

ARE YOU AS AN RD, LD PRACTICING LEGALLY?

The State Committee of Dietitians continues to receive numerous questions regarding whether the RD, LD is qualified to write therapeutic diet orders or write enteral and parenteral nutrition orders. **In order to determine if the activity you want to perform is in your individual scope of practice it is important that you review the following: federal regulations, accreditation standards, state licensure laws and state practice acts and institutional policies and procedures.** If these regulations, accreditation standards and policies and procedures do not explicitly prohibit the activity, review your own training and education to ensure competency in performing the activity.

It would be important to review the following references from AND as the scope of practice varies as to whether you are a generalist RD, an RD with specialty training or an RD in advanced practice.

Go to the AND web site <http://www.eatright.org> go to members, click practice, click Scope of Dietetics Practice (SOP) Framework, go to SOP Dietetics Framework, go to Explanation of Framework Blocks and Related Links, go to Block 3: Decision Tree Analysis, and Decision Analysis Tool. We would suggest you work your way through those questions.

We would also refer you to two more recent resources from ADA regarding order writing and privileging. These resources can be found at <http://www.eatright.org/qualityresources> click Order Writing and Privileging, click Practice Tips: for Hospital RDs and Nutrition (Diet) Order Writing and Practice Tips: for Hospital Privileges for the RD Practicing MD/DO work. These are both excellent resources and will answer many of the questions you may have on these topics.

You may also want to review two past articles in the ADA Journal:

“Clinical Privileging: What It Is...And Isn’t” in the March 2009 issue, pages 400-402 and

“Why are Therapeutic Diet Orders an Issue Now and What Does It Have To Do with Legal Scope of Practice” in the September 2009 issue, pages 1515-1519.

It is also important that you refer to the State of Missouri licensure law and practice act for Dietitians, it can be found at <http://pr.mo.gov/dietititians.asp> , especially review statutes: 324.200, 324.203, 324.205, 324.206 and 324.207.

This may seem like a lot of work but keep in mind that how you practice does affect the facility that you work for and if you are practicing outside of your scope of practice your facility could receive citations and penalties based on your practice. State Surveyors operate under Federal Regulations, namely CMS, and most facilities receive a lot of their revenue from Medicare and Medicaid. It is true that JCAHO and the State and Federal Surveyors will not be looking for the same things. JCAHO is looking for continuous improvement for the safety and quality of care provided; they will not issue citations or penalties as they are not a governing body. State and Federal Surveyors, operating for CMS, will issue citations and penalties when they observe an action or policy at a facility that is not in compliance with federal regulations for that type of facility.