

*****DRAFT - NOT FOR FILING*****

173-4-06 Nutrition counseling.

Comment [ODA1]: ODA proposes to switch from "nutrition consultation: to "nutrition counseling."

(A) Definitions for this rule:

(1) "Nutritional assessment" has the same meaning as in rule 4759-2-01 of the Administrative Code.

(2) "Nutrition counseling" has the same meaning as "medical nutrition therapy" in rule 4759-2-01 of the Administrative Code.

(B) In addition to complying with the mandatory clauses for provider agreements described in rule 173-3-06 of the Administrative Code, a nutrition counseling provider shall comply with the following requirements:

(1) In general:

(a) Authorization:

(i) Initial: If the provider receives a signed and dated authorization from the consumer's treating physician (or another healthcare professional with prescriptive authority) indicating that the consumer needs nutrition counseling, the provider may begin to furnish the counseling, subject to the other requirements of this rule. The provider may continue to furnish counseling for up to sixty days after the date of the physician's authorization.

(ii) Subsequent: The provider may furnish counseling for subsequent periods of up to sixty days only if the provider receives a subsequent signed and dated authorization from a physician (or another healthcare professional with prescriptive authority) indicating that the consumer continues to need counseling.

(b) Face-to-face: A licensed dietitian shall furnish the counseling to the consumer or family caregiver (on behalf of the consumer) on a face-to-face basis or by means of a telecommunications system. As used in this paragraph, "telecommunications" means technologies that exchange health information and furnish health care services across geographic, time, social, and cultural barriers.

Comment [ODA2]: The requirements of the current rule for a consultant are the requirements for a licensed dietitian in the proposed new rule.

(2) Nutritional assessment:

(a) Initial: A licensed dietitian shall conduct an initial nutritional assessment of the consumer by assessing the following:

(i) Nutrient intake.

(ii) Anthropometric measurements.

(iii) Biochemical values.

(iv) Physical and metabolic parameters.

(v) Socio-economic factors.

(vi) Current medical diagnosis and medications.

(vii) Pathophysiological processes.

(viii) Access to food and food-assistance programs.

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(b) Subsequent outcomes: When necessary, the licensed dietitian shall conduct subsequent nutritional assessments of the consumer by assessing the following:

Comment [ODA3]: New

(i) Nutrient intake, including the following questions about previously-furnished nutrition counseling:

- (a) "Did the counseling assist you in making better food choices?"
- (b) "Have you begun to monitor your carbohydrate intake since receiving the counseling?"
- (c) "Have you begun to monitor your fat intake since receiving the counseling?"
- (d) "Have you begun to monitor your sodium intake since receiving the counseling?"
- (e) "Have you begun to monitor your fiber intake since receiving the counseling?"

(ii) Anthropometric measurements.

(iii) Biochemical values.

(iv) Physical and metabolic parameters.

(v) Socio-economic factors.

(vi) Current medical diagnosis and medications.

(vii) Pathophysiological processes.

(viii) Access to food and food-assistance programs.

(c) No later than seven calendar days after the assessment, the licensed dietitian shall furnish the results of the assessment to the consumer's case manager, if the consumer has a case manager, and physician (or other healthcare professional with prescriptive authority).

(3) Nutrition intervention plan:

(a) Based upon the results of the nutritional assessment, the licensed dietitian shall develop a nutrition intervention plan that includes:

- (i) Clinical and behavioral goals and a care plan;
- (ii) Intervention planning, including nutrients required, feeding modality, and method of nutrition education and counseling, with expected measurable outcomes;
- (iii) Consideration for input from the consumer, physician, case manager, and, when applicable, any caregiver or relevant service providers; and,
- (iv) The scheduling of any follow-up counseling.

(b) No later than seven calendar days after the nutritional assessment, the licensed dietitian shall furnish the intervention plan to the consumer's case manager and physician (or other healthcare professional with prescriptive authority).

(c) The licensed dietitian shall furnish documentation of the plan's implementation and the consumer's outcomes to the case manager and the physician (or other healthcare professional with prescriptive

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authority).

(d) The licensed dietitian shall furnish a plan to the consumer.

(4) Licensed dietitian qualifications and limitations:

(a) The provider shall furnish evidence to the AAA that the licensed dietitian is a licensed dietitian.

(b) The licensed dietitian shall not furnish counseling that exceeds the limitations of the provider agreement with the AAA.

(5) Service verification:

(a) For each counseling session, the provider shall retain a record of the consumer's name, the date of the counseling, the time of day that the counseling begins and ends, the name and signature of the licensed dietitian who furnished the counseling, and the consumer's signature.

(b) The provider may use a technology-based system to collect and retain this rule's records requirements.

(C) Unit of service: A unit of service is equal to fifteen minutes of counseling.