



Province of Alberta

HEALTH PROFESSIONS ACT

REGISTERED DIETITIANS AND REGISTERED NUTRITIONISTS PROFESSION REGULATION

Alberta Regulation 79/2002

With amendments up to and including Alberta Regulation 147/2004

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that the amendments have been embodied for convenience of reference only, and that the original Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 147/2004)

ALBERTA REGULATION 79/2002

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Definitions

- 1 In this Regulation,
 - (a) “College” means the College of Dietitians of Alberta;
 - (b) “Complaints Director” means the Complaints Director of the College;
 - (c) “Council” means the Council of the College;
 - (d) “equivalent jurisdiction” means a jurisdiction recognized by the Council in accordance with section 4;
 - (e) “Registrar” means the Registrar of the College;
 - (f) “Registration Committee” means the Registration Committee of the College;
 - (g) “registration examination” means a registration examination approved by the Council;
 - (h) “registration year” means April 1 to the next following March 31.

Regulated member register

2 The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) general register;
- (b) temporary register;
- (c) courtesy register.

Registration**General register**

3(1) An applicant for registration as a regulated member on the general register must

- (a) have
 - (i) graduated with a Baccalaureate degree in foods and nutrition from a program approved by the Council,
 - (ii) successfully completed a dietetic internship or a practicum from a program approved by the Council, and
 - (iii) successfully completed the registration examination,or
- (b) have
 - (i) graduated with a Masters or Doctoral degree from a program approved by the Council,
 - (ii) successfully met the competency standards required for graduate students approved by the Council, and
 - (iii) successfully completed the registration examination.

(2) An applicant for registration under subsection (1) must have completed the requirements set out in subsection (1) within 3 years of the date the Registrar receives a complete application.

(3) An applicant who does not meet the requirements of subsection (2) must successfully complete the requirements for academic and experiential upgrading as directed by the Registrar or the Registration Committee.

Equivalent jurisdiction

4 A person currently registered in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements is eligible for registration on the general register if the person's registration is in good standing in the other jurisdiction and the person is not a temporary or non-regulated member in that jurisdiction.

Equivalent competence

5(1) An applicant who does not meet the requirements under section 3 or 4 but whose qualifications have been determined by the Registrar or Registration Committee to be substantially equivalent to the registration requirements set out in section 3 is eligible for registration on the general register.

(2) For the purposes of subsection (1), the Registrar or the Registration Committee may require the applicant to undertake one or more of the following:

- (a) prior learning assessments;
- (b) language fluency assessments;
- (c) learning modules;
- (d) practicums;
- (e) practical experience assessments;
- (f) competence assessments;
- (g) examinations;
- (h) any other assessment or program requested by the Registrar or Registration Committee.

(3) For the purposes of subsection (1), the Registrar or the Registration Committee may employ testing services, national dietetic standards organizations, assessment experts and other persons to assist in determining qualifications.

Temporary register

6(1) An applicant is eligible for registration as a regulated member on the temporary register if the applicant meets the requirements of section 3 except for having evidence of successfully completing the registration examination and if the applicant

- (a) has applied to write the registration examination, or

- (b) has written the registration examination but has not yet received the results.
- (2) A registration on the temporary register expires 8 weeks after
- (a) the date the registrant wrote the registration examination referred to in subsection (1)(b), or
 - (b) the date of the registration examination referred to in subsection (1)(a).
- (3) Despite subsection (2), a registrant on the temporary register may apply for an extension to a date that is 8 weeks after the next registration examination is scheduled to be held if
- (a) the registrant was unable to successfully complete the registration examination referred to in subsection (1)(a) or (b) for reasons satisfactory to the Registrar or the Registration Committee, and
 - (b) the registrant has applied to write the next scheduled examination.
- (4) If a regulated member on the temporary register successfully completes the registration examination referred to in subsection (1)(a) or (b), the Registrar must remove the regulated member's name from the temporary register and enter it on the general register.
- (5) A person who is registered on the temporary register may practice only while supervised, in a manner satisfactory to the Registrar or the Registration Committee, by a regulated member on the general register.

