

ALASDN *Nutrition Specialist*

*Nutrition Specialist Certification
Professional Code of Conduct and Scope of Practice*



Licensure Laws

While dissemination of nutrition information and nutrition education are unregulated in some states, other states (most notably North Carolina, Ohio and Florida) have very specific definitions and laws pertaining to the marketing and administering of nutrition information. AASDN Programs are designed to meet the strictest criteria of any state, ensuring safe, legal and helpful systems for delivering nutrition and fitness information to your clients.

As an "AASDN Nutrition Specialist" you have demonstrated a firm grasp of basic nutrition principles. The scripted "AASDN Nutrition Specialist Programs" allow you, as a consultant, to incorporate nutrition into your exercise/fitness business while adhering to all state licensure laws and ADA guidelines. In order to protect the AASDN Nutrition Specialist, AASDN, and your place of business, the following Policies/Procedures and Scope of Practice have been developed. Please read carefully and be sure that you adhere to all of the following guidelines. These guidelines should also be visible and available to individuals participating in your programs.

TITLES

As an AASDN Nutrition Specialist you **MAY NOT use the term "Certified" Nutrition Specialist - CNS**. This term is trademarked by another organization. YOU MAY call yourself an AASDN Nutrition Specialist certified through AASDN for which AASDN holds a trademark. To reiterate, you MAY NOT put certified before Nutrition Specialist. Instead **use AASDN NS or AASDN Nutrition Specialist**.

MATERIALS

As an AASDN Nutrition Specialist you may use materials developed by qualified licensed professionals of AASDN. You are NOT allowed to alter, and no program change can be made. YOU MAY NOT develop your own educational materials using either the AASDN logo, AASDN name, AASDN NS or AASDN Nutrition Specialist title.

You may use the title AASDN NS or AASDN Nutrition Specialist on your marketing materials such as brochures, business cards, website, etc. You may **NOT use these** titles on any educational materials that you develop for your own use. AASDN will not be responsible for any materials developed by Nutrition Specialists and **AASDN strictly forbids** using the AASDN logo, AASDN name, AASDN NS or AASDN Nutrition Specialist on any educational materials not developed by AASDN.

MARKETING AND COMMUNICATIONS

All AASDN Nutrition Specialists must market their services in accordance with state dietetic and nutrition licensing laws. When marketing your nutrition services take note of the following items. You are providing nutrition education and training, however you are not a "Nutritionist" or a "Dietitian" and should not in any way market yourself using these titles. Strictly prohibited is use the name "dietitian," "licensed dietitian," "nutritionist," "licensed nutritionist," "nutrition counselor,".... "or any other words, letters, abbreviations, or insignia.....; or employ unlicensed persons to engage in dietetics and nutrition practice or nutrition counseling, unless the person is the holder of a valid license issued under the state licensure law."

AASDN programs are sound behavioral change programs and results take time and commitment. We do not guarantee or promise any results; make unrealistic weight/body composition change promises or communicate that we are treating any medical conditions.

Any AASDN Nutrition Specialist providing dietary information other than AASDN program materials may be in violation of their state dietetics and nutrition licensing laws. Any purveyor of AASDN programs that uses any

of the terms listed above in its marketing or portrays itself as dietetics or nutrition experts or as providing nutrition treatment for a specific disease will be in violation of many state laws. Violation in these states is a misdemeanor offense.

Failure to follow any or all of the above Policies and Procedures deems the AASDN Nutrition Specialist as non-compliant with AASDN and its affiliates.

SCREENING

All AASDN programs call for screening of program participants for risk factors. All clients must provide the AASDN Nutrition Specialist with a detailed medical disease history. If a client presents with a health problem, a physician referral form must be completed and signed by the client's physician. We use standards embraced by the North Carolina Board of Dietetics and Nutrition (NCBDN); North Carolina has the most stringent standards and guidelines for participation and administration of weight control programs. The client must have the release completed by the physician and returned to the AASDN Nutrition Specialist. The AASDN Nutrition Specialist must maintain a copy for his/her records.

SUPPLEMENTS

AASDN does not endorse any particular supplements or brand of supplements. It is beyond the scope of practice for any AASDN Nutrition Specialist to recommend or suggest the use of any nutrition supplementation (vitamin, mineral or herbal). Any such recommendations must come directly from the client's physician or a Registered Dietitian.

