

2015 Regular Session

HOUSE RESOLUTION NO. 151

BY REPRESENTATIVE STOKES

A RESOLUTION

To urge and request the 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, for consistency with applicable federal regulations concerning dietitian nutritionists; and to promulgate any rules which may be necessary to conform state regulations relative to dietitian nutritionists with federal regulations for that profession.

WHEREAS, the Department of Health and Hospitals (DHH) has the delegated legislative authority to promulgate rules and regulations in accordance with the Administrative Procedure Act relative to public health; and

WHEREAS, DHH publishes these rules in the Louisiana Register, a monthly publication of the division of administration, office of the state register; and

WHEREAS, the federal Centers for Medicare and Medicaid Services (CMS) published a final rule in May of 2014 (79 Fed. Reg. 26308 (May 7, 2014)) granting ordering privileges to registered dietitian nutritionists, independent of other health professionals, with respect to patient diets; and

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

WHEREAS, the 2014 rule issued by CMS provides that hospitals shall have the authority to determine which health professionals within their facilities will be privileged to order diets independently; and

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

WHEREAS, Louisiana's population has one of the nation's highest incidence rates per capita of diabetes, obesity, and several other chronic diseases related to poor nutrition; and

WHEREAS, amending state regulations to comport with current federal regulations relative to dietitian nutritionists could improve the efficiency and efficacy of nutritional care in Louisiana with the added benefit of achieving cost savings in the state's Medicaid program.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the 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, for consistency with applicable federal regulations concerning dietitian nutritionists.

BE IT FURTHER RESOLVED that the Department of Health and Hospitals shall promulgate any rules which may be necessary to conform state regulations relative to dietitian nutritionists with federal regulations for that profession, and shall submit such rules to the legislative committees on health and welfare for review in accordance with 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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SPEAKER OF THE HOUSE OF REPRESENTATIVES