

Regulatory Board Review:

West Virginia Board of Licensed Dietitians

PERD's Objectives:

The objective of this review was to determine if licensure of dietitians is necessary to protect the public. This review also assessed the Board's compliance with Chapter 30 requirements and other applicable sections of West Virginia Code.

Key Recommendations:

The Legislature should consider termination of the Board of Licensed Dietitians and establish title protection for dietitians and nutritionists by statute alone.

If the Board is continued, the Legislature should consider defining more specific practices in defining the scope of practice for licensed dietitians and nutritionists.

The Legislature Should Consider Terminating the West Virginia Board of Licensed Dietitians Because It Substantially Duplicates the National Commission on Dietetic Registration, and Title Protection Can Be Provided Statutorily.

What Did PERD Find?

The Legislative Auditor finds that the Board of Licensed Dietitians should be terminated for the following reasons:

- West Virginia licensure fully duplicates the national credential.
- Adequate public protection exists without a regulatory board.
- Complaints are infrequent.
- Degree of regulation varies by state.
- The Legislative Auditor has previously recommended termination of the Board in 1999, 2000, and 2010.
- Elimination of the licensure would not impact insurance reimbursement for dietitians.
- Elimination of the licensure would not impact the ability of dietitians to perform services as the duties and title can be permitted statutorily without the need for a board.

While the Board is financially self-sufficient, has a low risk of fraud, and complies with most general provisions of Chapter 30 of West Virginia Code, licensure itself is unnecessary and therefore unduly costly to those wishing to practice dietetics in West Virginia. Given the low risk of harm associated with the profession, the Board could be terminated without adversely affecting the public.

