enactment or Last Substantive Amendment: [~~October 19, 1998~~]2013

Notice of Continuation: February 7, 2013

Authorizing, and Implemented or Interpreted Law: 58-49-1; 58-1-106(1)(a); 58-1-202(1)(a)