

MAR 0 1 2024

SENATE RESOLUTION

URGING THE DEPARTMENT OF HEALTH TO AMEND THE HAWAII
ADMINISTRATIVE RULES TO AUTHORIZE LICENSED DIETITIANS TO
PRESCRIBE MODIFIED DIETS AND PLAN THERAPEUTIC DIETS.

1 WHEREAS, Hawaii has repeatedly and consistently been
2 recognized by the federal government as a health professional
3 shortage area; and
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5 WHEREAS, registered dietitian nutritionists (RDNs) enhance
6 patient care by providing key nutrition services, and is
7 recognized widely by physicians as the most qualified health
8 care professionals to help patients with diet-related
9 conditions; and
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11 WHEREAS, in 2014, the federal Centers for Medicare and
12 Medicaid Services (CMS) announced a final rule allowing RDNs in
13 hospital settings to be privileged to independently write diet
14 orders without the supervision or approval of the physician, on
15 the basis that it would:
16

- 17 (1) Reduce unnecessary and burdensome procedures by
18 physicians to write the diet orders;
19
20 (2) Increase flexibility for health care providers to
21 improve care;
22
23 (3) Reduce costs to each health care facility; and
24
25 (4) Allow primary care physicians to focus on their
26 respective areas of expertise to care for patients;
27 and
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29 WHEREAS, the CMS rules deferred to each individual hospital
30 system the determination of whether to grant RDNs specific
31 nutrition order-writing privileges to suit each hospital
32 system's needs, within the confines of state regulations; and
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34 WHEREAS, the existing Hawaii Administrative Rules do not
35 allow licensed dietitians to issue diet orders; and
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1 WHEREAS, allowing licensed dietitians to prescribe and plan
2 diets within the State's health care system will reduce issues
3 associated with the current shortage of physicians in the State,
4 while ensuring that patients have sufficient nutrition; now,
5 therefore,

6
7 BE IT RESOLVED by the Senate of the Thirty-second
8 Legislature of the State of Hawaii, Regular Session of 2024,
9 that the Department of Health is urged to amend the Hawaii
10 Revised Statutes to authorize licensed dietitians to prescribe
11 modified diets and plan therapeutic diets; specifically, by
12 amending section 11-93-8, subsections (c) and (d), Hawaii
13 Administrative Rules, to read as follows:

14
15 "(c) All modified diets shall be:

- 16
17 (1) Prescribed by the patient's physician or
18 qualified dietitian privileged by the hospital to
19 do so with a record of the diet as ordered kept
20 on file.
21
22 (2) Planned, prepared, and served by qualified
23 personnel using the current Hawaii Dietetic
24 Association manual or the American Dietetic
25 Association manual, or both.
26
27 (3) Reviewed and adjusted as needed.

28
29 (d) Therapeutic diets shall be planned by a [~~qualified~~]
30 licensed dietitian, as prescribed by the patient's
31 physician[-] or licensed dietitian privileged by the
32 hospital to do so. Nutrition assessment and dietary
33 counseling shall be provided by a dietitian when indicated
34 for a patient. Nutrition plans and follow-ups shall be
35 documented in the individual medical record."; and
36
37

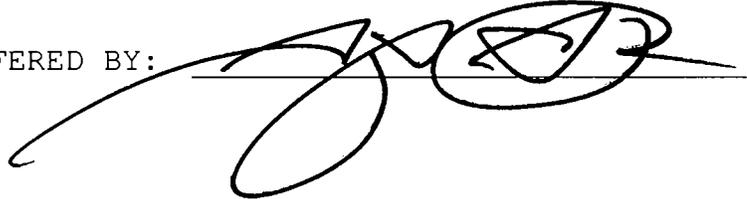


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1 BE IT FURTHER RESOLVED that a certified copy of this
2 Resolution be transmitted to the Director of Health.

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OFFERED BY:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right, positioned over a horizontal line.