

1 AN ACT concerning dietetic and nutrition services.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Section 4.13 and adding Section 4.23 as follows:

6 (5 ILCS 80/4.13) (from Ch. 127, par. 1904.13)
7 Sec. 4.13. Acts repealed on December 31, 2002. The
8 following Acts are repealed on December 31, 2002:

9 The Environmental Health Practitioner Licensing Act.

10 The Naprapathic Practice Act.

11 The Wholesale Drug Distribution Licensing Act.

12 ~~The Dietetic and Nutrition Practice Act.~~

13 The Funeral Directors and Embalmers Licensing Code.

14 The Professional Counselor and Clinical Professional
15 Counselor Licensing Act.

16 (Source: P.A. 88-45; 89-61, eff. 6-30-95; revised 8-22-01.)

17 (5 ILCS 80/4.23 new)

18 Sec. 4.23. Act repealed on January 1, 2013. The
19 following Act is repealed on January 1, 2013:

20 The Dietetic and Nutrition Services Practice Act.

21 Section 10. The Dietetic and Nutrition Services
22 Practice Act is amended by changing Sections 10, 15, 15.5,
23 20, 30, 40, 45, 65, 70, 75, 80, and 95 and adding Section 56
24 as follows:

25 (225 ILCS 30/10) (from Ch. 111, par. 8401-10)

26 (Section scheduled to be repealed on December 31, 2002)

27 Sec. 10. Definitions. As used in this Act:

28 "Board" means the Dietitian Nutritionist ~~Dietetic and~~

1 Nutrition-Services Practice Board appointed by the Director.

2 "Department" means the Department of Professional
3 Regulation.

4 "Dietetics" means the integration and application of
5 principles derived from the sciences of food and nutrition to
6 provide for all aspects of nutrition care for individuals and
7 groups, including, but not limited to nutrition services and
8 medical nutrition therapy care as defined in this Act.

9 "Director" means the Director of the Department of
10 Professional Regulation.

11 ~~"Licensed-dietitian" means a person licensed under
12 Section 45 of this Act to practice dietetics. Activities of a
13 licensed dietitian do not include the medical differential
14 diagnoses of the health status of an individual.~~

15 ~~"Licensed-nutrition-counselor" means a person licensed
16 under Section 50 of this Act to provide any aspect of
17 nutrition services as defined in this Act. Activities of a
18 licensed nutrition counselor do not include medical nutrition
19 care as defined in this Act or the medical differential
20 diagnoses of the health status of an individual.~~

21 "Licensed dietitian nutritionist" means a person licensed
22 under this Act to practice dietetics and nutrition services,
23 including medical nutrition therapy. Activities of a
24 licensed dietitian nutritionist do not include the medical
25 differential diagnosis of the health status of an individual.

26 "Medical nutrition therapy care" means the component of
27 nutrition care that deals with:

28 (a) interpreting and recommending nutrient needs
29 relative to medically prescribed diets, including, but
30 not limited to tube feedings, specialized intravenous
31 solutions, and specialized oral feedings;

32 (b) food and prescription drug interactions; and

33 (c) developing and managing food service operations
34 whose chief function is nutrition care and provision of

1 medically prescribed diets.

2 "Medically prescribed diet" means a diet prescribed when
3 specific food or nutrient levels need to be monitored,
4 altered, or both as a component of a treatment program for an
5 individual whose health status is impaired or at risk due to
6 disease, injury, or surgery and may only be performed as
7 initiated by or in consultation with a physician licensed to
8 practice medicine in all of its branches.

9 "Nutrition assessment" means the evaluation of the
10 nutrition needs of individuals or groups using appropriate
11 data to determine nutrient needs or status and make
12 appropriate nutrition recommendations.

13 "Nutrition counseling" means advising and assisting
14 individuals or groups on appropriate nutrition intake by
15 integrating information from the nutrition assessment.

16 "Nutrition services for individuals and groups" shall
17 include, but is not limited to, all of the following;

18 (a) Providing nutrition assessments relative to
19 preventive maintenance or restorative care.

20 (b) Providing nutrition education and nutrition
21 counseling as components of preventive maintenance or
22 restorative care.

