



Texas Department of State Health Services

Texas State Board of Examiners of Dietitians

Staff Contact: Amy Trost

H.B. 1155 Truitt, et al. (Shapleigh)

Summary

The Legislature created the Texas State Board of Examiners of Dietitians (the Board) in 1983 to ensure that safe and quality dietetic services are provided to the citizens of Texas. The Board does this through two primary functions: licensing qualified individuals to use the title “licensed dietitian” in Texas, and enforcing the Licensed Dietitian Act, including investigating and resolving complaints. The Board, through its administrative attachment to the Department of State Health Services, currently licenses about 3,400 dietitians, with a staff of one employee and an annual budget of about \$109,000. The Legislature adopted all of the Sunset Commission’s recommendations on the Board. The list below summarizes the major provisions of H.B. 1155, and a more detailed discussion follows.

Sunset Provisions

1. Conform Key Elements of the Board’s Licensing and Regulatory Functions to Commonly Applied Licensing Practices.
2. Continue Regulation of Dietitians With an Independent Board at the Department of State Health Services for 12 Years.

Sunset Provisions

1. Conform Key Elements of the Board's Licensing and Regulatory Functions to Commonly Applied Licensing Practices.

House Bill 1155 includes 11 provisions that bring the Board in line with standard licensing agency practices, consisting of the following.

- Clarifies that the Board must address felony and misdemeanor convictions in the standard manner defined in the Occupations Code.
- Requires applicants to pass a jurisprudence exam as a condition of licensure.
- Requires the Board to base delinquent license renewal fees on the normally required renewal fee.
- Requires the Board to include a public member on complaint committees.
- Authorizes the Board to refuse to renew a license as an administrative sanction.
- Requires the Board to have penalty matrices with dollar amounts associated with violations.
- Authorizes the Board to provide for refunds by licensees to the consumer as part of the settlement conference process.
- Authorizes the Board to seek an injunction against persons holding themselves out as dietitians without a license.
- Authorizes the Board to issue cease-and-desist orders against unlicensed activity.
- Removes authority for Board members to receive payments for attendance at meetings and clarifies that they may be reimbursed for travel expenses.
- Clarifies the Board's authority to appoint Board committees, but only composed of Board members.

2. Continue Regulation of Dietitians With an Independent Board at the Department of State Health Services for 12 Years.

This provision continues the Board at the Department of State Health Services for the standard 12-year period.

Fiscal Implication Summary

This legislation will not have a significant fiscal impact to the State.