Courtesy register

- 7(1)** A person who is registered as a dietitian or nutritionist in good standing in another jurisdiction who requires registration in Alberta on a temporary basis for a specified purpose approved by the Registrar and who satisfies the Registrar of the person's competence to provide the services related to the specified purposes is eligible for registration on the courtesy register.
- (2) The term of the registration of a person registered in the courtesy register is for 6 months or less, as specified by the Registrar.
- (3) A person who is registered on the courtesy register must remain registered in the jurisdiction in which the person was registered at the time of the person's application for registration on the courtesy register.

Character, reputation and information

8(1) All applicants for registration as regulated members must provide evidence of having good character and reputation by submitting any of the following, on the request of the Registrar:

- (a) a statement by the applicant as to whether the applicant is currently undergoing an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of dietitians or nutritionists or of another profession;
- (b) a statement as to whether the applicant has ever been convicted of a criminal offence;
- (c) any other evidence as requested.

(2) All applicants for registration as regulated members must provide the relevant information referred to in section 26(1).

Restricted Activities**Restricted activities qualifications**

9 A regulated member who demonstrates competence in the provision of one or more restricted activities listed in section 10, in accordance with dietetic standards of practice and criteria for demonstrating competence as established by the Council, may be authorized by the Registrar to provide one or more of those restricted activities.

Restricted activities

10(1) Subject to section 9, a regulated member may perform the following restricted activities as set out in Schedule 7.1 to the *Government Organization Act*:

- (a) to insert or remove instruments, devices, fingers or hands beyond the point in the nasal passages where they normally narrow or beyond the pharynx for the purposes of inserting or removing nasoenteric tubes, if in the provision of nutrition support the regulated member is providing enteral nutrition;
- (b) to insert instruments, devices, fingers or hands into or remove them from an artificial opening in the body if, in the provision of nutrition support, the regulated member provides enteral nutrition to patients and inserts or removes gastrostomy or jejunostomy tubes;

- (c) to prescribe a Schedule 1 drug within the meaning of the *Pharmaceutical Profession Act* for the purposes of providing nutrition support;
- (d) to prescribe parenteral nutrition if the regulated member is providing nutrition support and the member is authorized to prescribe a Schedule 1 drug within the meaning of the *Pharmaceutical Profession Act*;
- (e) to prescribe and administer oral diagnostic imaging contrast agents if in the provision of medical nutrition therapy a regulated member performs a video fluoroscopic swallowing study or assists with the study;
- (f) to perform psychosocial intervention if a regulated member is providing psychonutrition therapy in the treatment of disordered eating patterns;
- (g) to distribute without payment, for the purposes of nutritional support or medical nutrition therapy, drugs regulated by a schedule to the *Pharmaceutical Profession Act* and pursuant to a prescription, if required by the *Pharmaceutical Profession Act*.

(2) A regulated member who prescribes or distributes any drugs pursuant to subsection (1) may only do so in accordance with criteria established by the Council.

AR 79/2002 s10;147/2004

Restriction

10.1 Despite sections 9 and 10, regulated members must restrict themselves in performing restricted activities to those activities that they are competent to perform and that are appropriate to the member's area of practice and the procedure being performed.

AR 147/2004 s3

Supervision of restricted activities

11(1) A student enrolled in a program approved by the Council or a regulated member undergoing training to perform the restricted activity in accordance with criteria established by the Council may perform the restricted activities set out in section 10 under the direct supervision of a regulated member registered on the general register.

(2) The supervising regulated member must be

- (a) on-site with the student or regulated member while the student or regulated member is performing the restricted activity,

- (b) available for consultation and to assist the student or regulated member in performing the restricted activity as required, and
- (c) authorized by this Regulation to provide the restricted activity.