AASDN DON'T'S

- DO NOT promote the program as a "treatment" for eating disorders, such as compulsive eating, anorexia, or bulimia.
- DO NOT market the program to treat any health or medical problem.
- DO NOT market the program to promote or promise permanent weight loss.
- DO NOT market the program as nutrition counseling, providing nutrition care, or a Medical Nutrition Therapy offering (MNT).
- DO NOT make unrealistic claims concerning the rate of weight loss (one to two pounds a week is considered normal) or promise unrealistic results.
- DO NOT call yourself a nutritionist, dietitian, certified nutritionist, certified dietitian, licensed dietitian, nutrition counselor, nutrition expert, nutrition educator, or a nutritionalist (there is no such thing) UNLESS the person is a REGISTERED DIETITIAN.
- DO NOT work with moderate or high-risk clients without written clearance from the client's physician and guidance of proper health care professionals.
- DO NOT dissuade clients from seeking proper medical care for health problems.
- DO NOT go against the recommendations of a client's health care provider.
- DO NOT make guarantees that the client will achieve unrealistic results (e.g. average weight loss in excess of 2 pounds).

AASDN DO'S

- DO market and provide nutrition information.
- DO promote the program as an effective way to alter body composition.
- DO call yourself an AASDN Nutrition Specialist.
- DO form a network of doctors, dietitians and psychologists that specialize in eating disorders that you can turn to or refer clients to for help.
- DO obtain medical clearance from the physician of all moderate and high-risk clients before they participate in the program.
- DO use before and after pictures, assessments and/or testimonials to keep track of member results. As permitted make these success stories visible to other clients.
- DO provide the client with all the tools to assist them in achieving their fitness goals that the AASDN Management program has to offer i.e. scripted programs, educational materials, follow-up procedures, etc.
- DO know your limitations! Being a certified personal trainer, AASDN Nutrition Specialist does not qualify you to treat medical and physical problems with exercise and nutrition. Refer all moderate and high-risk clients to their physician or licensed health care provider. Refer all clients to a registered dietitian for medical nutrition therapy.
- DO contact your AASDN licensed professional with any questions, comments or concerns when dealing with moderate or high-risk clients.
- DO contact AASDN for help when designing marketing materials for your programs.

Scope of Practice

The goal of this proposed National Nutrition Scope of Practice for Health and Fitness Professionals is to eliminate confusion as to the scope and depth of nutrition information that can be administered legally, safely, ethically, and professionally by all health and fitness professionals nationwide. We welcome comments from all professionals and all disciplines.

WHY A SPECIFIC SCOPE OF PRACTICE FOR HEALTH AND FITNESS PROFESSIONALS?

Frustration and confusion exists in the health and fitness profession when it comes to nutrition education, advice, and services that can be provided, not only legally, but professionally as well. Some fitness professionals provide nutrition education based solely on “anecdotal data”, while other more qualified professionals are afraid to provide information because they have been told it is beyond their scope of practice.



The American Dietetics Association (ADA) provides little help. A position paper indicates minimal education requirements, but does not provide specifics for health and fitness professionals. The following is the position of the American Dietetic Association in reference to education in the field of nutrition for allied health professionals. You will notice that, while it does include physical therapists, occupational therapists, etc., it does not include health and fitness professionals. The document simply states recommended minimal levels of education. Minimal education is necessary to screen for nutrition risk, and no education is specified to assess nutritional health. It is not the role of the certified health and fitness professional to assess nutrition risk but all health professionals can assess nutrition health. These professionals should certainly play a role in reinforcing the importance of nutrition in health.

POSITION STATEMENT (ANNOTATED FROM WEBSITE DOCUMENT)

It is the position of The American Dietetic Association that nutrition education is an essential component of the curricula for the majority of health care professionals. Curricula should include nutrition principles and identification of nutrition risk factors for appropriate and timely referral to a qualified dietetics professional for comprehensive nutrition services. (Adapted from Website: <http://www.eatright.org/>). However, no mention is made as to the role of allied health professionals in reference to nutrition education in conjunction with fitness/wellness programs.

POSITION STATEMENT - AASDN

It is the position of the American Academy of Sports Dietitians and Nutritionists that nutrition education is an essential component of the curricula for all allied health/fitness professionals in conjunction with a fitness/wellness program. To reduce obesity rates all health/fitness professionals must become involved in educating the public in healthy lifestyle changes. These professionals must be adequately trained, must understand the professional limitations associated with the process of including nutrition education. These qualified, trained professionals are **NOT dietitians/licensed nutritionists** and in no way are allowed to present themselves as such. These qualified, trained professionals must present themselves as professionals working in conjunction with qualified, licensed professionals; use materials developed by qualified, licensed professionals, and in NO way can make any changes to documents authored by qualified, licensed professionals.

