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# 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 are  
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:  
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- 17           (1) Reduce unnecessary and burdensome procedures by  
18 physicians to write the diet orders;  
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20           (2) Increase flexibility for health care providers to  
21 improve care;  
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23           (3) Reduce costs to each health care facility; and  
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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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1 WHEREAS, the existing Hawaii Administrative Rules do not  
2 allow licensed dietitians to issue diet orders; and

3  
4 WHEREAS, allowing licensed dietitians to prescribe and plan  
5 diets within the State's health care system will reduce issues  
6 associated with the current shortage of physicians in the State,  
7 while ensuring that patients have sufficient nutrition; now,  
8 therefore,

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

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18 "(c) All modified diets shall be:

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- 20 (1) Prescribed by the patient's physician or
- 21 qualified dietitian privileged by the hospital to
- 22 do so with a record of the diet as ordered kept
- 23 on file.
- 24
- 25 (2) Planned, prepared, and served by qualified
- 26 personnel using the current Hawaii Dietetic
- 27 Association manual or the American Dietetic
- 28 Association manual, or both.
- 29
- 30 (3) Reviewed and adjusted as needed.

31  
32 (d) Therapeutic diets shall be planned by a [~~qualified~~]  
33 licensed dietitian, as prescribed by the patient's  
34 physician[-] or licensed dietitian privileged by the  
35 hospital to do so. Nutrition assessment and dietary  
36 counseling shall be provided by a dietitian when indicated  
37 for a patient. Nutrition plans and follow-ups shall be  
38 documented in the individual medical record."; and  
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- 1 BE IT FURTHER RESOLVED that a certified copy of this
- 2 Resolution be transmitted to the Director of Health.