Practice Permit

Conditions

12 The Registrar or Registration Committee may impose conditions on a regulated member when issuing a practice permit, including but not limited to the following:

- (a) completion of the continuing competence requirements within a specified time;
- (b) completion of any examinations, testing, assessment, practicum, work experience or counselling that is required by the Registrar or Registration Committee;
- (c) a prohibition from engaging in sole practice;
- (d) a requirement that the regulated member limit the member's practice to specified practice areas or practice settings approved by the Registrar or the Registration Committee and refrain from practising in specified practice areas or practice settings;
- (e) a requirement to only practise under the supervision of a regulated member;
- (f) a requirement to report to the Registrar or Registration Committee on specified matters on specified dates;
- (g) a provision stating the time and the purposes for which the practice permit is valid;
- (h) a provision prohibiting the regulated member from supervising students of the profession or regulated members of the College.

Renewal of practice permit

13 A regulated member who applies for renewal of a practice permit must, in addition to complying with section 40(1) of the Act, supply, on request by the Registrar or Registration Committee, information related to whether the regulated member has been convicted of a criminal offence since registration and other

information related to whether the member continues to be of good character and reputation.

Continuing Competence Requirements

Continuing competence

14(1) As part of the continuing competence program regulated members must complete the following in a form satisfactory to the Registrar or Registration Committee:

- (a) self-assessment;
- (b) a competence plan that states the continuing competence goals for the registration year and the continuing competence activities to be undertaken during the year to achieve the continuing competence plan goals;
- (c) documentation of the competence activities described in subsection (2) carried out during the registration year;
- (d) a competence plan evaluation.

(2) On and after April 1 immediately following the coming into force of Schedule 23 of the Act, regulated members on the general register must, in each registration year,

- (a) complete the requirements of subsection (1),
- (b) complete the continuing competence activities stated in the competence plan,
- (c) complete any workshops or study modules related to the regulated member's practice, required by the Council, and
- (d) for regulated members authorized under section 9 to provide restricted activities, complete any continuing competence activities required by the Council.

Evidence to committee

15(1) A regulated member must, on the request of the Registrar or Registration Committee, submit anything referred to in section 14(1) to the Registrar or Registration Committee.

(2) A regulated member must provide evidence, on request of the Registrar or Registration Committee, respecting any continuing competence activities undertaken by the member to the Registrar or Registration Committee.

Reviews

16(1) The Registrar or Registration Committee must periodically select regulated members in accordance with the criteria established by the Council for a review and evaluation of all or part of the member's continuing competence program.

(2) A regulated member who is selected for a review under subsection (1) must do the following:

- (a) submit documents as requested;
- (b) answer questions from the Registrar or Registration Committee with respect to the regulated member's continuing competence program;
- (c) undertake any additional actions related to the member's continuing competence program as directed by the Registrar or Registration Committee.

Titles and Initials**Protected titles and initials**

17(1) A regulated member on the general register or on the courtesy register may use the following protected titles and initials:

- (a) registered dietitian;
- (b) dietitian;
- (c) registered nutritionist;
- (d) R.D.

(2) A regulated member on the temporary register may use the protected title dietitian.

(3) If the practice permit or registration of a regulated member has been suspended, the member shall not use any of the protected titles or initials of the profession during the suspension.

Alternative Complaint Resolution**Process conductor**

18 When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint an individual to conduct the alternative complaint resolution process.

Agreement

19 The person conducting the alternative complaint resolution process must in consultation with the complainant and the investigated person establish the procedures for and objectives of the alternative complaint resolution process, which must be set out in writing and signed by the complainant, the investigated person and the representative of the College.

Confidentiality

20 The complainant and the investigated person must, subject to section 59 of the Act, agree to treat all information shared during the process as confidential.

Leaving the process

21 The complainant and the investigated person may withdraw from the alternative complaint resolution process at any time.

**Reinstatement of Registration and
Practice Permits****Applying for reinstatement**

22(1) A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the Registrar to have the registration and practice permit reinstated.

(2) An application under subsection (1) may not be made earlier than

- (a) 5 years after the cancellation, or
- (b) one year after the refusal of an application under clause (a).