23 (c) Developing and managing systems whose chief
24 function is nutrition care. Nutrition services for
25 individuals and groups does not include medical nutrition
26 therapy care as defined in this Act.

27 "Practice experience" means a preprofessional,
28 documented, supervised practice in dietetics or nutrition
29 services that is acceptable to the Department in compliance
30 with requirements for licensure, as specified in Sections 45
31 and 50. It may be or may include a documented, supervised
32 practice experience which is a component of the educational
33 requirements for licensure, as specified in Section 45 or 50.

34 "Registered dietitian" means an individual registered

1 with the Commission on Dietetic Registration, the accrediting
2 body for the American Dietetic Association.

3 "Restorative" means the component of nutrition care that
4 deals with oral dietary needs for individuals and groups.
5 Activities shall relate to the metabolism of food and the
6 requirements for nutrients, including dietary supplements for
7 growth, development, maintenance, or attainment of optimal
8 health.

9 (Source: P.A. 87-784; 87-1000.)

10 (225 ILCS 30/15) (from Ch. 111, par. 8401-15)

11 (Section scheduled to be repealed on December 31, 2002)

12 Sec. 15. License required.

13 (a) No person may engage for remuneration in nutrition
14 services practice or hold himself or herself out as a
15 licensed dietitian nutritionist ~~nutrition--counselor~~ unless
16 the person is licensed in accordance with this Act or meets
17 one or more of the following criteria:

18 (1) The person is licensed in this State under any
19 other Act that authorizes the person to provide these
20 services.

21 (2) The person is licensed to practice nutrition
22 under the law of another state, territory of the United
23 States, or country and has applied in writing to the
24 Department in form and substance satisfactory to the
25 Department for a license as a dietitian nutritionist
26 until (i) the expiration of 6 months after filing the
27 written application, (ii) the withdrawal of the
28 application, or (iii) the denial of the application by
29 the Department.

30 (b) No person shall practice dietetics, as defined in
31 this Act, or hold himself or herself out as a licensed
32 dietitian nutritionist unless that person is so licensed
33 under this Act or meets one or more of the following

1 criteria:

2 (1) The person is licensed in this State under any
3 other Act that authorizes the person to provide these
4 services.

5 (2) The person is a dietary technical support
6 person, working in a hospital setting or a regulated
7 Department of Public Health or Department on Aging
8 facility or program, who has been trained and is
9 supervised while engaged in the practice of dietetics by
10 a licensed dietitian nutritionist in accordance with this
11 Act and whose services are retained by that facility or
12 program on a full time or regular, ongoing consultant
13 basis.

14 (3) The person is a ~~dietitian~~ licensed to practice
15 dietetics under the law of another state, territory of
16 the United States, or country, or is a registered
17 dietitian, who has applied in writing to the Department
18 in form and substance satisfactory to the Department for
19 a license as a dietitian nutritionist until (i) the
20 expiration of 6 months after the filing the written
21 application, (ii) the withdrawal of the application, or
22 (iii) the denial of the application by the Department.

23 (c) No person shall practice dietetics or nutrition
24 services, as defined in this Act, or hold himself or herself
25 out as a licensed dietitian nutritionist, a dietitian, a
26 nutritionist, or a nutrition counselor unless the person is
27 licensed in accordance with this Act.

28 (Source: P.A. 89-474, eff. 6-18-96.)

29 (225 ILCS 30/15.5)

30 (Section scheduled to be repealed on December 31, 2002)

31 Sec. 15.5. Unlicensed practice; violation; civil
32 penalty.

33 (a) Any person who practices, offers to practice,

1 attempts to practice, or holds oneself out to practice
2 dietetics or nutrition services ~~counseling~~ without being
3 licensed under this Act shall, in addition to any other
4 penalty provided by law, pay a civil penalty to the
5 Department in an amount not to exceed \$5,000 for each offense
6 as determined by the Department. The civil penalty shall be
7 assessed by the Department after a hearing is held in
8 accordance with the provisions set forth in this Act
9 regarding the provision of a hearing for the discipline of a
10 licensee.