As stated by former Secretary of HHS, Tommy Thompson, the medical community cannot resolve obesity. Who can resolve the obesity epidemic? According to Mr. Thompson, what is needed are community based programs. Health/Fitness professionals working together, under the guidance of qualified, licensed professionals can provide community based programs designed begin to reduce obesity rates.

PREAMBLE

AASDN has undertaken the task of developing a National nutrition scope of practice for health and fitness professionals. The goal of this document is to provide allied health professionals with clear, concise, and professional standards for inclusion of nutrition education in conjunction with fitness/wellness programming. These guidelines are aimed at clarifying and adhering to all state nutrition licensure laws and the guidelines set by the American Dietetics Association.

STANDARD 1: DECLARATIONS AND DEFINITIONS

AASDN refers to the American Academy of Sports Dietitians & Nutritionists. Board refers to the AASDN Credentialing Commission Board members. Fitness and health professionals refers to individuals that have been certified by a respected, and nationally recognized program such as the American College of Sports Medicine, the American Council on Exercise, the National Academy of Sports Medicine, the National Athletic Trainers' Association, The Aerobics and Fitness Association of America, National Strength and Conditioning Association, etc. The profession refers to the profession of nutrition in conjunction with fitness/wellness programming.

STANDARD 2: CODE OF ETHICS

Individuals that engage in the practice of nutrition in conjunction with fitness programming shall adhere to the AASDN Code of Ethics. The Code provides guidance for decision-making concerning ethical matters and serves as a means for self-evaluation and reflection regarding the ethical practice of nutrition in conjunction with fitness programming.

1. Accurately communicate and provide educational services equitably to all individuals regardless of social or economic status, age, gender, race, ethnicity, national origin, religion, disability, diverse values, attitudes, or opinions.
2. Be accountable for individual non-medical judgments and decisions about health and fitness, nutrition, preventive, rehabilitative, education, and/or research services.
3. Maintain high quality professional competence through continued study of the latest research in nutrition and health and fitness as provided through respected, reliable sources.
4. Be expected to conduct educational activities in accordance with recognized legal, scientific, ethical, and professional standards.
5. Respect and protect the privacy, rights, and dignity of all individuals by not disclosing health and fitness, nutrition, and or research information unless required by law of when confidentiality jeopardizes the health and safety of others.
6. Call attention to unprofessional services that result from incompetent, unethical, or illegal professional behavior.
7. Contribute to the ongoing development and integrity of the profession by being responsive to, mutually supportive of, and accurately communicating academic and other qualifications to colleagues and associates in the field.

8. Participate in the profession's efforts to establish high quality services by avoiding conflicts of interest and endorsements of products and supplements.
9. Participate in and encourage critical discourse to reflect the collective knowledge and proactive within the exercise and nutrition profession to protect the public from misinformation, incompetence, and unethical acts.
10. Provide interventions grounded in a theoretical framework supported by research that enables a healthy lifestyle

STANDARD 3: PRACTICE OF NUTRITION IN CONJUNCTION WITH FITNESS/WELLNESS PROGRAMMING

The practice of nutrition in conjunction with fitness/wellness programming shall include a variety of services but only when reviewed by, and in consultation with a licensed dietitian/nutritionist. No program change can be initiated without prior approval by a licensed dietitian/nutritionist. No program can be modified or altered in any way without approval by a licensed dietitian/nutritionist. The health/fitness professional, in conjunction with the licensed professional, may provide clients with educational information through lectures, articles, and classes. The health/fitness professional, in conjunction with the licensed professional, may provide energy calculations, analyze food intake, and provide pre-approved menu plans for the apparently healthy, exercising population. Nothing in this standard authorizes the health/fitness professional to "diagnose" disease, or make nutritional recommendations for individuals requiring special dietary needs. Nothing in this standard authorizes the health/fitness professional to provide such services without direct approval and in consultation with a licensed dietitian/nutritionist.

STANDARD 4: EDUCATIONAL REQUIREMENTS

The practice of nutrition in conjunction with fitness/wellness programming shall include a variety of educational requirements prior to practice including courses at the university level, approved nutrition certifications for health and fitness professionals. The qualified licensed AASDN dietitian/nutritionist shall make the final determination as to the qualifications of the health/fitness professional.

