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22.01.13 - RULES FOR THE LICENSURE OF DIETITIANS

000. LEGAL AUTHORITY.

Pursuant to Section 54-3505(2), Idaho Code, the Idaho State Board of Medicine is authorized to promulgate rules to implement provisions of the Dietitians Act. (12-28-94)

001. TITLE AND SCOPE.

These rules shall be cited as IDAPA 22.01.13, "Rules for the Licensure of Dietitians." (12-28-94)

002. -- 009. (RESERVED).

010. DEFINITIONS.

Applicable definitions are set forth in Idaho Code Sections 54-3502 and 54-3505(3). (12-28-94)

011. -- 019. (RESERVED).

020. GENERAL QUALIFICATIONS FOR LICENSURE.

01. Applicant. An applicant must be of good moral character and shall meet the requirements set forth in Idaho Code Section 54-3506. The Board may refuse licensure if it finds the applicant has engaged in conduct prohibited by Idaho Code Section 54-3510; provided, the Board shall take into consideration the rehabilitation of the applicant and other mitigating circumstances. (12-28-94)

02. Examination. Each applicant shall either pass an examination required by the Board or shall be entitled to apply for a waiver. (12-28-94)

a. The written examination shall be the examination conducted by the Commission on Dietetic Registration and the passing score shall be the passing score established by the Commission. (12-28-94)

b. An applicant who fails to pass the examination must submit a new application. (12-28-94)

c. An applicant who has failed to pass the examination on two (2) separate occasions will be denied eligibility to reapply; however his application may be considered on an individual basis if he submits proof of additional training. (12-28-94)

03. Application Expiration. An application upon which the applicant takes no further action will be held for no longer than one (1) year. (12-28-94)

021. APPLICATION FOR LICENSURE.

01. Application. Each applicant for licensure shall submit a completed written application to the board on forms prescribed by the board, together with the application fee. The application shall be verified and under oath and shall require the following information: (12-28-94)

a. A certificate of successful completion of a program approved by the American Dietetic Association and a certificate of successful completion of a dietetic internship or preprofessional program approved or accredited by the American Dietetic Association; (12-28-94)

b. The disclosure of any criminal conviction or charges against the applicant other than minor traffic offenses; (12-28-94)

c. The disclosure of any disciplinary action against the applicant by any state professional regulatory agency or professional organization; (12-28-94)

- d. The disclosure of the denial of registration or licensure by any state or district regulatory body; (12-28-94)
 - e. Not less than two (2) certificates of recommendation from persons having personal knowledge of the applicant's character; (12-28-94)
 - f. Two (2) unmounted photographs of the applicant, no larger than three inches by four inches (3" x 4") (head and shoulders), taken not more than one (1) year prior to the date of the application; (12-28-94)
 - g. A copy of any registration by the Commission on Dietetic Registration, if applicable; (12-28-94)
 - h. A copy of examination results or the application to write the qualifying exam and the date the examination is scheduled; and (12-28-94)
 - i. Such other information as deemed necessary for the Board to identify and evaluate the applicant's credentials. (12-28-94)
02. Personal Interview. The Board may, at its discretion, require the applicant to appear for a personal interview. (12-28-94)

022. LICENSE EXPIRATION AND RENEWAL.

01. Licensure Expiration. All licenses shall expire on the 30th day of June following issuance or renewal and shall become invalid after that date unless renewed. The board may condition the issuance of such license for the full term upon the occurrence of events specified by the Board and the Board may extend such certification for an intermediate period of time. (12-28-94)

02. Annual Renewal. Each license shall be renewed annually before July 1st by submitting a completed request for renewal accompanied by payment of the renewal fee to the Board. Licenses not renewed by the expiration date shall be canceled. (12-28-94)

023. -- 029. (RESERVED).

030. INACTIVE STATUS.

The Board shall grant inactive status to a licensee who makes application for inactive status and who does not practice as a dietitian. (12-28-94)

031. REINSTATEMENT TO FULL LICENSURE FROM INACTIVE STATUS.

An individual desiring reinstatement to full active licensure to practice as a dietitian shall submit a completed written application to the Board, on the forms prescribed by the Board together with the license and reinstatement fees. The application shall be verified and under oath (subsection 021.01). The Board may request such other information deemed necessary to identify and evaluate the applicant's proficiency. (12-28-94)

032. DENIAL OR REFUSAL TO RENEW, SUSPENSION OR REVOCATION OF LICENSE.

01. Disciplinary Authority. A new or renewal application may be denied, and every person licensed pursuant to Title 54, Chapter 35, Idaho Code and these rules is subject to discipline, pursuant to the procedures and powers established by and set forth in Idaho Code, Section 54-3712, the Administrative Procedure Act and the Rules of Practice and Procedure of the Board of Medicine. (12-28-94)

02. Grounds for Discipline. In addition to the grounds set forth in Idaho Code, Section 54-3510, applicants may be refused licensure and licensees are subject to discipline upon the following grounds, including but not limited to: (12-28-94)

a. Being guilty of unprofessional conduct, including the provision of care which fails to meet the standard of care provided by other qualified licensees within the state of Idaho. (12-28-94)

b. Violating any provisions of this act or any of the rules promulgated by the Board under the authority of the act. (12-28-94)

033. -- 040. (RESERVED)

041. FEES.

Actual fees shall be set to reflect costs of Board administration. (12-28-94)

01. Initial Licensure and Examination Fee. The fee for initial licensure and examination shall be eighty dollars (\$80). (12-28-94)

02. Renewal Fee. The annual renewal fee shall be forty-five dollars (\$45). (12-28-94)

03. Reinstatement Fee. The reinstatement fee for a lapsed license shall be the annual renewal fee for each year not licensed plus a fee of thirty-five dollars (\$35). (12-28-94)

04. Inactive Fee. The fee for inactive licensure shall be twenty-five dollars (\$25). (12-28-94)

05. Necessary Fees Shall Accompany Applications. (12-28-94)

06. Fees Shall Not Be Refundable. (12-28-94)

07. Extraordinary Expenses. In situations where the processing of an application requires extraordinary expenses, the Board may charge the applicant with reasonable fees to cover all or part of the extraordinary expenses. (12-28-94)

042. -- 049. (RESERVED).

050. EFFECTIVE DATE.

These rules shall be effective, December 28, 1994. (12-28-94)

051. -- 999. (RESERVED).