11 (b) The Department has the authority and power to
12 investigate any and all unlicensed activity.

13 (c) The civil penalty shall be paid within 60 days after
14 the effective date of the order imposing the civil penalty.
15 The order shall constitute a judgment and may be filed and
16 execution had thereon in the same manner as any judgment from
17 any court of record.

18 (Source: P.A. 89-474, eff. 6-18-96.)

19 (225 ILCS 30/20) (from Ch. 111, par. 8401-20)

20 (Section scheduled to be repealed on December 31, 2002)

21 Sec. 20. Exemptions. This Act does not prohibit or
22 restrict:

23 (a) Any person licensed in this State under any other
24 Act from engaging in the practice for which he or she is
25 licensed.

26 (b) The practice of dietetics or nutrition services by a
27 person who is employed by the United States or State
28 government or any of its bureaus, divisions, or agencies
29 while in the discharge of the employee's official duties.

30 (c) The practice of nutrition services by a person
31 employed as a cooperative extension home economist, to the
32 extent the activities are part of his or her employment.

33 (d) The practice of nutrition services or dietetics by a

1 person pursuing a course of study leading to a degree in
2 dietetics, nutrition or an equivalent major, as authorized by
3 the Department, from a regionally accredited school or
4 program, if the activities and services constitute a part of
5 a supervised course of study and if the person is designated
6 by a title that clearly indicates the person's status as a
7 student or trainee.

8 (e) The practice of nutrition services or dietetics by a
9 person fulfilling the supervised practice experience
10 component of Sections 45 or 50, if the activities and
11 services constitute a part of the experience necessary to
12 meet the requirements of Section 45 or 50.

13 (f) A person from providing oral nutrition information
14 as an operator or employee of a health food store or business
15 that sells health products, including dietary supplements,
16 food, or food materials, or disseminating written nutrition
17 information in connection with the marketing and distribution
18 of those products.

19 (g) The practice of nutrition services by an educator
20 who is in the employ of a nonprofit organization, as
21 authorized by the Department, a federal state, county, or
22 municipal agency, or other political subdivision; an
23 elementary or secondary school; or a regionally accredited
24 institution of higher education, as long as the activities
25 and services of the educator are part of his or her
26 employment.

27 (h) The practice of nutrition services by any person who
28 provides weight control services, provided the nutrition
29 program has been reviewed by, consultation is available from,
30 and no program change can be initiated without prior approval
31 by an individual licensed under this Act, an individual
32 licensed to practice dietetics or nutrition services a
33 ~~dietitian-or-nutrition-counselor-licensed~~ in another state
34 that has licensure requirements considered by the Department

1 to be at least as stringent as the requirements for licensure
2 under this Act, or a registered dietitian.

3 (i) The practice of nutrition services or dietetics by
4 any person with a masters or doctorate degree with a major in
5 nutrition or equivalent from a regionally accredited school
6 recognized by the Department for the purpose of education and
7 research.

8 (j) Any person certified in this State and who is
9 employed by a facility or program regulated by the State of
10 Illinois from engaging in the practice for which he or she is
11 certified and authorized by the Department.

12 (k) The practice of nutrition services by a graduate of
13 a 2 year associate program or a 4 year baccalaureate program
14 from a school or program accredited at the time of graduation
15 by the appropriate accrediting agency recognized by the
16 Council on Higher Education Postsecondary Accreditation and
17 the United States Department of Education with a major in
18 human nutrition, food and nutrition or its equivalent, as
19 authorized by the Department, who is directly supervised by
20 an individual licensed under this Act.

21 (l) Providing nutrition information as an employee of a
22 nursing facility operated exclusively by and for those
23 relying upon spiritual means through prayer alone for healing
24 in accordance with the tenets and practices of a recognized
25 church or religious denomination.

26 The provisions of this Act shall not be construed to
27 prohibit or limit any person from the free dissemination of
28 information, from conducting a class or seminar, or from
29 giving a speech related to nutrition if that person does not
30 hold himself or herself out as a licensed nutrition counselor
31 or licensed dietitian in a manner prohibited by Section 15.

