

SENATE RESOLUTION NO. 170

BY SENATOR DORSEY-COLOMB

A RESOLUTION

To urge and request the Louisiana Department of Health and Hospitals to review Title 46 and Title 48 of the Louisiana Administrative Code, relative to professional and occupational standards and to public health, respectively, in order to ensure that these titles are consistent with applicable federal rules with respect to dietitian nutritionists.

WHEREAS, the Department of Health and Hospitals (DHH) is empowered to promulgate rules and regulations relative to public health pursuant to the Administrative Procedure Act; and

WHEREAS, DHH publishes these promulgated rules through the Department of Administration, office of the state register; and

WHEREAS, the Centers for Medicare and Medicaid Services (CMS) published a final rule on May 7, 2014, granting ordering privileges to registered dietitian nutritionists, with respect to patient diets, independent of other medical professionals; and

WHEREAS, these privileges include ordering patient diets and may include the ability to order laboratory tests to monitor the effectiveness of the diets; and

WHEREAS, the new rule by CMS states that hospitals shall have the authority to determine who within their facility will be privileged to order diets independently; and

WHEREAS, sections of Title 46 and Title 48 of the Louisiana Administrative Code deal with the nutritional needs of patients and menu preparations which are appropriate for such patients and groups of patients; and

WHEREAS, Louisiana is a national leader in chronic diseases related to poor nutrition such as diabetes and obesity; and

WHEREAS, the change of rules and regulations in Louisiana to mirror the federal rule could improve the efficiency and efficacy of nutritional care in Louisiana with the added incentive of bringing cost savings to the Louisiana Medicaid program.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request that the Louisiana Department of Health and Hospitals review Title 46 and Title 48 of the Louisiana Administrative Code, relative to professional and occupational standards and to public health, respectively, in order to ensure that these titles are consistent with applicable federal rules with respect to dietitian nutritionists.

BE IT FURTHER RESOLVED that the Department of Health and Hospitals shall submit its amendments to rules and regulations to the Senate Committee on Health and Welfare and the House of Representatives Committee on Health and Welfare as required under the Administrative Procedure Act.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Health and Hospitals.

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PRESIDENT OF THE SENATE