

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.18353.added THIS ADDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF
THE 2024 REGULAR SESSION SINE DIE *****

333.18353.added Practice of medical nutrition therapy; license required; restricted use of words, titles, or letters; exemptions.

Sec. 18353. (1) Beginning 18 months after the effective date of the initial rules promulgated under this part, an individual shall not engage in the practice of medical nutrition therapy unless the individual is licensed or otherwise authorized under this article.

(2) Subject to subsection (3), beginning 18 months after the effective date of the initial rules promulgated under this part, the following words, titles, or letters or a combination of the following words, titles, or letters, with or without qualifying words or phrases, are restricted in use only to a dietitian nutritionist: "licensed dietitian nutritionist", "dietitian nutritionist", "dietitian", "dietician", "nutritionist", or "l.d.n."

(3) An individual, including a registered dietitian nutritionist, may use any lawfully earned federally trademarked title, and the words, titles, or letters "registered dietitian", "registered dietitian nutritionist", "r.d.", or "r.d.n."

(4) In addition to the exemptions from licensure under section 16171, subsection (1) does not prevent any of the following:

(a) A physician or other individual licensed under any other part or any other act from performing activities that are considered the practice of medical nutrition therapy if those activities are within the individual's scope of practice and the individual does not use the titles protected under subsection (2).

(b) An individual from doing any of the following if the individual, while doing any of the following, does not engage in the practice of medical nutrition therapy and the individual does not use the titles protected under subsection (2):

(i) Furnishing general nonmedical nutrition information.

(ii) Providing evaluation, guidance, information, and education on the use of food, food materials, or dietary supplements.

(iii) Providing explanations to individuals or groups about food or food products, including dietary supplements.

(c) An individual from providing medical weight control for prediabetes or obesity to individuals under a program of instruction that is approved in writing by 1 of the following:

(i) A dietitian nutritionist.

(ii) A health professional licensed under this article whose scope of practice otherwise authorizes the health professional to provide nutrition care services for the treatment or management of the disease or medical condition for which medical weight control is being provided.

(d) An individual from providing delegated medical weight control services under a plan of care that is overseen by a health professional licensed under this article whose scope of practice otherwise authorizes the health professional to provide and delegate nutrition care services for the treatment or management of the disease or medical condition for which medical weight control is being provided.

(e) Subject to section 16215, an employee or other individual who is assisting a dietitian nutritionist and who is under the dietitian nutritionist's appropriate supervision from performing activities or functions that are delegated by the dietitian nutritionist, that are not discretionary, that do not require the exercise of professional judgment for their performance, and that are within the dietitian nutritionist's authority to perform.

(f) An individual from providing general nonmedical nutrition information, guidance, encouragement, individualized nutrition recommendations for wellness or primary prevention of chronic disease, behavior change management, coaching, assessments, services for weight management, or other nutrition care services if the services do not constitute the practice of medical nutrition therapy, the individual does not use the titles protected under subsection (2) or otherwise hold the individual out as a dietitian nutritionist or as a provider who engages in the practice of medical nutrition therapy, and the individual does not otherwise violate this act.

(g) Notwithstanding section 16171(a), an individual who is pursuing the educational requirements described in section 18357(1) from engaging in the practice of medical nutrition therapy, but only if all of the following apply:

(i) The individual is engaging in the practice of medical nutrition therapy as part of a course of study.

(ii) The individual does not engage in the unrestricted practice of medical nutrition therapy.

(iii) The individual is under the appropriate supervision of a qualified supervisor who assumes full professional responsibility for the work of the individual by verifying, directing, and authorizing the work.

(iv) The individual is designated by a title that clearly indicates the individual's status as a student, trainee, or supervisee.

(h) An individual from fulfilling supervised practice experience requirements to qualify for licensure as a dietitian nutritionist under this part but only if all of the following apply:

(i) The individual does not engage in the unrestricted practice of medical nutrition therapy.

(ii) The individual is designated by a title that clearly indicates the individual's status as a student, trainee, or supervisee.

(iii) The individual is appropriately supervised by a qualified supervisor who agrees to assume full professional responsibility for the work of the individual by verifying, directing, and authorizing the work.

(iv) The individual is engaging in the practice of medical nutrition therapy as part of a planned, continuous supervised practice experience.

(i) An individual from doing either of the following:

(i) Providing verbal nutrition information as an operator or employee of a health food store or business that sells health products, including, but not limited to, dietary supplements, food, herbs, or food materials.

(ii) Disseminating written nutrition information in connection with the marketing and distribution of the products described in subparagraph (i), or discussing the use of the products described in subparagraph (i), including explanations of their federally regulated label claims, any known drug-nutrient interactions, their role in various diets, or suggestions as how to best use and combine them.

History: Add. 2024, Act 39, Eff. (sine die).

Compiler's note: Former MCL 333.18353, which pertained to licensure of dietitians and nutritionists, was repealed by Act 267 of 2014, Imd. Eff. July 1, 2014.

Popular name: Act 368