32 (Source: P.A. 87-784; 87-1000.)

33 (225 ILCS 30/30) (from Ch. 111, par. 8401-30)

1 (Section scheduled to be repealed on December 31, 2002)

2 Sec. 30. Practice Board. The Director shall appoint a
3 Dietitian Nutritionist ~~Dietetic--and--Nutrition--Services~~
4 Practice Board as follows: 7 Seven individuals who shall be
5 appointed by and shall serve in an advisory capacity to the
6 Director. Of these 7 individuals, 4 members must be licensed
7 under this Act ~~and--currently--engaged--in--the--practice--of~~
8 ~~dietetics--or--nutrition--services--in--the--State--of--Illinois--and~~
9 ~~must--have--been--doing--so--for--a--minimum--of--3--years, 2--of--whom~~
10 ~~shall--be--licensed--dietitians--who--are--not--also--licensed--as~~
11 ~~nutrition--counselors--under--this--Act--and--2--of--whom--shall--be~~
12 ~~licensed--nutrition--counselors--who--are--not--also--licensed~~
13 ~~dietitians--under--this--Act;~~ one member must be a physician
14 licensed to practice medicine in all of its branches; one
15 member must be a licensed professional nurse; and one member
16 must be a public member not licensed under this Act.

17 Members shall serve 3 year terms and until their
18 successors are appointed and qualified, except the terms of
19 the initial appointments. ~~The--initial--appointments--shall--be~~
20 ~~served--as--follows:--2--members--shall--be--appointed--to--serve--for~~
21 ~~one--year, 2--shall--be--appointed--to--serve--for--2--years,--and--the~~
22 ~~remaining--members--shall--be--appointed--to--serve--for--3--years--and~~
23 ~~until--their--successors--are--appointed--and--qualified.~~ No
24 member shall be reappointed to the Board for a term that
25 would cause his or her continuous service on the Board to be
26 longer than 8 years. Appointments to fill vacancies shall be
27 made in the same manner as original appointments, for the
28 unexpired portion of the vacated term. Initial terms shall
29 begin upon the effective date of this Act and Board members
30 in office on that date shall be appointed to specific terms
31 as indicated in this Section.

32 The membership of the Board shall reasonably represent
33 all the geographic areas in this State. Any time there is a
34 vacancy on the Board, any professional association composed

1 of persons licensed under this Act may recommend licensees to
2 fill the vacancy to the Board for the appointment of
3 licensees, the organization representing the largest number
4 of licensed physicians for the appointment of physicians to
5 the Board, and the organization representing the largest
6 number of licensed professional nurses for the appointment of
7 a nurse to the Board.

8 Members of the Board shall have no liability in any
9 action based upon any disciplinary proceeding or other
10 activity performed in good faith as members of the Board.

11 The Director shall have the authority to remove any
12 member of the Board from office for neglect of any duty
13 required by law or for incompetency or unprofessional or
14 dishonorable conduct.

15 The Director shall consider the recommendation of the
16 Board on questions of standards of professional conduct,
17 discipline, and qualifications of candidates or licensees
18 under this Act.

19 (Source: P.A. 87-784; 87-1000.)

20 (225 ILCS 30/40) (from Ch. 111, par. 8401-40)

21 (Section scheduled to be repealed on December 31, 2002)

22 Sec. 40. Examinations. The Department shall authorize
23 examinations of applicants for a license under this Act as
24 ~~dietitians-or-nutrition-counselors~~ at the times and places
25 that it may determine. The examination of applicants shall
26 be of a character to give a fair test of the qualifications
27 of the applicant to practice dietetics and nutrition
28 services. The Department or its designated testing service
29 shall provide initial screening to determine eligibility of
30 applicants for examination.

31 Applicants for examination ~~as--dietitians--or--nutrition~~
32 ~~counselors~~ shall be required to pay, either to the Department
33 or the designated testing service, a fee covering the cost of

1 providing the examination. Failure to appear for the
2 examination on the scheduled date, at the time and place
3 specified, after the applicant's application for examination
4 has been received and acknowledged by the Department or the
5 designated testing service, shall result in the forfeiture of
6 the examination fee.