STANDARD 5: NUTRITIONAL PRODUCT ENDORSEMENT AND SALES

AASDN does not endorse any particular supplements or brand of supplements. It is beyond the scope of practice for any AASDN Nutrition Specialist to recommend or suggest the use of any nutrition supplementation (vitamin, mineral or herbal). Any such recommendations must come directly from the client's physician or a Registered Dietitian. The health/fitness professional shall refrain from endorsement of, or sales of, supplements and products containing supplement on the label. Such endorsement or sales constitutes a conflict of interest.

STANDARD 6: PROFESSIONAL RESPONSIBILITY AND COMPETENCE

The health/fitness professional shall practice only within the boundaries of their competence as defined by their academic training, hands-on experience, professional certification, and in conjunction with a licensed dietitian/nutritionist. When indicated, the health/fitness professional shall monitor his/her effectiveness and take steps including, but not limited to, continuing education to maintain a reasonable level of awareness of current scientific and professional information.

Disciplinary Action

AASDN Professional Code of Conduct

The AASDN Professional Code of Conduct is designed to maintain the highest level of professional and ethical conduct. AASDN-BOC expects each Nutrition Specialist to uphold the AASDN-BOC Professional Code of Conduct and Scope of Practice in its entirety. Failure to comply with the Professional Code of Conduct and Scope of Practice may result in disciplinary action including, but not limited to, suspension or termination of certification. All Certificants are obligated to report any unethical behavior or violation of the Professional Code of Conduct and Scope of Practice by other Certificants.

Each certified Nutrition Specialist must provide professional service and demonstrate safe and effective client care in their practice. Each member shall:

- A. Abide by the AAASD-BOC Professional Code of Conduct, including but not limited to, refraining from illegal use of terms such as dietitian and nutritionist.
- B. Abide by the AASDN-BOC Scope of Practice. Including, but not limited to, using materials developed by qualified professionals and refraining from recommending or selling supplements which is beyond the scope of practice for all Nutrition Specialists.
- C. Treat each colleague and/or client with the utmost and dignity and dignity and not make false or derogatory assumptions concerning their practice.
- D. Refer clients to the appropriate medical practitioner when the Nutrition Specialist becomes aware of any change in the client's health status or medication; become aware of an undiagnosed illness, injury, or risk factor; become aware of any unusual client eating behaviors. Also refer the client to appropriate health care provider when supplemental advice is requested.
- E. Remain in good standing and maintain current certification status by acquiring all necessary continuing education requirements.

CONFIDENTIALITY

Each certified Nutrition Specialist shall respect the confidentiality of all client information. In his/her professional role, the Nutrition Specialist shall: protect the client's confidentiality in conversations, advertisement and any other arena unless otherwise agreed upon by the client in writing or due medical and/or legal necessity; protect the interests of clients who are minors by law or unable to give voluntary consent by securing the legal permission of the appropriate third party or legal guardian; store and dispose of client records in a secure manner.

INTEGRITY

Each Nutrition Specialist must practice with honesty, integrity and lawfulness. The Nutrition Specialist shall: Maintain adequate and truthful progress notes for each client; accurately and truthfully inform the public of services rendered; honestly and truthfully represent all professional qualifications and affiliations; advertise in a manner that is honest, dignified and representative of services that can be delivered without the use of provocative and/or sexual language and or pictures.

REVOCACTION OF CERTIFICATION

AASDN-BOC may revoke or otherwise take action with regard to the application or certification of an individual in the case of:

- A. Ineligibility for certification
- B. Irregularity in connection with any certification application or examination.
- C. Unauthorized possession, use, access or distribution of certification examinations, score reports, answer sheets, certificates, Certificant or applicant files, documents or other materials.

- D. Material misrepresentation or fraud in any statement to AASDN or in any statement to the public in connection with professional practice, including, but not limited to, statements made to assist the applicant, Certificant, or another to apply for, obtain or retain certification.
- E. Negligence or malpractice in professional work, which includes, but is not limited to, the release of confidential medical information of clients or others with whom the Certificant or applicant has a professional relationship.
- F. The conviction of, plea of guilty or plea of no contest to a felony or misdemeanor, which is directly related to public health, athletic care or education. This includes but is not limited to rape, sexual abuse of a child or athlete, actual or threatened use of a weapon of violence; the prohibited sale or distribution of controlled substance, or its possession with the intent to distribute.
- G. Not adhering to the eligibility requirements for certification candidacy or the continuing education requirements.
- H. Not adhering to the Professional Code of Conduct and Scope of Practice.
- I. Not cooperating with AASDN and/or AASDN Credentialing Commission investigations into alleged illegal or unethical activities. This would include but is not limited to, not cooperating with appropriate committees by withholding information, not responding to requests for information in a timely manner, or providing misleading information to an AASDN committee or individual member.
- J. Engaging in conduct that includes, but is not limited to, unauthorized use of the AASDN name to endorse any products or services without proper authority or exploitation of a client for financial gain.

