

Testimony on behalf of the American Nutrition Association (ANA)  
to the North Dakota Human Services Committee  
Hearing on Senate Bill 2187

January 25, 2021

Good morning Chair Lee, Vice Chair Roers, and members of the Human Services Committee. My name is Traci Hobson and I am the Director of Legislative and Regulatory Affairs for the American Nutrition Association (ANA).

First, I'd like to thank Vice Chair Roers for introducing Senate Bill 2187 relating to the regulation and licensure of nutritionists and dietitians. This bill will benefit the health of North Dakotans by increasing their access to qualified nutrition professionals throughout the state. If enacted, the bill would, among other improvements, create a pathway to licensure for highly qualified nutrition professionals, such as individuals who hold the Certified Nutrition Specialist credential conferred by our organization.

On that note, I would like to share some background information with members of the committee to use as you all consider SB 2187.

Our organization's affiliated credentialing body, the Board for Certification of Nutrition Specialists (BCNS), administers a nationally accredited certification of nutrition professionals: the "Certified Nutrition Specialist" (CNS) certification. CNSs must earn an advanced degree (masters or doctoral) in nutrition or clinical healthcare, complete a robust nutrition science curriculum, complete 1,000 hours of supervised nutrition practice experience, and pass our extremely rigorous certification exam. As part of their supervised practice hours, CNSs obtain robust experience in medical nutrition therapy, therapeutic diets, and other services and competencies.

The CNS certification is one of only three nutrition credentials accredited by the National Commission for Certifying Agencies (NCCA), the preeminent accrediting organization for certifying programs, which also accredits the Registered Dietitian (RD) credential. The CNS certification is listed by the US Department of Labor as an advanced nutrition credential in the definition of the "Dietitians and Nutritionists" profession in the Occupational Outlook Handbook of the Bureau of Labor and Statistics.

North Dakota is currently one of only a dozen states which still largely prohibits the practice of individualized nutrition counseling by anyone who is not an RD. Most other states either do not require a license to practice any aspect of nutrition care, or they require a license only to practice Medical Nutrition Therapy, or MNT, a specific type of nutrition service which uses nutrition to treat diagnosed medical conditions. Many states have a pathway for CNS certificants to obtain a license or certification.

We support Senate Bill 2187 and would also respectfully request two minor amendments to the bill language. Both are in Section 43-44-01 (definitions section), item 25. (Red strikethrough reflects deletions, additions are underlined, bolded, and in green.)

Section 43-44-01, item 25.

"Qualified supervisor" means:

a. ...

(3) A health care provider licensed ~~in the United States, including a licensed or certified dietitian nutritionist or licensed nutritionist, whose scope of practice includes the provision of~~ or otherwise authorized by any U.S. state or territory to provide nutrition care services for the purpose of treating or managing a disease or medical condition.

b. If supervising the provision of nutrition care services that do not constitute medical nutrition therapy, an individual who either meets the requirements of paragraph 1 of subdivision a or an individual with at least three years of clinical nutrition experience who holds a masters or doctoral degree with a major course of study in dietetics, human nutrition, foods and nutrition, community nutrition, public health nutrition, naturopathic medicine, nutrition education, nutrition, nutrition science, clinical nutrition, applied clinical nutrition, nutrition counseling, nutrition and functional medicine, nutritional biochemistry, nutrition and integrative health, or an equivalent course of study as approved by the board.

Please note that we have worked with the Academy of Nutrition and Dietetics (AND) on this bill, and the language above is consistent with what both groups have agreed to support in other states. We believe these are changes that the AND will support.

In summary, we support Senate Bill 2187, as we believe it will expand access to important nutrition care for North Dakotans.

Thank you for the opportunity to provide testimony regarding this issue. I am available for questions or to provide further information as needed.