7 If an applicant neglects, fails, or refuses to take an
8 examination or fails to pass an examination for a license
9 under this Act within 3 years after filing an application,
10 the application shall be denied. However, the applicant may
11 thereafter make a new application accompanied by the required
12 fee and shall meet the requirements for licensure in force at
13 the time of making the new application.

14 The Department may employ consultants for the purpose of
15 preparing and conducting examinations.

16 (Source: P.A. 87-784; 87-1000.)

17 (225 ILCS 30/45) (from Ch. 111, par. 8401-45)

18 (Section scheduled to be repealed on December 31, 2002)

19 Sec. 45. Dietitian nutritionist; qualifications. A
20 person shall be qualified for licensure as a dietitian
21 nutritionist if that person meets all of the following
22 requirements:

23 (a) Has applied in writing in form and substance
24 acceptable to the Department and possesses a baccalaureate
25 degree or post baccalaureate degree in human nutrition, foods
26 and nutrition, dietetics, food systems management, nutrition
27 education, or an equivalent major course of study as
28 recommended by the Board and approved by the Department from
29 a school or program accredited at the time of graduation from
30 the appropriate regional accrediting agency recognized by the
31 Council on Higher Education Post-secondary Accreditation and
32 the United States Department of Education.

33 (b) Has successfully completed the examination

1 authorized by the Department which may be or may include an
2 examination given by the Commission on Dietetic Registration.

3 The Department shall establish by rule a waiver of the
4 examination requirement to applicants who, at the time of
5 application, are acknowledged to be registered dietitians by
6 the Commission on Dietetic Registration and who are in
7 compliance with other qualifications as included in the Act.

8 (c) Has completed a dietetic internship or documented,
9 supervised practice experience in dietetics and nutrition
10 services of not less than 900 hours under the supervision of
11 a registered dietitian or a licensed dietitian nutritionist,
12 a State licensed healthcare practitioner, or an individual
13 with a doctoral degree conferred by a U.S. regionally
14 accredited college or university with a major course of study
15 in human nutrition, nutrition education, food and nutrition,
16 dietetics or food systems management. Supervised practice
17 experience must be completed in the United States or its
18 territories. Supervisors who obtained their doctoral degree
19 outside the United States and its territories must have their
20 degrees validated as equivalent to the doctoral degree
21 conferred by a U.S. regionally accredited college or
22 university.

23 (Source: P.A. 87-784; 87-1000.)

24 (225 ILCS 30/56 new)

25 (Section scheduled to be repealed on January 1, 2013)

26 Sec. 56. Transition. Beginning November 1, 2003, the
27 Department shall cease to issue a license as a dietitian or a
28 nutrition counselor. Any person holding a valid license as a
29 dietitian or nutrition counselor prior to November 1, 2003
30 and having met the conditions for renewal of a license under
31 Section 65 of this Act, shall be issued a license as a
32 dietitian nutritionist under this Act and shall be subject to
33 continued regulation by the Department under this Act. The

1 Department may adopt rules to implement this Section.

2 (225 ILCS 30/65) (from Ch. 111, par. 8401-65)

3 (Section scheduled to be repealed on December 31, 2002)

4 Sec. 65. Expiration and renewal dates. The expiration
5 date and renewal period for each license issued under this
6 Act shall be set by rule.

7 As a condition for renewal of a license that expires on
8 October 31, 2003, a licensed nutrition counselor shall be
9 required to complete and submit to the Department proof of 30
10 hours of continuing education in dietetics or nutrition
11 services during the 24 months preceding the expiration date
12 of the license in accordance with rules established by the
13 Department. A minimum of 24 hours of the required 30 hours
14 of continuing education shall be in medical nutrition
15 therapy, which shall include diet therapy, medical dietetics,
16 clinical nutrition, or the equivalent, as provided by
17 continuing education sponsors approved by the Department.
18 The Department may adopt rules to implement this Section.

