

**Headquarters**

120 South Riverside Plaza  
Suite 2000  
Chicago, Illinois 60606-6995  
800.877.1600

**Washington D.C. Office**

1120 Connecticut Avenue NW  
Suite 480  
Washington, D.C. 20036  
800.877.0877

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Mr. Ellsberg,

Thank you again for giving the Academy of Nutrition and Dietetics the opportunity to contribute to your article on licensure of nutrition professionals. Obviously, everyone is entitled to his or own opinions on this issue, but the article did contain factual errors that misinformed your readers and helped perpetuate the misconception that our licensure efforts will put well-educated professionals out of business. I appreciate the opportunity to set the record straight.

For example, this sentence in your article is simply not true: "Thus, if your yoga instructor or personal trainer or acupuncturist did not have a recognized scope of practice for nutrition counseling in your state, and your instructor/trainer/acupuncturist, etc., advised you in what kind of diet to eat in conjunction with your workout or healing program, she could be criminally charged under these bills for practicing dietetics and nutrition without a license." The Illinois statute referenced in your article is clear:

Sec. 20. Exemptions. This Act does not prohibit or restrict:

- (f) A person from providing oral nutrition information as an operator or employee of a health food store or business that sells health products, including dietary supplements, food, or food materials, or disseminating written nutrition information in connection with the marketing and distribution of those products.
- (h) The practice of nutrition services by any person who provides weight control services, provided the nutrition program has been reviewed by, consultation is available from, and no program change can be initiated without prior approval by an individual licensed under this Act, an individual licensed to practice dietetics or nutrition services in another state that has licensure requirements considered by the Department to be at least as stringent as the requirements for licensure under this Act, or a registered dietitian.

Furthermore, the Academy's Model Practice Act includes additional exemptions: "A person or retailer that furnishes oral or written general non-medical nutrition information related to food, food materials, or dietary supplements or the marketing of food, food materials, or dietary supplements, provided the person is not engaged in the practice of dietetics and nutrition care services."

The Model Practice Act's definition: "General non-medical nutrition information" means information on the following:

- Principles of good nutrition and food preparation;
- Food to be included in the normal daily diet;
- The essential nutrients needed by the body;
- Recommended amounts of the essential nutrients, based on established standards.
- The actions of nutrients on the body;

- The effects of deficiencies or excesses of nutrients; or
- Food and supplements that are good sources of essential nutrients.

You also wrote: “Or should you be prevented altogether, as certain stakeholders believe will happen, from accessing nutritional counseling from personal trainers, yoga instructors, chiropractors, acupuncturists, nurses, pharmacists, and even Ph.D. nutritionists, who may not have a specific scope of practice in nutrition in your state, as defined and recognized by government regulators?”

In fact, there is not a single dietetics licensure law in the country that would prohibit licensed chiropractors, pharmacists, nurses, personal trainers, or acupuncturists from providing nutritional counseling. The Academy supports both member and non-member PhD nutritionists’ work.

Licensure laws are drafted to ensure that *anyone*—yoga teachers or personal trainers—can provide general non-medical nutrition information. Anyone who says differently is either uninformed or intentionally misstating the facts.

Nutrition is such a critical issue now in this country, there are roles for many different groups and individuals to play. As I mentioned during our interview, which I believe your readers need to hear or read in its entirety to best understand the issue, certain nutrition questions on medical nutrition therapy, concerning the interplay between disease states and nutrition, really do require a higher level of evidence-based practice and experience and competency.

Let me be as clear as possible: **Licensing of dietitians and nutritionists is not intended to restrict the provision of general non-medical nutrition information.** That’s something we have been very careful to include in both laws and exemptions.

Our uppermost goal is to protect the public. When people seek nutrition information, they need to be confident that it is based on scientific evidence and provided by a professional with the appropriate education and experience. Harm from incompetent practitioners is real; it comes in a variety of forms, both physical and financial. Licensure allows people to be certain they are receiving services from a competent professional, and nothing more.

As my prior email to you stated, I am very familiar with the misleading and false statements repeatedly offered by disreputable groups seeking to weaken licensure standards and I specifically sought to provide you with objectively accurate information. Please contact me by phone at 202-775-8277 ext. 6001 or by email at ptuma@eatright.org in the hope that we can avoid these mistakes in Forbes.com going forward.



Pepin Andrew Tuma, Esq.  
Director, Regulatory Affairs  
Academy of Nutrition and Dietetics