DISCIPLINARY HEARING AND APPEALS PANELS

- A. AASDN-BOC Manager shall appoint three persons who are AASDN-BOC certified professionals to a Hearing Panel, and/or an Appeals Panel, to consider alleged violations of any Application or Certification standard set forth in Section I C (1)-(7) after review and decision by the Professional Practice and Discipline Committee. These panels may be established as standing panels. The Hearing and Appeals panels shall be composed of three full voting members and up to four non-voting (substitute) members.
- B. A quorum of either the Committee or a panel consists of three full voting members, and Committee and Panel action shall be determined by a majority vote. Committee and Panel members may not serve in any situation where their impartiality or the presence of actual or apparent conflict of interest might reasonably be questioned.
- C. When a vacancy of a full-voting member occurs in any of the panels as a result of resignation, unavailability, or disqualification, the AASDN-BOC Manager shall designate a full voting Nutrition Specialist certified professional from the list of substitute members.

COMPLAINT/REVIEW PROCESS

Whenever the AASDN-BOC Manager receives allegations that raise an issue the AASDN-BOC Manager shall transmit such allegations to the Chair of the AASDN Credentialing Commission which shall act as the Hearing Panel. The Hearing Panel shall review the complaint and contact the accuser by telephone or via postal mail to set up a time and date to review the allegation. All phone conversations will be recorded and all parties will be notified of the recording procedures. Accusers will be questioned about the facts regarding the alleged incident(s) and information relevant to the case such as times, date and location of the offense shall be reviewed with the accuser for clarity. After all those involved in the accusation are questioned, the Hearing Panel will determine if good cause exists to move further into the investigation. If the Hearing Panel determines that no good cause exists to question eligibility or compliance with the Professional Code of Conduct and Scope of Practice, no further action shall be taken. However, if the Hearing Panel determines by majority vote that good cause does exist, it shall direct the transmittal to the applicant or Certificant by certified mail or tracked courier, return receipt requested, of a letter containing a statement of the factual allegations

constituting the alleged violation and the disciplinary standard allegedly violated. The letter shall also include the following recitation of rights and procedures: The applicant or Certificant shall have fifteen (15) days in which to respond to the allegations, provide comments regarding appropriate sanctions, and request a formal hearing if he or she disputes the allegations; sanctions may be imposed if the allegations are determined to be true by the Hearing Panel, or if the applicant or Certificant fails to submit a timely response; the applicant or Certificant will be deemed to consent to the imposition of sanctions by the Hearing Panel if he or she does not dispute the truthfulness of the allegations; the applicant or Certificant must appear in person if he/she requests a hearing.

APPEALS

If the applicant or Certificant disputes the allegations and requests a hearing, the Chair shall: forward the allegations and response of the applicant or Certificant to the hearing panel; schedule a hearing before the Hearing Panel after the request is received; send by certified mail or tracked courier, return receipt requested, a Notice of Hearing to the applicant or Certificant. The Notice of Hearing shall include a statement of the time and place of the hearing as selected by the AASDN-BOC Manager after consultation with the Chair of the Hearing Panel. The Hearing Panel shall maintain an audio taped or written transcript of the proceedings. AASDN-BOC and the applicant or Certificant may make opening statements, present documents and testimony, examine and cross examine witnesses under oath, make closing statements and present written briefs as scheduled by the Hearing Panel.

The Hearing Panel shall determine all matters relating to the hearing. The hearing and related matters shall be determined on the record by majority vote. Formal rules of evidence shall not apply. Relevant evidence may be admitted. Disputed questions shall be determined by majority vote of the Panel. The decision of the Hearing Panel shall be rendered in writing. A decision by the Hearing Panel shall contain factual findings, conclusions of law and any sanctions applied. It shall be transmitted to the applicant or Certificant by certified mail or tracked courier, return receipt requested.

SANCTIONS

Sanctions for violation of any AASDN-BOC Standard may include one or more of the following: Denial or suspension of eligibility; revocation; non-renewal; censure; reprimand; suspension; training or other corrective action.