19 As a condition for renewal of a license, the licensee
20 shall be required to complete 30 hours of continuing
21 education in dietetics or nutrition services during the 24
22 months preceding the expiration date of the license in
23 accordance with rules established by the Department. The
24 continuing education shall be in courses approved by the
25 Commission on Dietetic Registration or in courses taken from
26 a sponsor approved by the Department. A sponsor shall be
27 required to file an application, meet the requirements set
28 forth in the rules of the Department, and pay the appropriate
29 fee. The requirements for continuing education may be waived,
30 in whole or in part, in cases of extreme hardship as defined
31 by rule of the Department. The Department shall provide an
32 orderly process for the reinstatement of licenses that have
33 not been renewed due to the failure to meet the continuing

1 education requirements of this Section.

2 Any person who has permitted his or her license to
3 expire or who has had his or her license on inactive status
4 may have the license restored by submitting an application to
5 the Department, meeting continuing education requirements,
6 and filing proof acceptable with the Department of fitness to
7 have the license restored, which may include sworn evidence
8 certifying to active practice in another jurisdiction
9 satisfactory to the Department and by paying the required
10 restoration fee.

11 If the person has not maintained an active practice in
12 another jurisdiction satisfactory to the Department, the
13 Department shall determine, by an evaluation program
14 established by rule, his or her fitness to resume active
15 status and may require the person to complete a period of
16 evaluated professional experience and may require successful
17 completion of a practical examination.

18 Any person, however, whose license expired while (i) in
19 Federal Service on active duty with the Armed Forces of the
20 United States, or called into service or training with the
21 State Militia, or (ii) in training or education under the
22 supervision of the United States preliminary to induction
23 into the military service may have his or her license
24 restored without paying any lapsed renewal fees if within 2
25 years after honorable termination of the service, training,
26 or education he or she furnishes the Department with
27 satisfactory evidence to the effect that he or she has been
28 so engaged and that the service, training or education has
29 been terminated.

30 (Source: P.A. 87-784; 87-1000.)

31 (225 ILCS 30/70) (from Ch. 111, par. 8401-70)

32 (Section scheduled to be repealed on December 31, 2002)

33 Sec. 70. Inactive status; restoration. Any person who

1 notifies the Department in writing on forms prescribed by the
2 Department may elect to place his or her license on an
3 inactive status and shall, subject to rules of the
4 Department, be excused from payment of renewal fees until he
5 or she notifies the Department in writing of the desires to
6 resume active status.

7 Any person requesting restoration from inactive status
8 shall be required to pay the current renewal fee, shall meet
9 continuing education requirements, and shall be required to
10 restore his or her license as provided in Section 65 of this
11 Act.

12 A person licensed under this Act ~~dietitian--or--nutrition~~
13 ~~counselor~~ whose license is on inactive status or in a
14 non-renewed status shall not engage in the practice of
15 dietetics or nutrition services in the State of Illinois or
16 use the title or advertise that he or she performs the
17 services of a licensed dietitian nutritionist ~~or--nutrition~~
18 ~~counselor~~.

19 Any person violating this Section shall be considered to
20 be practicing without a license and will be subject to the
21 disciplinary provisions of this Act.

22 (Source: P.A. 87-784; 87-1000.)

23 (225 ILCS 30/75) (from Ch. 111, par. 8401-75)

24 (Section scheduled to be repealed on December 31, 2002)

25 Sec. 75. Endorsement. The Department may license as a
26 dietitian nutritionist ~~or--nutrition--counselor~~, without
27 examination, on payment of required fee, an applicant who is
28 a dietitian, dietitian nutritionist, nutritionist, or
29 nutrition counselor licensed under the laws of another state,
30 territory, or country, if the requirements for licensure in
31 the state, territory, or country in which the applicant was
32 licensed were, at the date of his or her licensure,
33 substantially equal to the requirements of this Act.

1 (Source: P.A. 87-784; 87-1000.)

2 (225 ILCS 30/80) (from Ch. 111, par. 8401-80)

3 (Section scheduled to be repealed on December 31, 2002)

4 Sec. 80. Use of title; advertising. Only a person who is
5 issued a license as a dietitian nutritionist under this Act
6 may use the words "dietitian nutritionist", "dietitian",
7 "nutritionist", or "nutrition counselor" or the letters
8 "L.D.N." in connection with his or her name.

