

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 157**

Short Title: Dietetics/Nutrition Practice Act.

(Public)

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Sponsors: Senators Plyler and Purcell.

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Referred to: Health Care.

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February 19, 2001

A BILL TO BE ENTITLED

AN ACT TO AMEND CERTAIN PROVISIONS UNDER THE  
DIETETICS/NUTRITION PRACTICE ACT AND TO AUTHORIZE THE BOARD  
OF DIETETICS/NUTRITION TO INCREASE FEES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 90-352 reads as rewritten:

**"§ 90-352. Definitions.**

As used in this Article, unless the context otherwise requires, the term:

(1) "Board" means the North Carolina Board of Dietetics/Nutrition.

(2) "Dietetics/nutrition" means the integration and application of principles derived from the science of nutrition, biochemistry, physiology, food, and management and from behavioral and social sciences to achieve and maintain a healthy status. The primary function of dietetic/nutrition practice is the provision of ~~nutrition care services~~ medical nutrition therapy.

(3) "Licensed dietitian/nutritionist" means an individual licensed in good standing to practice dietetics/nutrition.

(4) "~~Nutrition care services~~" "Medical nutrition therapy" means any, ~~part~~ part, or all of the following:

a. Assessing the nutritional needs of individuals and groups, and determining resources and constraints in the practice setting.

b. Establishing priorities, goals, and objectives that meet nutritional needs and are consistent with available resources and constraints.

c. Providing nutrition counseling in health and disease.

d. Developing, implementing, and managing nutrition care systems.

1 e. Evaluating, making changes in, and maintaining appropriate  
2 standards of quality in food and nutrition services.  
3 "~~Nutrition care services~~" "Medical nutrition therapy" does not include  
4 the retail sale of food products or vitamins. Wherever the rules and  
5 regulations promulgated by the Board pursuant to this Article refer to  
6 nutrition care services, the reference shall be deemed to refer to  
7 medical nutrition therapy."

8 **SECTION 2.** G.S. 90-354(b) reads as rewritten:

9 "(b) ~~Of the members initially appointed, the professional member appointed by~~  
10 ~~the Governor, one of the professional members appointed by the General Assembly~~  
11 ~~upon the recommendation of the Speaker of the House of Representatives, and one of~~  
12 ~~the professional members appointed by the General Assembly upon the~~  
13 ~~recommendation of the President of the Senate shall be appointed for three year terms;~~  
14 ~~one of the public members appointed by the Governor, one of the professional members~~  
15 ~~appointed by the General Assembly upon the recommendation of the Speaker of the~~  
16 ~~House of Representatives, and one of the professional members appointed by the~~  
17 ~~General Assembly upon the recommendation of the President of the Senate shall be~~  
18 ~~appointed for two year terms; and one of the public members appointed by the~~  
19 ~~Governor shall be appointed for a one year term. After the initial terms specified in this~~  
20 ~~subsection, members~~ Members of the Board shall take office on the first day of July  
21 immediately following the expired term of that office and shall serve for a term of three  
22 years and until their successors are appointed and qualified."

23 **SECTION 3.** G.S. 90-355 reads as rewritten:

24 "**§ 90-355. Election of officers; meetings of Board.**

25 (a) ~~Within 30 days after making appointments to the Board, the Governor shall~~  
26 ~~call the first meeting of the Board.~~ The Board shall elect a chairman and a  
27 vice-chairman who shall hold office according to rules adopted by the Board.

28 (b) The Board shall hold at least two regular meetings each year as provided by  
29 rules adopted by the Board. The Board may hold additional meetings upon the call of  
30 the chairman or any two Board members. A majority of the Board membership shall  
31 constitute a quorum."

32 **SECTION 4.** G.S. 90-356(9) reads as rewritten:

33 "**§ 90-356. Power and responsibility of Board.**

34 The Board shall:

35 ...

36 (9) Establish reasonable fees ~~as allowed by this Article~~ for applications for  
37 examination; initial, provisional, and renewal licenses; and other  
38 services provided by the Board;"

39 **SECTION 5.** G.S. 90-364 reads as rewritten:

40 "**§ 90-364. Fees.**

41 The Board shall establish fees in accordance with Chapter 150B of the General  
42 Statutes ~~in amounts to cover the cost of services rendered~~ for the following purposes:

43 (1) For an initial application, a fee not to exceed ~~twenty five dollars~~  
44 ~~(\$25.00); one hundred dollars (\$100.00).~~

- 1           (2) For examination or reexamination, a fee not to exceed ~~one hundred~~  
2           ~~fifty dollars (\$150.00);~~ two hundred dollars (\$200.00).
- 3           (3) For issuance of a license, a fee not to exceed ~~one hundred dollars~~  
4           ~~(\$100.00);~~ two hundred dollars (\$200.00).
- 5           (4) For the renewal of a license, a fee not to exceed ~~fifty dollars (\$50.00);~~  
6           one hundred twenty-five dollars (\$125.00).
- 7           (5) For the late renewal of a license, an additional late fee not to exceed  
8           ~~fifty dollars (\$50.00);~~ one hundred dollars (\$100.00).
- 9           (6) For a provisional license, a fee not to exceed ~~thirty five dollars~~  
10          ~~(\$35.00);~~ and one hundred dollars (\$100.00).
- 11          (7) For copies of Board rules and licensure standards, charges not  
12          exceeding the actual cost of printing and mailing."

13          **SECTION 6.** This act becomes effective October 1, 2001.