(3) An applicant under subsection (1) must provide evidence to the Registration Committee of qualifications for registration.

(4) The Registration Committee may require the applicant to undertake one or more of the activities referred to in section 5(2).

Decision

23(1) An application under section 22 must be reviewed by the Registration Committee in accordance with the application for registration process set out in sections 28 to 30 of the Act.

(2) On reviewing an application in accordance with subsection (1), the Registration Committee must

- (a) consider
 - (i) the record of the hearing at which the applicant's registration and practice permit were cancelled, and
 - (ii) the evidence presented at the hearing,
- and
- (b) be satisfied that
 - (i) the applicant meets the current requirements for registration,
 - (ii) any conditions imposed at the time the applicant's permit and registration were cancelled have been met, and
 - (iii) the applicant is fit to practice dietetics and does not pose a risk to public safety.

(3) The Registration Committee, on reviewing an application may make one or more of the following orders:

- (a) an order denying the application;
- (b) an order directing the Registrar to reinstate the person's registration and practice permit;
- (c) an order directing the Registrar to impose specified terms and conditions on the person's practice permit.

Review

24 An applicant whose application is denied or on whose practice permit terms and conditions have been imposed under section 23(3), may apply to the Council for a review of the decision of the Registration Committee in accordance with the process set out in sections 31 and 32 of the Act.

Access to decision

25(1) The Registration Committee may order that its decision under section 23(3) be publicized in a manner it considers appropriate.

(2) The College must make the decision of the Registration Committee under section 23(3) available for 5 years to the public on request.

Information

Information under s33 of the Act

26(1) A regulated member must provide the following information at the request of the Registrar in addition to that required under section 33(3) of the Act and advise the Registrar of any change to the information:

- (a) demographic and educational and training information including:
 - (i) the member's gender;
 - (ii) the member's full name and, if applicable, previous surname;
 - (iii) the member's preferred form of address;
 - (iv) the member's date of birth;
 - (v) the member's home address, phone number, fax number and e-mail address;
 - (vi) the member's academic and practical training qualifications and where and when they were obtained;
- (b) practice information including:
 - (i) the employer's name;
 - (ii) the employer's mailing address, phone number, fax number and e-mail address and the name of the regional health authority where the employment is located;
 - (iii) the type of facility in which the member practises;
 - (iv) the member's job title and position description;
 - (v) the number of hours worked in the previous registration year;
 - (vi) the member's employment dates;
 - (vii) the member's areas of practice and any specialties;
 - (viii) languages in which the member provides professional services;
 - (ix) whether the member is registered to practise dietetics in other jurisdictions;

- (x) whether the member is registered with another college of a regulated health profession and whether the member is providing professional services regulated by that college.

(2) Subject to section 34(1) of the Act, the College may release the information collected under subsection (1) only

- (a) with the consent of the regulated member whose information it is, or
- (b) in a summarized or statistical form so that it is not possible to relate the information to any particular identifiable person.

Providing information

27 The College must provide information with respect to the following:

- (a) a practice permit for the period of time during which the permit is in effect;
- (b) the suspension or cancellation of a regulated member's practice permit or the imposition of conditions on a regulated member's practice permit for a period of 5 years after the suspension, cancellation or imposition of conditions;
- (c) the record of a hearing and the decision by a hearing tribunal for a period of 5 years after the hearing is completed;
- (d) whether a hearing is scheduled to be held or has been held under Part 4 of the Act with respect to a named regulated member, until the hearing is completed.

Transitional Provisions, Repeals, and Coming into Force

Transitional

28 On the coming into force of this Regulation,

- (a) a registered dietitian described in section 6 of Schedule 23 to the Act is deemed to be registered on the general register, and
- (b) a registered dietitian (candidate) described in section 6 of Schedule 23 to the Act is deemed to be registered on the temporary register.

Repeal

29 The *General Regulation* (AR 349/85) is repealed.

Coming into force

30 This Regulation comes into force on the coming into force of Schedule 23 to the *Health Professions Act*.