9 A person who meets the additional criteria for
10 registration by the Commission on Dietetic Registration for
11 the American Dietetic Association may assume or use the title
12 or designation "Registered Dietitian" or "Registered
13 Dietician" or use the letters "R.D." or any words, letters,
14 abbreviations, or insignia indicating that the person is a
15 registered dietitian.

16 Any person who meets the additional criteria for
17 certification by the Clinical Nutrition Certification Board
18 of the International and American Associations of Clinical
19 Nutritionists may assume or use the title or designation
20 "Certified Clinical Nutritionist" or use the letters "C.C.N."
21 or any words, letters, abbreviations, or insignia indicating
22 that the person is a certified clinical nutritionist.

23 Any person who meets the additional criteria for
24 certification by the Certification Board of Nutrition
25 Specialists may assume or use the title or designation
26 "Certified Nutrition Specialist", or use the letters "C.N.S."
27 or any words, letters, abbreviations, or insignia indicating
28 that the person is a certified nutrition specialist.

29 A licensee shall include in every advertisement for
30 services regulated under this Act his or her title as it
31 appears on the license or the initials authorized under this
32 Act.

33 {a)--Only-a-person-who-is-issued-a-license-as-a-dietitian

1 under this Act may use the words "licensed dietitian" or the
 2 letters "L.D." in connection with his or her name. A person
 3 who meets the additional criteria for registration by the
 4 Commission on Dietetic Registration for the American Dietetic
 5 Association may assume or use the title or designation
 6 "Registered Dietitian" or "Registered Dietician", or use the
 7 letters "R.D." or any words, letters, abbreviations, or
 8 insignia indicating that the person is a registered
 9 dietitian.

10 (b) Only a person who is issued a license as a nutrition
 11 counselor under the terms of this Act may use the letters
 12 "L.N.C." or the words "licensed nutrition counselor" in
 13 connection with his or her name.

14 (c) A licensee shall include in every advertisement for
 15 services regulated under this Act his or her title as it
 16 appears on the license or the initials authorized under this
 17 Act.

18 (Source: P.A. 91-310, eff. 1-1-00.)

19 (225 ILCS 30/95) (from Ch. 111, par. 8401-95)
 20 (Section scheduled to be repealed on December 31, 2002)
 21 Sec. 95. Grounds for discipline.

22 (1) The Department may refuse to issue or renew, or may
 23 revoke, suspend, place on probation, reprimand, or take other
 24 disciplinary action as the Department may deem proper,
 25 including fines not to exceed \$1000 for each violation, with
 26 regard to any license or certificate for any one or
 27 combination of the following causes:

28 (a) Material misstatement in furnishing information
 29 to the Department.

30 (b) Violations of this Act or its rules.

31 (c) Conviction of any crime under the laws of the
 32 United States or any state or territory thereof that is

33 (i) a felony; (ii) a misdemeanor, an essential element of

1 which is dishonesty; or (iii) a crime that is directly
2 related to the practice of the profession.

3 (d) Making any misrepresentation for the purpose of
4 obtaining licensure or violating any provision of this
5 Act.

6 (e) Professional incompetence or gross negligence.

7 (f) Malpractice.

8 (g) Aiding or assisting another person in violating
9 any provision of this Act or its rules.

10 (h) Failing to provide information within 60 days
11 in response to a written request made by the Department.

12 (i) Engaging in dishonorable, unethical or
13 unprofessional conduct of a character likely to deceive,
14 defraud, or harm the public.

15 (j) Habitual or excessive use or addiction to
16 alcohol, narcotics, stimulants, or any other chemical
17 agent or drug that results in the inability to practice
18 with reasonable judgment, skill, or safety.

19 (k) Discipline by another state, territory, or
20 country if at least one of the grounds for the discipline
21 is the same or substantially equivalent to those set
22 forth in this Act.

23 (l) Directly or indirectly giving to or receiving
24 from any person, firm, corporation, partnership, or
25 association any fee, commission, rebate, or other form of
26 compensation for any professional services not actually
27 or personally rendered.

