



OHIO BOARD OF DIETETICS

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BULLETIN #3 EXEMPTION FOR WEIGHT CONTROL PROGRAMS

The purpose of BULLETIN #3 is to inform individuals involved in the operation of weight control programs about regulations regarding the dietitian licensure law. Chapter 4759 of the Ohio Revised Code was enacted on July 1, 1987.

Ohio's law is a mandatory licensure law requiring everyone who practices in dietetics as defined in the law to be licensed, unless specifically exempted. "The practice of dietetics" means any of the following:

- 1) Nutritional assessment to determine nutritional needs and to recommend appropriate nutritional intake, including enteral and parenteral nutrition;
- 2) Nutritional counseling or education as components of preventative, curative, and restorative health care;
- 3) Development, administration, evaluation, and consultation regarding nutritional care standards.

Section 4759.10(J) of the Ohio Revised Code provides for an exemption from licensure as follows:

Provided that the persons involved in presenting a general program of instruction for weight control do not violate division (B) of section 4759.02 of the Revised Code, a general program of instruction for weight control approved in writing by a licensed dietitian, a physician licensed under chapter 4731 of the Revised Code to practice medicine or surgery or osteopathic medicine or surgery, a person licensed in another state that the board considers to have substantially equivalent licensure requirements as this state, or a registered dietitian;

Note that division (B) of 4759.02 restricts the use of the title dietitian to those who are licensed and restricts other titles, insignia, words, abbreviations, that tend to indicate the person is practicing dietetics including nutritionist, nutrition counselor and like terms.

Rule 4759-5-06 of the Ohio Administrative Code:

- clarifies that the person presenting a general program of weight control does not have to be a licensed dietitian if meeting all of the above criteria
- defines a "general program of weight control" as a program designed for one or more population groups in order to achieve or maintain a healthy weight. It is not based on an individual nutrition assessment and does not provide medical nutrition therapy (MNT) as defined in rule 4759-2-01 of the Administrative Code. The program includes the diet plan and any information provided to customers including written guidelines for instruction to customers.
- requires that the presenter adhere to the program as approved
- requires that the program be re-approved every two years in writing

The Ohio Board of Dietetics does not require that you submit a weight control program to it for approval. However, the Board suggests that a copy of the program outline, the qualifications of presenters, and the plan for monitoring the program be kept on the premises. The date of approval of all components of the program and the signature of the approver should also be available for inspection.

Ohio Administrative Code, Rule 4759-6-02 (I),” Standards of Professional Performance provides guidance for persons approving general programs of weight control:

(I) Approval of a general program of weight control.

A “general program of weight control” as defined in rule 4759-5-06 of the Administrative Code must be approved by either a registered or licensed dietitian or physician licensed in Ohio. For purposes of division (J) of section 4759.10 of the Revised Code, the licensee shall provide written approval of all components of the general program of weight control and assume responsibility for the following:

- (1) Guidelines for Instruction: Program content and written step-by-step information that the presenter provides to customers to enable them to follow the meal plan and other aspects of a general program of weight control.
- (2) Meal Plans: General categories or groups of foods and suggested combinations of specific foods. Meal plans shall not be individualized for specific persons, conditions, or disease states.
- (3) Handouts: Any information distributed in conjunction with the general program of weight control.
- (4) Supplements: Products, including vitamins, minerals, herbs and other substances used as part of, or an enhancement to, a general program of weight control. The use of these products shall be substantiated by current scientific evidence.

If you have any further questions regarding this exemption or need further information, please contact:

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This is not to be interpreted as being all inclusive or exclusive. Violations reported to the Board will be reviewed on a case by case basis.

FOR MORE COMPLETE INFORMATION SEE: LAWS AND RULES GOVERNING THE PRACTICE OF DIETETICS IN THE STATE OF OHIO