28 (m) A finding by the Department that the licensee,
29 after having his or her license placed on probationary
30 status, has violated the terms of probation.

31 (n) Conviction by any court of competent
32 jurisdiction, either within or outside this State, of any
33 violation of any law governing the practice of dietetics
34 or nutrition counseling, if the Department determines,

1 after investigation, that the person has not been
2 sufficiently rehabilitated to warrant the public trust.

3 (o) A finding that licensure has been applied for
4 or obtained by fraudulent means.

5 (p) Practicing or attempting to practice under a
6 name other than the full name as shown on the license or
7 any other legally authorized name.

8 (q) Gross and willful overcharging for professional
9 services including filing statements for collection of
10 fees or monies for which services are not rendered.

11 (r) Failure to (i) file a return, (ii) pay the tax,
12 penalty or interest shown in a filed return, or (iii) pay
13 any final assessment of tax, penalty or interest, as
14 required by any tax Act administered by the Illinois
15 Department of Revenue, until the requirements of any such
16 tax Act are satisfied.

17 (s) Willfully failing to report an instance of
18 suspected child abuse or neglect as required by the
19 Abused and Neglected Child Reporting Act.

20 (2) In enforcing this Section, the Board, upon a showing
21 of a possible violation, may compel a licensee or applicant
22 to submit to a mental or physical examination, or both, as
23 required by and at the expense of the Department. The
24 examining physician shall be specifically designated by the
25 Board. The Board or the Department may order the examining
26 physician to present testimony concerning the mental or
27 physical examination of a licensee or applicant. No
28 information may be excluded by reason of any common law or
29 statutory privilege relating to communications between a
30 licensee or applicant and the examining physician. An
31 individual to be examined may have, at his or her own
32 expense, another physician of his or her choice present
33 during all aspects of the examination. Failure of an
34 individual to submit to a mental or physical examination,

1 when directed, is grounds for suspension of his or her
2 license. The license must remain suspended until the time
3 that the individual submits to the examination or the Board
4 finds, after notice and a hearing, that the refusal to submit
5 to the examination was with reasonable cause. If the Board
6 finds that an individual is unable to practice because of the
7 reasons set forth in this Section, the Board must require the
8 individual to submit to care, counseling, or treatment by a
9 physician approved by the Board, as a condition, term, or
10 restriction for continued, reinstated, or renewed licensure
11 to practice. In lieu of care, counseling, or treatment, the
12 Board may recommend that the Department file a complaint to
13 immediately suspend or revoke the license of the individual
14 or otherwise discipline him or her. Any individual whose
15 license was granted, continued, reinstated, or renewed
16 subject to conditions, terms, or restrictions, as provided
17 for in this Section, or any individual who was disciplined or
18 placed on supervision pursuant to this Section must be
19 referred to the Director for a determination as to whether
20 the individual shall have his or her license suspended
21 immediately, pending a hearing by the Board.

22 The Department shall deny any license or renewal under
23 this Act to any person who has defaulted on an educational
24 loan guaranteed by the Illinois Student Assistance
25 Commission; however, the Department may issue a license or
26 renewal if the person in default has established a
27 satisfactory repayment record as determined by the Illinois
28 Student Assistance Commission.

29 The determination by a circuit court that a registrant is
30 subject to involuntary admission or judicial admission as
31 provided in the Mental Health and Developmental Disabilities
32 Code operates as an automatic suspension. This suspension
33 will end only upon a finding by a court that the patient is
34 no longer subject to involuntary admission or judicial

1 admission, the issuance of an order so finding and
2 discharging the patient, and the recommendation of the Board
3 to the Director that the registrant be allowed to resume
4 practice.

5 (Source: P.A. 87-784; 87-1000.)

6 (225 ILCS 30/50 rep.)

7 (225 ILCS 30/60 rep.)

8 Section 90. The Dietetic and Nutrition Services Practice
9 Act is amended by repealing Sections 50 and 60.

10 Section 99. Effective date. This Section, Section 5,
11 and Sections 56 and 65 of the Dietetic and Nutrition Practice
12 Act take effect upon becoming law. All of the other
13 provisions take effect October 31, 2003.